

IMPORTANT INFORMATION ABOUT YOUR CHECKING ACCOUNT

The Check 21 Act: Substitute Checks and Your Rights

The Check 21 Act is landmark legislation that will take effect beginning October 28, 2004. It will permit any person or entity who processes a check to create what the Act dubs a "substitute check"—a paper reproduction (front and back) of the original check. These substitute checks will contain all the information contained on the original check and will bear the legend: "This is a legal copy of your check. You can use it the same way you would use the original check." The first step in creating a substitute check is to create an electronic image of the original check. Once an electronic image is created, the original check is "truncated," or taken out of circulation. The person or entity that creates the electronic image is then responsible for truncating the original check. Depending on that person's or entity's policies, they may either destroy the original check or store it for a period of time. Institutions can then process the electronic image or use it to create the paper reproduction (or substitute check) at any point in the process.

Accelerated check processing also means a reduction in the so-called "float" time—the amount of time between the writing and the cashing of a check.

What is a substitute check?

To make check processing faster, federal law permits banks to replace original checks with "substitute checks." These checks are similar in size to original checks with a slightly reduced image of the front and back of the original check. The front of a substitute check states: "This is a legal copy of your check. You can use it the same way you would use the original check." You may use a substitute check as proof of payment just like the original check.

Some or all of the checks that you receive back from us may be substitute checks. This notice describes rights you have when you receive substitute checks from us. The rights in this notice do not apply to original checks or to electronic debits to your account. However, you have rights under other law with respect to those transactions.

What are my rights regarding substitute checks?

In certain cases, federal law provides a special procedure that allows you to request a refund for losses you suffer if a substitute check is posted to your account (for example, if you think that we withdrew the wrong amount from your account or that we withdrew money from your account more than once for the same check). The losses you may attempt to recover under this procedure may include the amount that was withdrawn from your account and fees that were charged as a result of the withdrawal (for example, bounced check fees).

The amount of your refund under this procedure is limited to the amount of your loss or the amount of the substitute check, whichever is less. You also are entitled to interest on the amount of your refund if your account is an interest-bearing account. If your loss exceeds the amount of the substitute check, you may be able to recover additional amounts under other law.

If you use this procedure, you may receive up to \$2,500 of your refund (plus interest if your account earns interest) within 10 business days after we received your claim and the remainder of your refund (plus interest if your account earns interest) not later than 45 calendar days after we received your claim.

We may reverse the refund (including any interest on the refund) if we later are able to demonstrate that the substitute check was correctly posted to your account.

How do I make a claim for a refund?

If you believe that you have suffered a loss relating to a substitute check that you received and that was posted to your account, please contact us at:

Nassau Financial Federal Credit Union
1325 Franklin Avenue Plaza
Suite 500
Garden City, New York 11530

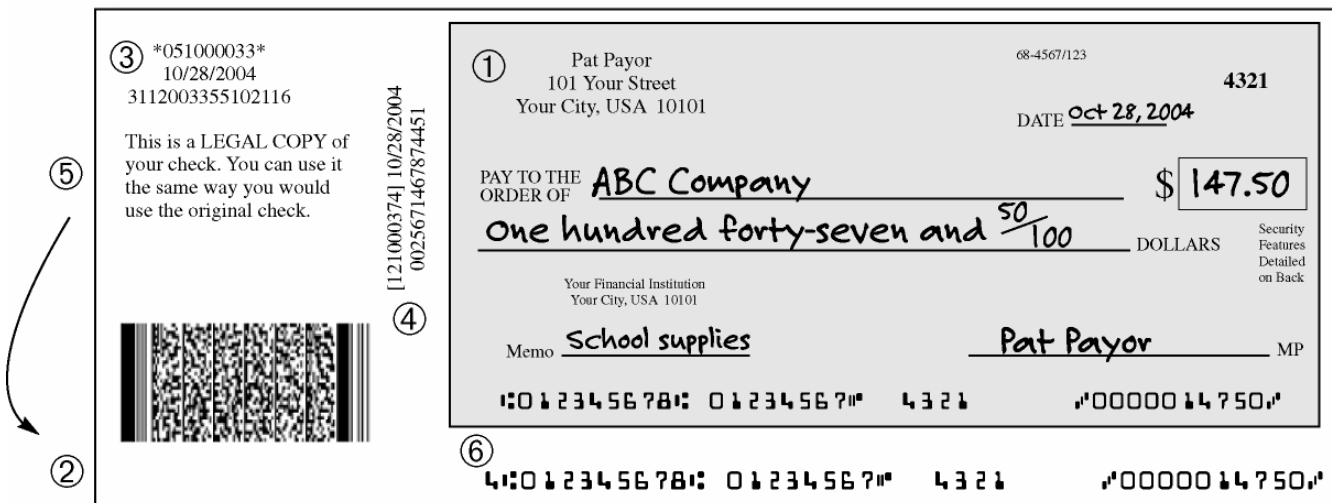
You must contact us within 40 calendar days of the date that we mailed (or otherwise delivered by a means to which you agreed) the substitute check in question or the account statement showing that the substitute check was posted to your

account, whichever is later. We will extend this time period if you were not able to make a timely claim because of extraordinary circumstances.

Your claim must include —

- A description of why you have suffered a loss (for example, you think the amount withdrawn was incorrect);
- An estimate of the amount of your loss;
- An explanation of why the substitute check you received is insufficient to confirm that you suffered a loss; and
- A copy of the substitute check or the following information to help us identify the substitute check: the check number, the amount of the check, the date of the check, and the name of the person to whom you wrote the check.

SUBSTITUTE CHECK IMAGE



- An image of the original check appears in the upper right-hand corner of the substitute check.
- A substitute check is the same size as a standard business check.
- The information in asterisks relates to the “reconverting bank”—the financial institution that created the substitute check.
- The information in brackets (appears sideways facing check image) relates to the “truncating bank”—the financial institution that took the original check out of the check processing system.
- The Legal Legend states: *This is a LEGAL COPY of your check. You can use it the same way you would use the original check.*
- The MICR lines at the bottom of the image of the original and at the bottom of the substitute check are the same except for the “4” at the beginning of the MICR line on the substitute check, which indicates that it is a substitute check being moved forward for collection purposes. It is also possible for the MICR line on the substitute check to begin with a “5” if the item is being returned. The rest of the MICR line is the same as the original check to ensure that it is processed as though it were the original.