

VIII. Privacy – GLBA

| Examination Checklist — Subpart C (continued) | Yes | No |
|---|-----|----|
| Other Exceptions to Notice and Opt Out Requirements (continued) | | |
| f. in connection with a proposed or actual sale, merger, transfer, or exchange of all or a portion of a business or operating unit, if the disclosure of nonpublic personal information concerns solely consumers of such business or unit; [§15(a)(6)] | | |
| g. to comply with Federal, state, or local laws, rules, or legal requirements; [§15(a)(7)(i)] | | |
| h. to comply with a properly authorized civil, criminal, or regulatory investigation, or subpoena or summons by Federal, state, or local authorities; [§15(a)(7)(ii)] or | | |
| i. to respond to judicial process or government regulatory authorities having jurisdiction over the institution for examination, compliance, or other purposes as authorized by law? [§15(a)(7)(iii)] <i>NOTE: the regulation gives the following as an example of the exception described in section a of this question: “A consumer may specifically consent to [an institution’s] disclosure to a nonaffiliated insurance company of the fact that the consumer has applied to [the institution] for a mortgage so that the insurance company can offer homeowner’s insurance to the consumer.”</i> | | |

References

Listed below are links to several Privacy resources, including the official examination procedures and the examination job-aid.

FDIC Part 332: Privacy of Consumer Financial Information
<http://www.fdic.gov/regulations/laws/rules/2000-5550.html>

FIL 01-46: Examination Procedures
<http://www.fdic.gov/news/news/financial/2001/FIL0146.html>

FDIC Legal Advisory Opinions
<http://www.fdic.gov/regulations/laws/opinions/index.html>

Press Release: Frequently Asked Questions for the Privacy Regulation
<http://www.fdic.gov/news/news/press/2001/pr9301a.html>

DSC RD Memo 03-2001: Privacy Rule Handbook
<http://www.fdic.gov/news/news/financial/2001/fil0103.html>

Job Aids

Examination Job Aid
<http://fdic01/division/dsc/compliance/privacy/PrivacyComplianceJobAid.htm>

FDIC Staff Response to Questions Regarding the Privacy of Consumer Financial Information
<http://fdic01/division/dsc/compliance/privacy/FDICStaffQA71101.html>