

HSBC Expat
Notice Relating to the
Personal Data (Privacy)
Ordinance (the “Ordinance”)

HSBC Bank plc (“we”, “us”, “our”, including our successors and assigns).

NOTICE RELATING TO THE PERSONAL DATA (PRIVACY) ORDINANCE (the “Ordinance”)

Where our Hong Kong branch collects, uses, or discloses a customer’s data:

- this Notice shall apply in addition to the terms of any other agreement between us and a customer; and
- in the event of any conflict or inconsistency between this Notice and the terms of any other agreement between us and a customer, this Notice shall prevail.

Collection of Data

- (a) We may collect the data of customers and other individuals in connection with the purposes set out in this Notice. These customers and other individuals may include the following or any of them (collectively “you”, “your”):
- applicants for banking or financial services;
 - persons giving or proposing to give guarantees or security for obligations owed to us;
 - persons linked to a customer or an applicant that is not an individual, including the beneficial owners and officers of that customer or applicant, or in the case of a trust, including the trustees, settlors, protectors and beneficiaries of the trust; and
 - other persons who are relevant to a customer’s relationship with us.
- (b) If any obligatory data requested by us is not provided, we may be unable to provide (or continue to provide) products or services to you or to the relevant customer or applicant linked to you.
- (c) Data may be:
- (i) collected from you directly, from someone acting on your behalf or from another source; and
 - (ii) combined with other data available to members of the HSBC Group (“HSBC Group” and any “member of the HSBC Group” means HSBC Holdings plc and/or its affiliates, subsidiaries, associated entities and any of their branches and offices).

Use of Data

- (d) We will use data for the following purposes or any of them (which may vary depending on the nature of your relationship with us):
- (i) considering and processing applications for products and services and the daily operation of products and services (including credit facilities provided to you or the relevant customer linked to you);
 - (ii) conducting credit checks whenever appropriate (including upon an application for consumer credit (including mortgage loans) and when we review credit which normally takes place one or more times each year);
 - (iii) creating and maintaining our credit and risk related models;
 - (iv) assisting other financial institutions to conduct credit checks and collect debts;
 - (v) ensuring your ongoing credit worthiness and good standing;

- (vi) designing financial products and services (including insurance, credit card, securities, commodities, investment, banking and related products and services) for your use;
- (vii) marketing products, services and other subjects as described in (f) below;
- (viii) determining the amount of indebtedness owed to or by you;
- (ix) exercising our rights under contracts with you, including collecting amounts outstanding from you;
- (x) meeting our obligations, requirements or arrangements or those of any member of the HSBC Group, whether compulsory or voluntary, to comply with or in connection with:
 1. any law, regulation, judgment, court order, voluntary code, sanctions regime, within or outside the Hong Kong Special Administrative Region (“Hong Kong”) existing currently and in the future (“Laws”) (e.g. the Inland Revenue Ordinance and its provisions including those concerning automatic exchange of financial account information);
 2. any guidelines, guidance or requests given or issued by any legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of financial services providers within or outside Hong Kong existing currently and in the future (e.g. guidelines, guidance or requests given or issued by the Inland Revenue Department including those concerning automatic exchange of financial account information) and any international guidance, internal policies or procedures;
 3. any present or future contractual or other commitment with local or foreign legal, regulatory, judicial, administrative, public or law enforcement body, or governmental, tax, revenue, monetary, securities or futures exchange, court, central bank or other authorities, or self-regulatory or industry bodies or associations of financial service providers or any of their agents with jurisdiction over all or any part of the HSBC Group (together the “Authorities” and each an “Authority”) that is assumed by, imposed on or applicable to us or any member of the HSBC Group; or
 4. any agreement or treaty between Authorities;
- (xi) complying with any obligations, requirements, policies, procedures, measures or arrangements for sharing data and information within the HSBC Group and/or any other use of data and information in accordance with any programmes for compliance with sanctions or prevention or detection of money laundering, terrorist financing or other unlawful activities;
- (xii) conducting any action to meet our obligations or those of any member of the HSBC Group to comply with Laws or international guidance or regulatory requests relating to or in connection with the detection, investigation and prevention of money laundering, terrorist financing, bribery, corruption, tax evasion, fraud, evasion of economic or trade sanctions and/or any acts or attempts to circumvent or violate any Laws relating to these matters;

