# Hold Funds Policy and Access to Funds Disclosure

## *Why Did We Create This Document?*

The *Bank Act* requires Canadian chartered banks and authorized foreign banks in Canada to inform customers of its Hold Funds Policy in clear and plain language. To comply with Canadian law, Fifth Third Bank, National Association, ("Fifth Third Bank"), Canada Branch, an authorized foreign bank branch under the *Bank Act,* has created this Access to Funds Disclosure document explaining its Hold Funds Policy and how to contact us if you have any questions, complaints or concerns.

## *Hold Funds Policy*

Funds for cheques and other Instruments deposited to an Account may not be accessible immediately. The length of the hold period can vary depending on the location of the issuing financial institution.

In general, the length of the hold period is:

(i) five (5) business days, or any shorter period required by law, for cheques and other Instruments in Canadian or US currency drawn on a Canadian branch of a Canadian financial institution;

(ii) fifteen (15) business days for cheques and other Instruments drawn on a US financial institution; and

(iii) twenty-five (25) business days for cheques and other Instruments drawn on a foreign financial institution other than in the US.

After the hold period, the customer may access the funds in the normal course. However, Fifth Third Bank, Canada Branch's release of funds to the customer does not mean that the cheque or other Instrument cannot be returned.

If the cheque or other Instrument is returned after the hold period, Fifth Third Bank, Canada Branch may charge the amount of the cheque or such other Instrument to the Account. For these purposes, the term "business day" means regular weekdays only and excludes Saturdays, Sundays, and holidays under Applicable Laws.

### *How Can You Contact Us?*

Please let us know if you have any questions, complaints or concerns about your dealings with Fifth Third Bank, Canada Branch. Complaints regarding products and services offered by Fifth Third Bank, Canada Branch can be made by contacting their Branch Relationship Manager directly by mail, fax or e-mail at:

Fifth Third Bank, Canada Branch
222 Bay Street, Suite 2720
Toronto Ontario, Canada
M5K 1J3
E-mail: CanadaBranch.Bancorp@53.com

If the problem cannot be resolved, then the Relationship Manager should contact the Fifth Third Bank, Canada Branch Complaints Liaison designated below. Such complaints will be replied to in a timely manner.

John Basaraba
Managing Director and Principal Officer, Fifth Third Bank, Canada Branch
222 Bay Street, Suite 2720
Toronto Ontario, Canada M5K 1J3
Phone: 416-645-8366
Fax: 1-866-719-0023
E-mail: john.basaraba@53.com

Alternatively, if the problem still cannot be resolved, customers may contact the Fifth Third Bank, Canada Branch/Second Level Reportable Complaints and Compliance Liaison:

Albert Dell'Apa
Canadian Chief Compliance Officer and Canadian Chief Privacy Officer
Fifth Third Bank, Canada Branch
222 Bay Street, Suite 2720
Toronto Ontario, Canada M5K 1J3
Phone: 416-645-8363
E-mail: Albert.DellApa@53.com

Fifth Third Bank, Canada Branch is a member of the Ombudsman for Banking Services and Investments ("OBSI"), a Third Party Complaints Body, as required under the *Bank Act.* Customers who wish to contact OBSI directly can do so by mail, telephone, fax or e-mail at:

Ombudsman for Banking Services and Investments (OBSI)
20 Queen Street West, Suite 2400
P.O. Box 8
Toronto, Ontario, M5H 3R3
Toll-Free Phone: 1 (888) 451-4519
GTA Phone: (416) 287-2877
TTY Phone: 1 (844) 358-3442
Toll-Free Fax: 1 (888) 422-2865
GTA Fax: (416) 225-4722
E-mail: ombudsman@obsi.ca
Website: www.obsi.ca

Finally, a complainant may contact the Financial Consumer Agency of Canada ("FCAC") directly at:

427 Laurier Avenue West, 5th Floor
Ottawa, Ontario, K1R 1B9
For service in English: 1-866-461-FCAC (3222)
For service in French: 1-866-461-ACFC (2232)
For calls from outside Canada: 613-960-4666
Teletypewriter (TTY): 1-866-914-6097/613-947-7771
http://www.fcac-acfc.gc.ca