



# **Bank of East Asia (Trustees) Limited**

## **Privacy Policy Statement**

**September 2021**

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**1. INTRODUCTION**

- 1.1. This Statement is adopted as the Privacy Policy Statement (the “Statement”) for Bank of East Asia (Trustees) Limited (“BEAT”) acting as the trustee. The purpose of this Statement is to establish the policies and practices of BEAT’s commitment to protect the privacy of personal data and to act in compliance with the provisions of the Personal Data (Privacy) Ordinance (Cap.486) (the “Ordinance”) and the relevant guidelines issued by the Group (i.e. The Bank of East Asia, Limited).

**2. KINDS OF PERSONAL DATA HELD BY BEAT**

- 2.1. The personal data held by BEAT is the personal data related to the members of BEA (MPF) Master Trust Schemes / BEA (MPF) Value Scheme / BEA (MPF) Industry Scheme (collectively “BEA MPF Schemes”) (“MPF Members”) / employers participating in BEA Schemes (“MPF Employers”) and customers and persons purporting to act on behalf of the customers of the comprehensive trust solutions of BEAT (“BEAT Comprehensive Trust Solutions”) including but not limited to Private Trust Services, Will Execution and Estate Administration, Private Investment Companies, Employee Share Award Schemes, Custodial Account, Escrow Services and Fund Administration, Accounting and Registrar Services, Unit Trust Fund, Maintenance Fund, Occupational Retirement Schemes, (collectively “CTS Customers”).
- 2.2. Personal data held by BEAT regarding MPF Members / MPF Employers / CTS Customers may include the following:
- a. information for processing of BEA MPF Schemes membership applications such as name, address, contact details, date of birth and identity card / passport numbers, etc;
  - b. information for processing of BEA MPF Schemes employer participation such as address and contact details, etc;
  - c. information for continuation of the business relationship such as records of contribution and relevant income, benefit payments, transfer of accrued benefits, investment options and account balances, etc;
  - d. information for setting up / operation such as making distribution / conducting periodic review for BEAT Comprehensive Trust Solutions such as name, address, contact details, date of birth, gender, nationality, identity card / passport numbers, occupation, tax residency, education level, relationship with another particular customer of the same BEAT Comprehensive Trust Solutions, etc; and
  - e. information which is in the public domain.
- 2.3. BEAT may hold other kinds of personal data which it needs in the light of experience and the specific nature of its business.

**3. PURPOSES THE PERSONAL DATA IS HELD**

3.1.1 The information the MPF Members / MPF Employers provide to BEAT is to enable BEAT to carry on its retirement and related business and may be used for the purposes of:

- a. communication with the MPF Members, MPF Members' personal representative(s), MPF Employers and / or its employees including the provision of information in relation to BEA MPF Schemes;
- b. transferring to any other trustee carrying on retirement business or any association or government authority that exists or is formed from time to time or service providers / agents / contractors (which provide services including but not limited to administrative, telecommunications, data processing and storage in connection with the operation of BEAT's retirement business) whether local or overseas but, only in so far as the transfer of such information is necessary for such other person to exercise or perform functions under or for the purposes of the Mandatory Provident Fund Schemes Ordinance (Cap.485);
- c. disclosing to such other persons to whom disclosure may be required by an order of a court, applicable laws or requirements made under a law, including but not limited to reporting the information to local and foreign tax authorities as required under the laws and regulations for the implementation of automatic exchange of financial account information;
- d. complying with any obligations, requirements, policies, procedures, measures or arrangements for sharing data and information within BEAT and / or any other use of data and information in accordance with any Group-wide programmes for compliance with sanctions or prevention or detection of money laundering, terrorist financing or other unlawful activities; and
- e. conducting direct marketing activities on related products, benefits or services of BEAT (please see further details in paragraph (2) of the BEA MPF Schemes' 《Personal Information Collection Statement》 ).

