

## IMPORTANT INFORMATION

Call 888-340-2265 to withdraw your consent to receive electronic Notices.



### Electronic Notice and Consent Agreement – Online Account Openings

Effective as of September 3, 2023

As part of your relationship with BMO, we may be required by law to give you certain information “in writing” (on paper). We may also need to obtain your signature to perform certain functions, such as opening an account or enrolling you in our services. With your consent, you can choose to both receive information and to provide necessary signatures related to your relationship with us electronically.

To apply to open an Account online, we need your consent to receive the BMO Handbook (including the Deposit Account Agreement), the Deposit Account Disclosures (for personal Accounts only), the Privacy Policy (for personal Accounts only), the Current Rates and Annual Percentage Yields, the BMO Business Service Fee Schedule (for business Accounts only), and any other legal documents or disclosures that we provide to you through the Account opening process (collectively, the “*Account Opening Agreements*”) electronically and to provide necessary signatures to open your Account electronically. If you are unwilling to provide your consent, please contact us at 888-340-2265, visit us online at [bmo.com/us/](http://bmo.com/us/), or at a branch location for information about other methods to open a deposit account. Please read this Electronic Notice and Consent Agreement (this “*Consent*”) carefully and print or download a copy for your records.

This Consent applies to each Account that you applied for online using [bmo.com/us/](http://bmo.com/us/). By signing this Consent, you agree to the terms and conditions of the Account Opening Agreements and agree to receive in electronic form, online: (i) the Account Opening Agreements, including any disclosures contained in the Account Opening Agreements such as those required under the federal Electronic Funds Transfer Act and its implementing Regulation E; and (ii) any notices related to your Accounts, including, but not limited to, any amendments or other changes in terms to the Account Opening Agreements (“*Notices*”).

The words “we,” “our,” and “us” means BMO Bank N.A., and the words “you” and “your” means the individual or business entity that is applying for an Account. Capitalized terms not defined in this Consent have the meaning provided in the BMO Handbook.

1. **By agreeing to the terms of this Consent through the Account application process, you are consenting to the use of electronic records and signatures in connection with your relationship with us, and also confirming that:**
  - a. **You have read this Consent and the Account Opening Agreements and agree**

**to be bound by their terms applicable to the Accounts you apply for through [bmo.com/us](http://bmo.com/us) ;**

- b. You agree to receive this Consent, the Account Opening Agreements, and Notices in electronic form;**
  - c. You intend to affix your electronic signature to the Account Opening Agreements and this Consent;**
  - d. Your device(s) satisfies the hardware and software requirement provided in Section 2 of this Consent; and**
  - e. You have an active email account and the ability to access and view this Consent and other electronic documents in Portable Document Format (“PDF”).**
2. To access, view and retain the Account Opening Agreements and Notices that we make available to you in electronic form, you must have the following hardware and software:
- a. A computer and an up-to-date Internet browser that meets our current minimum requirements as set forth from time to time at [bmo.com/us/security](http://bmo.com/us/security);
  - b. Local, electronic storage capacity to retain the Account Opening Agreements and Notices and/or printer to print them;
  - c. A valid email account and software to access it;
  - d. An up-to-date device or devices (e.g., computer, smartphone, tablet, etc.) suitable for connecting to the Internet; and
  - e. Software that enables you to view PDF files.

You understand and agree that we reserve the right to change these hardware and software requirements at any time upon notice to you. If we change these hardware or software requirements, and that change creates a material risk that you would not be able to access or retain your electronic Notices, we will notify you of the revised hardware or software requirements. By continuing to use your Account or BMO Digital Banking after such notice, you reaffirm your consent.

3. You consent to receive the Account Opening Agreements and Notices in electronic format until you withdraw your consent as described below. We may always, in our sole discretion, provide you with any Notices in writing or send it to you via the U.S. mail or other means of delivery, even if you have chosen to receive it electronically. We may require any information you provide to us, or any document you sign, to be delivered to us in writing.
4. The Account Opening Agreements and Notices that we provide to you in electronic format will be provided:
- a. During the Account application process
  - b. Via email;
  - c. By access to a website which will be provided to you in an email notice we send to you when the Account Opening Agreements and Notices are available;
  - d. By posting on a website that we designate for that purpose; or
  - e. By other means we choose.

You agree that any communications that we provide to you by posting on a website or mobile application will be deemed delivered to you at the time that they are posted, even if you do

not open them.

5. The Account Opening Agreements and all Notices provided in electronic format from us to you will be considered “in writing.” You should print a copy of the Account Opening Agreements and all Notices or download them to your device for your records.
6. You are required to provide us with an accurate and complete email address to apply to open an Account online and to maintain and update any changes to the information promptly. You can update information by changing your Preferences in the Home section of your BMO Digital Banking profile, or by contacting us at 888-340-2265.
7. We will provide you with a paper copy of the Account Opening Agreements and any Notices at your request at no cost. Contact us at 888-340-2265 to request paper copies.
8. If you prefer to receive paper Notices, you have the right to withdraw your consent to receive Notices electronically. Contact us at 888-340-2265 to withdraw your consent to receive electronic Notices. We may treat your failure to provide us with a valid e-mail address, or the malfunction of a previously valid e-mail address, as a withdrawal of your consent to receive electronic Notices, at our discretion. We will not impose a fee to process the withdrawal of your consent. Your withdrawal of your consent will be effective only after we have had a reasonable period of time to process your request.
9. We reserve the right, in our sole discretion, to discontinue provision of electronic Notices. We will provide you with notice of any such termination or change as required by law.
10. You acknowledge and agree that you consent to receive the Account Opening Agreements and Notices in electronic form in connection with a transaction affecting interstate commerce and that this Consent, the Account Opening Agreements and Notices are subject to the federal Electronic Signatures in Global and National Commerce (the “*Act*”). We and you intend that the Act apply to the fullest extent possible.