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# RESCINDED

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Electronic Banking  
Questionnaire

This document and any attachments are superseded by Comptroller's Handbook - Consumer Compliance Examination - Other Consumer Protection Laws and Regulations.

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## Children's Online Privacy Protection

### Website Notice (16 CFR 312.4)

1. A link is posted on the website to a notice of the financial institution's information practices with regard to children. [16 CFR 312.4 (b)].
  
2. The link to the notice is clearly labeled as a notice of the website's information practices with regard to children, and is placed in a clear and prominent place on the home page of the website and at each area on the website where a child directly provides personal information [16 CFR 312.4(b)(1)].
  
3. The notice states:
  - The name, address, telephone number, and e-mail address of any operator who collects or maintains personal information from a child through the website [16 CFR 312.4(b)(2)(i)];
  - The types of information collected from a child and whether the information is collected directly or passively [16 CFR 312.4(b)(2)(ii)];
  - How such information is or may be used [16 CFR 312.4(b)(2)(iii)];
  - Whether such information is disclosed to a third party and, if so, determine whether:
    - The notice states the types of businesses engaged in by the third parties;
    - The purposes for which the information is used;
    - The third parties have agreed to maintain the confidentiality, security and integrity of the information; and
    - That a parent has the option to consent to the collection and use of the information without consenting to the disclosure; [16 CFR 312.4(b)(2)(iv)];
  - The operator is prohibited from conditioning a child's participation in an activity on the disclosure of more information than is reasonably necessary to participate in such activity [16 CFR 312.4(b)(2)(v)]; and
  - A parent can review and have deleted the child's personal information; and  
    - Refuse to permit further collection or use of the child's information; and
    - States the procedures for doing so [16 CFR 312.4(b)(2)(vi)].

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## Electronic Banking Questionnaire

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Yes    No

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4.    The notice to a parent

- States that the operator wishes to collect information from the child.
  
- Includes the information contained in the §312.4(b) website notice (see step 3 above) [16 CFR 312.4(c)(1)(i)].
  
- If §312.5(a) applies, states that the parent's consent is required for the collection, use and/or disclosure of such information and states the means by which the parent can provide verifiable consent to the collection of information. [16 CFR 312.4(c)(1)(ii)].
  
- Includes additional information as detailed in the regulation if the exceptions in §312.5(c)(3) and (4) apply.

COMMENTS

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