3.1.2 The information the CTS Customers provide to BEAT is to enable BEAT to carry on its trustee, wealth management and related business and may be used for the purposes of:

- a. communication with the CTS Customers when necessary;
- b. transferring to any other trustee carrying on trustee business or any association or government authority that exists or is formed from time to time or service providers / agents / contractors (which provide services including but not limited to administrative, telecommunications, data processing and storage in connection with the operation of BEAT's trustee, wealth management and related business) whether local or overseas but, only in so far as the transfer of such information is necessary for such other person to exercise or perform functions under or for the purposes of the Trustee Ordinance (Cap.29);
- c. disclosing to such other persons to whom disclosure may be required by an order of a court, applicable laws or requirements made under a law, including but not limited to reporting the information to local and foreign tax authorities as required under the laws and regulations for the implementation of automatic

exchange of financial account information; and

- d. complying with any obligations, requirements, policies, procedures, measures or arrangements for sharing data and information within BEAT and / or any other use of data and information in accordance with any Group-wide programmes for compliance with sanctions or prevention or detection of money laundering, terrorist financing or other unlawful activities.

- 3.2 The information the MPF Members / MPF Employers provide to BEAT is provided on a voluntary basis. However, failure to supply information may result in BEAT being unable to accept and process BEA MPF Schemes membership applications / employer participation or provide related services.

#### **4. SECURITY OF PERSONAL DATA**

It is the policy of BEAT to ensure an appropriate level of protection for personal data in order to prevent unauthorised or accidental access, processing, erasure, loss or use of that data, commensurate with the sensitivity of the data and the harm that would be caused by occurrence of any of the aforesaid events. It is the practice of BEAT to achieve appropriate levels of security protection by restricting physical access to and processing of data by providing secure storage facilities, and incorporating security measures into equipment in which data is held. Measures are taken to ensure the integrity, prudence, and competence of persons having access to personal data. Personal data is only transmitted by secured means to prevent unauthorised or accidental access. If BEAT engages a data processor (whether within or outside Hong Kong) to process personal data on BEAT's behalf, BEAT would adopt contractual or other means to prevent unauthorised or accidental access, processing, erasure, loss or use of the data transferred to the data processor for processing.

#### **5. ACCURACY OF PERSONAL DATA**

It is the policy of BEAT to ensure that all practicable steps have been taken to maintain the accuracy of all personal data collected and processed by BEAT having regard to the purpose for which the personal data is or is to be used. Appropriate procedures are implemented such that all personal data is regularly checked and updated. In so far as personal data held by BEAT consists of statements of opinion, all reasonably practicable steps are taken to ensure that any facts cited in support of such statements of opinion are correct.

#### **6. COLLECTION OF PERSONAL DATA**

- 6.1 In the course of collecting personal data, BEAT will provide the individuals concerned with a Personal Information Collection Statement informing them of the purpose of collection, classes of persons to whom the data may be transferred, their rights to access and correct the data, and other relevant information.
- 6.2 Prior to using any personal data from public domain, due regards will be given by BEAT to observe the original purposes of making the personal data available in the

public domain (such as the purpose of establishing the public register in the enabling legislation). The restrictions, if any, imposed by the original data users on further uses and the reasonable expectation of personal data privacy of the individuals concerned will be observed by BEAT.

6.3 In relation to the collection of personal data on-line, the following practices are adopted:

a. On-line Security

BEAT will follow strict standards of security and confidentiality to protect any information provided to BEAT online. Encryption technology is employed for sensitive data transmission on the Internet to protect individuals' privacy.

b. On-line Correction

Personal data provided to BEAT through an on-line facility, once submitted, it may not be facilitated to be deleted, corrected or updated on-line. If deletion, correction and updates are not allowed online, users should approach BEAT.

c. On-line Retention

Personal data collected on-line will be transferred to BEAT for processing. Personal data will be retained in BEAT's internet systems' database normally for a period of not longer than six months.

6.4 Use of Cookies, Tags and Web Logs etc.

Cookies are small pieces of data transmitted from a web server to a web browser. Cookie data is stored on a local hard drive such that the web server can later read back the cookie data from a web browser. This is useful for allowing a website to maintain information on a particular user.