- (xiii) meeting our obligations or those of any member of the HSBC Group to comply with any demand or request from the Authorities;
- (xiv) enabling actual or proposed assignee(s) or transferee(s) of all or any part of our business and/ or assets, or participant(s) or sub-participant(s) of our rights in respect of you to evaluate the transaction intended to be the subject of the assignment, transfer, participation or sub-participation and enabling the actual assignee(s) or transferee(s) to use your data in the operation of the business or rights assigned;
- (xv) any other purposes agreed in writing between you and us from time to time; and
- (xvi) any other purposes relating to the purposes listed above.

Disclosure of Data

- (e) Data held by us or a member of the HSBC Group will be kept confidential but we or a member of the HSBC Group may provide data to the following parties or any of them (whether within or outside Hong Kong) for the purposes set out in paragraph (d) above:
 - (i) any agents, contractors (including outsourcing service providers), sub-contractors or associates of the HSBC Group (including their employees, officers, agents, contractors, service providers and professional advisers);
 - (ii) any third party service providers who provide services to us or any member of the HSBC Group in connection with the operation or maintenance of our business (including their employees and officers);
 - (iii) any Authorities;
 - (iv) any persons under a duty of confidentiality to us or a member of the HSBC Group which have undertaken to keep such data confidential;
 - (v) the drawee bank providing a copy of a paid cheque (which may contain data about the payee) to the drawer;
 - (vi) any persons acting on your behalf whose data are provided, payment recipients, beneficiaries, account nominees, intermediary, correspondent and agent banks, clearing houses, clearing or settlement systems, market counterparties, upstream withholding agents, swap or trade repositories, stock exchanges, companies in which you have an interest in securities (where such securities are held by us or any member of the HSBC Group) or any persons making any payment into a customer's account;
 - (vii) credit reference agencies, and, in the event of default, to debt collection agencies;
 - (viii) any persons to whom we are or any member of the HSBC Group is under an obligation or required or expected to make disclosure for the purposes set out in, or in connection with, paragraph (d)(x), (d)(xi) or (d)(xii) above;
 - (ix) any actual or proposed assignee(s) of ours or participant(s) or sub-participant(s) or transferee(s) of our rights in respect of you;
 - (x) any persons giving or proposing to give a guarantee or security to guarantee or secure your obligations to us; and

- (xi) (1) any member of the HSBC Group;
- (2) third party financial institutions, insurers, credit card companies, securities and investment services providers;
- (3) third party reward, loyalty, co-branding and privileges programme providers;
- (4) co-branding partners of ours or any member of the HSBC Group (the names of such co-branding partners will be provided during the application process for the relevant products and services, as the case may be);
- (5) charitable or non-profit making organisations; and
- (6) external service providers that we or any member of the HSBC Group engage(s) for the purposes set out in paragraph (d)(vii) above; and
- (xii) any other parties agreed in writing between you and us from time to time.

Such data may be transferred in and to a place outside Hong Kong.

