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## Discretionary Overdraft Privilege Policy

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It is the policy of Utilities Employees Credit Union to comply with all applicable laws and regulations and to conduct business in accordance with applicable safety and soundness standards.

The Deposit Account Agreement and Disclosure provided to you at the time you opened your account with us controls the duties, obligations and rights of the Depositor, the Authorized Signatories and Utilities Employees Credit Union with regard to your checking account. The Deposit Account Agreement (and all amendments thereto) and its terms shall control any possible conflict, if any, between any provision of this Discretionary *Advantages Overdraft Defense*<sup>™</sup> Policy and the Deposit Account Agreement and Disclosure. A copy of the Deposit Account Agreement and Disclosure is available to you on request from Utilities Employees Credit Union.

*Advantages Overdraft Defense*<sup>™</sup> is not a line of credit. However, if you inadvertently overdraw your account, we will have the discretion to pay the overdraft, subject to the limit of your overdraft privilege and the amount of the overdraft fee. Utilities Employees Credit Union is not obligated to pay any item presented for payment if your account does not contain sufficient available funds. Any discretionary payment by Utilities Employees Credit Union of an overdraft check (or items, such as ATM withdrawals) does not obligate Utilities Employees Credit Union to pay any other overdraft check (or item), or to provide prior notice of its decision to refuse to pay such check (or item).

Pursuant to Utilities Employees Credit Union's commitment to always provide you with the best level of service, now and in the future, if your consumer account (primarily used for personal and household purposes) is in good standing, which includes at least:

- A) Bringing your account to a positive balance within every thirty (30) day period for a minimum period of 24 hours
- B) Not being in default on any loan or other obligation to Utilities Employees Credit Union and
- C) Not being subject to any legal or administrative order or levy

Utilities Employees Credit Union will have the discretion to pay overdrafts within the overdraft privilege limits, but payment by Utilities Employees Credit Union is a discretionary courtesy and not a right of the accountholder or an obligation of Utilities Employees Credit Union. This privilege for consumer checking accounts will generally be limited to a maximum of \$750 overdraft (negative) balance. Of course, any and all fees and charges, including without limitation the non-sufficient funds (NSF) fees (as set forth in our fee schedules and deposit account agreement and disclosure), will be included as part of this maximum amount. It may be possible that your account will become overdrawn in excess of the overdraft privilege amount as a result of the assessment of a fee.

The total of the discretionary overdraft privilege (negative) balance, which includes any and all fees and charges, including all non-sufficient funds/overdraft fees is due and payable upon demand, and Depositor and each Authorized Signatory will continue to be liable, jointly and severally, for all such amounts, as described in the Deposit Account Agreement and Disclosure. Our standard NSF fee of \$30 will be imposed for overdrafts created by checks, ACH, ATM withdrawals, everyday debit card transactions, in-person withdrawals, or by other electronic means up to five (5) transactions per day. Transactions may not be processed in the order in which they occurred, and the order in which transactions are received and processed may impact the total amount of fees incurred.

While Utilities Employees Credit Union will have the discretion to pay overdrafts on accounts in good standing (as described above), any such payment is a discretionary courtesy, and not a right of the accountholder or an obligation of Utilities Employees Credit Union and Utilities Employees Credit Union in its sole and absolute discretion, can cease paying overdrafts at any time without prior notice of reason or cause.

For our consumer accountholders, Utilities Employees Credit Union will not approve ATM or everyday debit card transactions using this privilege limit unless Utilities Employees Credit Union has provided you with the notice required by section 1005.17(b) of Regulation E and you have opted in to the authorization and payment of these overdrafts. In addition, you may opt out of the *Advantages Overdraft Defense*<sup>™</sup> services for check, ACH and debit card bill payment transactions at any time by contacting one of our Account Services Representatives.