Cookies are designed to be read only by the website that provides them. Cookies cannot be used to obtain data from a user's hard drive, get a user's email address or gather a user's sensitive information.

BEAT uses cookies, tags and web logs to identify users' web browser for the following purposes:

a. Session Identifier

BEAT will not store user's sensitive information in cookies. Once a session is established, all the communications will use the cookies to identify a user.

b. Analytical Tracking

Users' visit to BEAT's online platforms (including but not limited to BEAT's website and mobile application) will be recorded for analysis and information may be collected through technologies such as cookies, tags and web logs etc. The information collected is anonymous research data and no personally identifiable information is collected. BEAT mainly collects the information to understand more about our users including user demographics, interests and usage patterns, and to improve the effectiveness of our online marketing.

Information may be transferred to or collected by third parties on our behalf (for example, providers of external service like web traffic tracking and reporting, online advertisement serving) for the above use. And the information would not be further transferred to other parties by the third parties. The information collected is anonymous research data and no personally identifiable information is collected or shared by third parties.

Most web browsers are initially set up to accept cookies. Cookies can be chosen to “not accept” by changing the settings on the web browsers but this may disable the access to BEAT’s Internet services and certain features on BEAT’s online platforms will not work properly. BEAT will retain the collected information for as long as is necessary to fulfill the original or directly related purpose for which it was collected and to satisfy any applicable statutory or contractual requirements.

The information collected through technologies such as cookies, tags and web logs etc. will be retained for a period of not longer than 3 years.

## **7. DATA ACCESS REQUESTS AND DATA CORRECTION REQUESTS**

- 7.1 It is the policy of BEAT to comply with and process all data access requests (“DARs”) and data correction requests (“DCRs”) in accordance with the provisions of the Ordinance, and for all staff concerned to be familiar with the requirements for assisting individuals to make such requests.
- 7.2 BEAT may, subject to the Ordinance and the guidelines thereon issued by the Privacy Commissioner for Personal Data, impose a fee for complying with a DAR. BEAT is only allowed to charge a DAR requestor for the costs which are directly related to and necessary for complying with a DAR. If a person making a DAR requires an additional copy of the personal data that BEAT has previously supplied pursuant to an earlier DAR, BEAT may charge a fee to cover the full administrative and other costs incurred in supplying that additional copy.
- 7.3 DARs and DCRs, or request for not using information for direct marketing purpose to BEAT may be addressed to BEAT as follows:

Bank of East Asia (Trustees) Limited  
32<sup>nd</sup> Floor, BEA Tower  
Millennium City 5, 418 Kwun Tong Road  
Kowloon, Hong Kong

Attention to: The Individual Data Protection Officer  
of Bank of East Asia (Trustees) Limited

## **8. RETENTION OF PERSONAL DATA**

BEAT takes all practicable steps to ensure that personal data is not kept longer than is necessary for the fulfilment of the purpose for which such data is or is to be used. BEAT shall usually hold data relating to a person’s relationship to BEA MPF Scheme and BEAT Comprehensive Trust Solution for at least 7 years or such other period as

prescribed by applicable laws and regulation after the person ceases to be a MPF Member and CTS Customer.

BEAT shall usually hold other record required to be kept in respect of any BEA MPF Scheme or BEAT Comprehensive Trust Solution for at least 7 years or such other period as prescribed by applicable laws and regulation after the end of the financial period in which the record is made.

If BEAT engages a data processor (whether within or outside Hong Kong) to process personal data on BEAT's behalf, BEAT would adopt contractual or other means to prevent any personal data transferred to the data processor from being kept longer than is necessary for processing of the data.

**9. OTHER PRACTICES**

The following are maintained by BEAT to ensure compliance with the Ordinance:

- a. A Log Book as provided for in section 27 of the Ordinance; and
- b. Internal policies and guidelines on compliance with the Ordinance for observance by staff of BEAT.

(Should there be any discrepancy between the English and Chinese version, the English version shall prevail.)