



## WING HANG BANK GROUP

### Notice to Customers and Other Individuals relating to the Personal Data (Privacy) Ordinance

Wing Hang Bank, Limited (the “Bank”) and its various subsidiaries in Hong Kong from time to time are committed to protecting data privacy in accordance with applicable Hong Kong legal and regulatory requirements. Accordingly, the Bank and its Hong Kong subsidiaries, (the Bank and each such subsidiary, a “Company”) (unless otherwise provided), each adheres to the data policy as set out in this Notice.

This Notice is provided to notify customers and other individuals of the data policy of Wing Hang Bank Group.

- (a) The provisions of this Notice form part of the account terms and conditions and/or the agreement or arrangements that a customer or other individual has or may enter into with any Company. If any inconsistency is found, the provisions of this Notice shall prevail.
- (b) From time to time, it is necessary for customers and various other individuals (including without limitation applicants for banking and/or any other financial services and banking/credit facilities, sureties and persons providing security or guarantee for banking/credit facilities, shareholders, directors, officers and managers of corporate customers or applicants (collectively called “data subjects”)) to supply the Company with data in connection with the opening or continuation of accounts, the establishment or continuation of banking/credit facilities or provision of banking and/or any other financial services.
- (c) Failure to supply such data may result in the Company being unable to open or continue accounts or establish or continue banking/credit facilities or provide banking and/or other financial services.
- (d) It is also the case that data are collected by the Company from data subjects in the ordinary course of the continuation of the relationships with them, for example, when data subjects write cheques, deposit money or give instructions.
- (e) The purposes for which data relating to a data subject may be used are as follows: -
  - (i) processing of applications for banking and/or any other financial services and facilities;
  - (ii) the daily operation of the services and banking/credit facilities provided to data subjects;
  - (iii) conducting credit or other status 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 and carrying out matching procedures (as defined in the Personal Data (Privacy) Ordinance (“the Ordinance”)) by the Company or any Bank Group Company;
  - (iv) creating and maintaining the credit scoring models of the Company or Wing Hang Bank Group;
  - (v) assisting other financial institutions to conduct credit checks and collect debts;
  - (vi) ensuring ongoing credit worthiness of data subjects;
  - (vii) designing financial services or related products for data subjects' use;
  - (viii) determining amounts owed to or by data subjects;
  - (ix) collection of amounts outstanding from data subjects and those providing security for data subjects' obligations;
  - (x) conducting insurance claims or analysis;
  - (xi) for operational purposes, credit assessment or statistical analysis (including behaviour analysis) of the Company or any other Bank Group Company;
  - (xii) maintaining a credit history of data subjects (whether or not there exists any relationship between data subjects and the Company) for present and future reference of the Company or any Bank Group Company;
  - (xiii) meeting the requirements to make disclosure to the relevant supervisory or regulatory authorities, police or court of law under the requirements of any law, regulation or court order binding on the Company or any Bank Group Company, or under and for the purposes of any guidelines issued by regulatory or other authorities with which the Company or any Bank Group Company is expected to comply;
  - (xiv) enabling an actual or proposed assignee of the Company or any Bank Group Company, or a participant, sub-participant or transferee of the rights of the Company or any Bank Group Company in respect of the data subjects, to evaluate the transaction intended to be the subject of the assignment, participation or sub-participation;
  - (xv) marketing the following services and products (in respect of which the Company or any Bank Group Company may or may not be remunerated):-
    - (1) financial, insurance, credit card, banking and related services and products;
    - (2) reward, loyalty or privileges programmes and related services and products; and
    - (3) services and products offered by the co-branding partners of the Company or any Bank Group Company (the names of such co-branding partners can be found in the application form(s) for the relevant services and products, as the case may be); andthese services or products may be provided and/or marketed by:
    - (1) the Company and any Bank Group Company;
    - (2) third party financial institutions, insurers, credit card companies, securities and investment services providers;
    - (3) third party reward, loyalty or privileges programme providers; and
    - (4) co-branding partners of the Company and any Bank Group Company; and
  - (xvi) purposes relating thereto.
- (f) Data held by the Company relating to a data subject will be kept confidential but the Company may provide such information to the following parties for the purposes set out in paragraph (e): -

The Company keeps data only for as long as is reasonably required for any of the above purposes or as required by the applicable law or regulation.

- (i) any Bank Group Company, agent, contractor or third party service provider who provides administrative, telecommunications, computer, payment, securities clearing, data processing or other services to the Company or any Bank Group Company in connection with the operation of its business;
- (ii) any other person (including any Bank Group Company) under a duty of confidentiality to the Company 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 Company or any Bank Group Company is under an obligation to make disclosure under the requirements of any law, regulation or court order binding on the Company or any Bank Group Company or any guidelines issued by regulatory or other authorities with which the Company or any Bank Group Company is expected to comply;
- (vi) any actual or proposed assignee of the Company or any Bank Group Company or participant or sub-participant or transferee of the rights of the Company or any Bank Group Company in respect of the data subjects; and
- (vii)
  - (1) any Bank Group Company;
  - (2) third party financial institutions, insurers, credit card companies, securities and investment services providers;
  - (3) third party reward, loyalty and privileges programme providers;
  - (4) co-branding partners of the Company and any Bank Group Company (the names of such co-branding partners can be found in the application form(s) for the relevant services and products, as the case may be); and
  - (5) external service providers (including but not limited to mailing houses, telecommunication companies, telemarketing and direct sales agents, call centres, data processing companies and information technology companies) that the Company engages for the purposes set out in paragraph (e)(xv) above.

The Company may disclose data to any or all of the parties stated above and may do so notwithstanding that the recipient's place of business is outside Hong Kong, including Mainland China and Macau or that such information following disclosure will be collected, held, processed or used by such recipient in whole or part outside Hong Kong.

- (g) 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 data subject has the right: -
  - (i) to check whether the Company holds data about him and of access to such data;
  - (ii) to require the Company to correct any data relating to him which is inaccurate;
  - (iii) to ascertain the Company's policies and practices in relation to data and to be informed of the kind of personal data held by the Company;
  - (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 an 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 Company to a credit reference agency, to instruct the Company upon termination of an account by full repayment to make a request to the credit reference agency to delete such data from its database, as long as the instruction is given within five 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 five years from the date of final settlement of the amount in default or five years from the date of discharge from a bankruptcy as notified to the Company, whichever is earlier
- (h) In accordance with the terms of the Ordinance, the Company has the right to charge a reasonable fee for the processing of any data access request.
- (i) The person to whom requests for access to data or correction of data or for information regarding policies and practices and kinds of data held are to be addressed is as follows:
 

The Data Protection Officer, Wing Hang Bank Group, 161 Queen's Road Central, Hong Kong  
Telephone: 3110 0590 Fax:2541 7459
- (j) The Company may have obtained a credit report on the customer from a credit reference agency in considering any application for credit. In the event the data subject wishes to access the credit report, the Company will advise the contact details of the relevant credit reference agency.
- (k) Nothing in this Notice shall limit the rights of data subjects under the Ordinance.
- (l) In this Notice, the following terms shall have the following meanings:
 

"Bank Group Company" means any subsidiary of the Bank, any direct or indirect holding company of the Bank, any subsidiary of any such holding company or any of their related companies (being a company in which an equity interest is held by any of the foregoing).

"subsidiary" and "holding company" bear the same meanings given to them under the Companies Ordinance (Cap.32).
- (m) In the event of any inconsistency between the English and Chinese versions of this Notice, the English version shall prevail.