

Electronic Notice and Consent Agreement –  
Online Credit Card Account Application and Opening

Effective as of May 7, 2021

To apply for a BMO Credit Card Account (the “**Credit Card Account**”) online, you must consent to BMO Bank N.A. providing applicable terms, agreements and other disclosures, such as a Cardholder Agreement, the Summary of Credit Terms, Mastercard Guide to Benefits, and BMO Flex Rewards Program Rules, and any other legal documents or disclosures that we provide to you through the Credit Card Account opening process (collectively, the “**Credit Card Agreements**”) electronically to you. **Please read this Electronic Notice and Consent Agreement carefully and print or download a copy for your records.**

The Electronic Notice and Consent Agreement (this “**Consent**”) applies to each Credit Card Account that you applied for online using [bmo.com/us](http://bmo.com/us) or BMO Digital Banking, which includes both Online Banking and Mobile Banking, as well as the Services provided to you by BMO Bank N.A. through those platforms. By signing this Consent, you agree to the terms and conditions of the Credit Card Agreements and agree to receive in electronic form, online: (i) the Credit Card Agreements, including any disclosures contained in the Credit Card Agreements; and (ii) any notices related to the Credit Card Agreements, as well as any amendments or other changes in terms to the Credit Card 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 Credit Card Account online.

Capitalized terms not defined in this Consent have the meaning provided in the Credit Card Agreements.

1. To access, view and retain the Credit Card Agreements and Notices that we make available to you in electronic form, you must have the following hardware and software:
  - A computer and an up-to-date internet browser that meets our current minimum requirements as set forth from time to time at [www.bmo.com/us/security](http://www.bmo.com/us/security) under Secure Browsing;
  - local, electronic storage capacity to retain the Credit Card Agreements and Notices and/or printer to print them;
  - a valid email account and software to access it;
  - an up-to-date device or devices (e.g., computer, smartphone, tablet, etc.) suitable for connecting to the internet; and
  - software that enables you to view files in the Portable Document Format (“PDF”).

You understand and agree that we reserve the right to change these hardware and software requirements at any time upon notice to you.

2. You consent to receive the Credit Card Agreements and Notices in electronic format until you withdraw your consent as described below.

- (i) The Credit Card Agreements and Notices that we provide to you in electronic format will be provided via e-mail; (ii) by access to a website which will be provided to you in an e-mail notice we send to you when the Credit Card Agreements and Notices are available; or (iii) by posting on a website that we designate for that purpose.
3. The Credit Card Agreements and all Notices provided in electronic format from us to you will be considered "in writing." You should print a copy of the Credit Card Agreements and all Notices or download them to your desktop for your records.
  4. You are required to provide us with an accurate and complete e-mail address and other information related to your use of Credit Card Account and to maintain and update any changes to the information promptly. You can update information through BMO Digital Banking, if enrolled, or by contacting us at 855-825-9237.
  5. You expressly agree that we may contact you at the email address, phone number (whether landline or wireless), and address that you provide to us or that we obtain, including from a third party. We may contact you by email, phone number, or letter regarding information related to you or your Credit Card Account. This contact may include but is not limited to your Credit Card Account application, account management/maintenance, informational messages, debt collection, fraud prevention, survey/research, identity verification, compliance with federal or state law or regulations, and/or to determine how you intend to use and pay the balance owed on your Credit Card Account. You expressly agree to allow us (and other companies working with us to service your accounts) to send you text messages and/or artificial or prerecorded voice messages by an autodialer or any other means. Message and data rates may apply.
  6. We will provide you with a paper copy of the Credit Card Agreements and any Notices at your request at no cost. Contact us at 855-825-9237.
  7. Your acceptance of a Credit Card Account requires that you agree to receive all Credit Card Agreements and Notices electronically. 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 Credit Card Agreements and Notices, at our discretion. We will not impose a fee to process the withdrawal of your consent.
  8. We reserve the right, in our sole discretion, to discontinue provision of electronic Credit Card Agreements and Notices. We will provide you with notice of any such termination or change as required by law.
  9. You acknowledge and agree that you consent to receive the Credit Card Agreements and Notices in electronic form in connection with a transaction affecting interstate commerce and that this Consent, the 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.
  10. By clicking (a) "I have read and consent to the Electronic Communications Delivery Notice and Agreement" below, (b) the box acknowledging that you have read and agree to the terms and disclosures in the Credit Card Agreements below, and (c) the "Submit Application" button at the end of the online Credit Card Account opening process, you agree that:
    - (i) you have read this Consent and the Credit Card Agreements and agree to be bound by their terms applicable to the Credit Card Accounts you apply for using BMO Digital Banking which is governed by the BMO Digital Banking Agreement;

- (ii) you consent to receive the Credit Card Agreements, this Consent and Notices in electronic form;
- (iii) you intend to affix your electronic signature to the Credit Card Agreements, as needed, and this Consent;
- (iv) your device(s) satisfies the hardware and software requirement provided in the Consent; and
- (v) you can access this PDF.