Use of Data in Direct Marketing

- (f) Where you are a customer, we intend to use your data in direct marketing and we require your consent (which includes an indication of no objection) for that purpose. Please note that:
 - (i) your name, contact details, products and other service portfolio information, transaction pattern and behaviour, financial background and demographic data held by us from time to time may be used by us in direct marketing;
 - (ii) the following classes of products, services and subjects may be marketed:
 - (1) financial, insurance, credit card, banking, tax advice and related products and services;
 - (2) reward, loyalty, co-branding or privileges programmes and related products and services;
 - (3) products and services offered by our co-branding partners (the names of such co-branding partners will be provided during the application for the relevant products and services, as the case may be); and
 - (4) donations and contributions for charitable and/or non-profit making purposes;
 - (iii) the above products, services and subjects may be provided by or (in the case of donations and contributions) solicited by us and/or:
 - (1) any member of the HSBC Group;
 - (2) third party financial institutions, insurers, credit card companies, securities and investment services providers;
 - (3) third party reward, loyalty, co-branding or privileges programme providers;
 - (4) co-branding partners of ours or any member of the HSBC Group (the names of such co-branding partners will be provided during the application of the relevant products and services, as the case may be); and
 - (5) charitable or non-profit making organisations; and

- (iv) in addition to marketing the above products, services and subjects ourselves, we may provide the data described in paragraph (f)(i) above to all or any of the persons described in paragraph (f)(iii) above for use by them in marketing those products, services and subjects, and we require your written consent (which includes an indication of no objection) for that purpose; and
- (v) we may receive money or other property in return for providing the data to the other persons in paragraph (f)(iv) above and, when requesting your consent or no objection as described in paragraph (f)(iv) above, we will inform you if we will receive any money or other property in return for providing the data to the other persons.

If you do not wish us to use or provide to other persons your data for use in direct marketing as described above, you may exercise your opt-out right by notifying us by calling +44(0) 1534 616313 or by emailing expat@hsbc.com.

Provision of Another Person's Data

- (g) Where you provide to us data about another person, you should give to that person a copy of this Notice and, in particular, tell him/her how we may use his/her data.

Data Access Requests

- (h) You have the right:
 - (i) to check whether we hold data about you and to access such data;
 - (ii) to require us to correct any data relating to you which is inaccurate;
 - (iii) to ascertain our policies and practices in relation to data and to be informed of the kind of data held by us; and

- (iv) in relation to consumer credit, to be informed on request which items of data are routinely disclosed to credit reference agencies or debt collection agencies, and be provided with further information to enable the making of an access and correction request to the relevant credit reference agency or debt collection agency.
 - (i) In accordance with the provisions of the Ordinance, we have the right to charge a reasonable fee for the processing of any data access request.
 - (j) You should send requests for access to data or correction of data or for information regarding policies and practices and kinds of data held to:

The Data Protection Officer
 HSBC Bank plc
 Level 5 HSBC Main Building
 1, Queen's Road Central, Hong Kong
 Email: HSBCExpat@hsbc.com.hk
 - (k) We may have obtained a credit report on you from a credit reference agency in considering any application for credit. In the event you wish to access the credit report, we will advise the contact details of the relevant credit reference agency.
 - (l) Nothing in this Notice shall limit your rights as a data subject under the Ordinance.
- Please contact us if you have any queries about this Notice.

www.expat.hsbc.com

Issued by HSBC Expat, a division of HSBC Bank plc, Jersey Branch, HSBC House, Esplanade, St Helier, Jersey JE1 1HS. HSBC Bank plc, Jersey Branch, is regulated by the Jersey Financial Services Commission for Banking, General Insurance Mediation, Investment and Fund Services Businesses. HSBC Bank plc, Hong Kong Branch, is licensed by the Hong Kong Monetary Authority as an authorised institution and registered with the Securities and Futures Commission to conduct Type 1 (dealing in securities) and Type 4 (advising on securities) regulated activities under the Securities and Futures Ordinance (central entity number: AFJ824). HSBC Bank plc, Hong Kong Branch address is at Level 5, HSBC Main Building, 1 Queen's Road Central, Hong Kong. HSBC Bank plc is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority (UK FCA reference number: 114216). HSBC Bank plc, incorporated and registered in England and Wales number 14259, with limited liability. UK registered office: 8 Canada Square, London, E14 5HQ. Please note that this service is provided from Jersey and is not subject to UK financial services rules and regulations. Further information about the regulatory regime applicable to this service is available on request. 200313/IC/142