Right to Financial Privacy Policy

POLICY STATEMENT

We, Our, and Us, when used in this policy shall refer to Home Bancshares, Inc. (HBI) and its affiliates. All affiliate employees have a duty to protect the confidential nature of customer financial records. Employees will not release customer financial information to any source other than a credit bureau without written authorization from the customer, a subpoena, summons, or warrant. *See attached informational addendum for a list of our affiliates.*

The Right to Financial Privacy Act (12 USC 3401, 12 CFR 219, 29 CFR 19, 31 CFR 14) establishes specific procedures for federal government authorities to follow when seeking customer records. Our employees will follow the procedures contained in this policy when a federal agency requests customer financial information.

APPLICABILITY

The act covers individuals or partnerships, if the partnership consists of five or fewer individuals. *Corporations or partnerships of six or more individuals are not covered by the act*. **In addition, the act excludes access by state government agencies, state or local law enforcement officials.**

REQUIREMENTS

To gain access to a customer's records, the act requires, with certain exceptions, that the federal government agency obtain one of the following:

1. An authorization, signed and dated by the customer, which identifies the records being sought, the reasons the records are being requested, and the customer's rights under the Right to Financial Privacy Act (The agency's request should be on an official form and contain the required customer authorization.)
2. An administrative subpoena or summons
3. A search warrant
4. A judicial subpoena
5. A formal written request by a government agency (to be used only if no administrative summons or subpoena authority is available)

If we receive a request for information from a federal agency, we may not release the financial records of a customer until the federal government authority seeking the records certifies in writing that it has complied with the applicable provision of the Right to Financial Privacy Act.

RECORD RETENTION

The Director of Deposit Operations will maintain a file of all federal government agency requests for customer records and copies of the furnished documents. The file contains the agency's official request, a summary of the information provided, the date provided, and the name of the employee providing the information. The act does not specify how long to keep copies. We shall keep copies for five (5) years.

This file will contain all requests covered by the Right to Financial Privacy Act as well as requests from state and local governments and the Internal Revenue Service and will be monitored by the Director of Deposit Operations.

COST FOR PRODUCTION

The act permits charging the federal agency for labor and reproduction costs. The authorized labor rate to be charged shall be the maximum allowed under current law. We will keep detailed records of the time it takes to produce documents for each request, subpoena, or summons. An itemized statement will be provided to the agency requesting the records. See 12 CFR 219.3 Appendix A for schedule of fees.

EXCEPTIONS

Certain requests by federal agencies are exempt from the Right to Financial Privacy Act, as follows:

1. Requests from federal law enforcement offices for information relevant to violations of the law or crimes
2. Requests from a court or agency when perfecting a security interest, proving a claim in bankruptcy, or collecting a debt
3. An agency's request for records that do not individually identify a particular customer
4. A supervisory agency's request for records sought in connection with its supervisory, regulatory, or monetary function
5. Specific reports required by federal statute or rules, such as the Home Mortgage Disclosure Act report

Exception to Notice Requirement But Where Certification Is Required

In certain instances, the act does not require a federal agency to provide a written notice to a customer if the agency requests financial information for the following purposes:

- Records incidental to a government loan, loan guaranty, loan insurance agreement, or default on a government-guaranteed or -insured loan
- Financial institution is subject of investigation when a financial institution is being investigated, whether or not the investigation is also directed at a customer.

In these instances, the federal government agency must provide written certification that it has met all requirements of the Right to Financial Privacy Act before we will release the requested information. The customer may examine these records.

CONDITION OF DOING BUSINESS

A financial institution may not require a consumer to authorize the release of their financial records to a government authority as a condition of doing business with the financial institution.

SUMMARY AND PROCEDURES

The Right to Financial Privacy Act establishes specific procedures for federal government authorities to follow when seeking customer financial records from financial institutions and imposes certain duties on institutions prior to releasing such information. In almost all instances, the federal agency must obtain written authorization from the customer or must serve us with a subpoena, summons, or warrant.

The federal agency must notify the customer that his or her records are being requested. We must receive written certification that the agency has complied with the act prior to our bank releasing the information.

The affiliate's employees who receive a release of financial records from any government agency or court will immediately notify the Director of Operations.

ADDENDUM A

HOME BANCSHARES AFFILIATE LISTING

Institutions within Home Bancshares, Inc

Centennial Bank
Centennial Insurance Agency Inc
Cook Insurance Agency
Freedom Insurance Group, Inc.
Centennial Bank doing business as giantbank.com
Centennial Bank doing business as Happy State Bank
GoldStar Trust Company
Centennial AL Holdings, Inc.
Centennial NY Holdings, Inc.
Centennial REIT, Inc.
Centennial Capital, Inc.

This addendum is intended for informational purposes only and is otherwise not made a part of this policy.