

VIII. Privacy – GLBA

Module 3

Sharing nonpublic personal information with nonaffiliated third parties only under Sections 14 and/or 15.

NOTE: This module applies only to customers.

A. Disclosure of Nonpublic Personal Information

1. Select a sample of third party relationships with nonaffiliated third parties and obtain a sample of data shared between the institution and the third party.
 - a. Compare the data shared and with whom the data were shared to ensure that the institution accurately states its information sharing practices and is not sharing nonpublic personal information outside the exceptions.

B. Presentation, Content, and Delivery of Privacy Notices

1. Obtain and review the financial institution's initial and annual notices, as well as any simplified notice that the institution may use. Note that the institution may only use the simplified notice when it does not also share nonpublic personal information with affiliates outside of Section 14 and 15 exceptions. Determine whether or not these notices:
 - a. Are clear and conspicuous (§§3(b), 4(a), 5(a)(1));
 - b. Accurately reflect the policies and practices used by the institution (§§4(a), 5(a)(1)). Note, this includes practices disclosed in the notices that exceed regulatory requirements; and
 - c. Include, and adequately describe, all required items of information (§6).
2. Through discussions with management, review of the institution's policies and procedures, and a sample of electronic or written customer records where available, determine if the institution has adequate procedures in place to provide notices to customers, as appropriate. Assess the following:
 - a. Timeliness of delivery (§§4(a), 4(d), 4(e), 5(a)); and
 - b. Reasonableness of the method of delivery (e.g., by hand; by mail; electronically, if the customer agrees; or as a necessary step of a transaction) (§9) and accessibility of or ability to retain the notice (§9(e)).

C. Checklist Cross References—Module 3

Regulation Section	Subject	Checklist Questions
6	Customer notice content and presentation	13
6(c)(5);	Simplified notice content (optional)	1, 3-7, 37, 38
4(a, d, e); 5; and 9	Customer notice delivery process rules (as applicable)	1, 3-7, 35-40
14, 15	Exceptions	48, 49, 50