**Section 4002.130 Exception to Opt Out Requirements for Disclosure of Nonpublic Personal Financial Information for Service Providers and Joint Marketing**

a) The opt out requirements in Sections 4002.70 and 4002.100 of this Part do not apply when a licensee provides nonpublic personal financial information about a consumer to a nonaffiliated third party to perform services for the licensee or functions on the licensee's behalf, if the licensee:

1) Provides the initial notice in accordance with Section 4002.40 of this Part; and

2) Enters into a contractual agreement with the third party that prohibits the third party from disclosing or using the information other than to carry out the purposes for which the licensee disclosed the information, including use under an exception in Section 4002.140 or 4002.150 of this Part in the ordinary course of business to carry out those purposes.

b) Service may include joint marketing. The services a nonaffiliated third party performs for a licensee under subsection (a) of this Section may include marketing of the licensee's own products or services or marketing of financial products or services offered pursuant to joint agreements between the licensee and one or more financial institutions.

c) Definition of "joint agreement". For purposes of this Section, "joint agreement" means a written contract pursuant to which a licensee and one or more financial institutions jointly offer, endorse or sponsor a financial product or service.