

# The Personal Data (Privacy) Ordinance -

## Personal Information Collection (Customers) Statement

In compliance with the Personal Data (Privacy) Ordinance ("the Ordinance"), the Bank of East Asia Group ("the Group") would like to inform you of the following:

- (1) From time to time, it is necessary for customers to supply the Group with data in connection with the opening or continuation of accounts and the establishment or continuation of banking facilities or provision of banking and other financial services.
- (2) Failure to supply such data may result in the Group being unable to open or continue accounts or establish or continue banking facilities or provide banking and other financial services.
- (3) It is also the case that data are collected from customers in the ordinary course of the continuation of the banking and other financial relationship, for example, when customers write cheques or deposit money or generally communicate verbally or in writing with the Group, by means of documentation or telephone recording system as the case may be.
- (4) The purposes for which data relating to a customer may be used are as follows:
  - (i) the daily operation of the services and credit facilities provided to customers;
  - (ii) conducting credit checks at the time of application for credit and at the time of regular or special reviews which normally will take place one or more times each year;
  - (iii) creating and maintaining the Group's credit scoring models;
  - (iv) assisting other financial institutions to conduct credit checks and collect debts;
  - (v) ensuring ongoing credit worthiness of customers;
  - (vi) designing financial services or related products for customers' use;
  - (vii) marketing services or products of the Group and/or selected companies;
  - (viii) determining amounts owed to or by customers;
  - (ix) collection of amounts outstanding from customers and those providing security for customers' obligations;
  - (x) meeting the requirements to make disclosure under the requirements of any law binding on the Group or any of its branches or under and for the purposes of any guidelines issued by regulatory or other authorities with which the Group or any of its branches are expected to comply;
  - (xi) enabling an actual or proposed assignee of the Group, or participant or sub-participant of the Group's rights in respect of the customer to

- evaluate the transaction intended to be the subject of the assignment, participation or sub-participation; and
- (xii) purposes relating thereto.
- (5) Data held by the Group relating to a customer will be kept confidential but the Group may provide such information to the following parties for the purposes set out in paragraph (4):-
- (i) any agent, contractor or third party service provider who provides administrative, telecommunications, computer, payment or securities clearing or other services to the Group in connection with the operation of its business;
  - (ii) any other person under a duty of confidentiality to the Group including a group company of the Group which has undertaken to keep such information confidential;
  - (iii) the drawee bank providing a copy of a paid cheque (which may contain information about the payee) to the drawer;
  - (iv) credit reference agencies, and, in the event of default, to debt collection agencies;
  - (v) any person to whom the Group is under an obligation to make disclosure under the requirements of any law binding on the Group or any of its branches or under and for the purposes of any guidelines issued by regulatory or other authorities with which the Group or any of its branches are expected to comply;
  - (vi) any actual or proposed assignee of the Group or participant or sub-participant or transferee of the Group's rights in respect of the customer; and
  - (vii) selected companies for the purpose of informing customers of services which the Group believes will be of interest to customers.
- (6) Under and in accordance with the terms of the Ordinance and the Code of Practice on Consumer Credit Data approved and issued under the Ordinance, any individual has the right: -
- (i) to check whether the Group holds data about him and of access to such data;
  - (ii) to require the Group to correct any data relating to him which is inaccurate;
  - (iii) to ascertain the Group's policies and practices in relation to data and to be informed of the kind of personal data held by the Group;
  - (iv) 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 a data access and correction request to the relevant credit reference agency or debt collection agency; and
  - (v) in relation to data which has been provided by the Group to a credit reference agency, to instruct the Group upon termination of an account

by full payment to make a request to the credit reference agency to delete such data from its database, as long as the instruction is given within 5 years of termination and at no time did the account have a default of payment lasting in excess of 60 days within 5 years immediately before account termination. In the event the account has had a default of payment lasting in excess of 60 days, the data may be retained by the credit reference agency until the expiry of 5 years from the date of final settlement of the amount in default or 5 years from the date of discharge from a bankruptcy as notified to the Group, whichever is earlier.

- (7) In accordance with the terms of the Ordinance, the Group has the right to charge a reasonable fee for the processing of any data access request.
- (8) The person to whom requests for access to data or correction of data or for information regarding the Group's Privacy Policy Statement and kinds of data held are to be addressed is as follows:
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| The Group Data Protection Officer                  | Telephone : | 3608 3608  |
| The Bank of East Asia Group                        | Fax :       | 3608 6172  |
| 11th Floor, 31 Des Voeux Road Central<br>Hong Kong | Website :   | <a href="http://www.hkbea.com">www.hkbea.com</a> |
- (9) The Group may have obtained a credit report on the customer from a credit reference agency in considering any application for credit. In the event the customer wishes to access the credit report, the Group will advise the contact details of the relevant credit reference agency.
- (10) Customers may, at any time, request the Group cease using their personal data for direct marketing purposes by writing to the Group Data Protection Officer at the address or fax number provided in paragraph (8).
- (11) Nothing in this statement shall limit the rights of customers under the Personal Data (Privacy) Ordinance.