

December 2018

Notice of Amendments to Data Policy Notice
("DPN")

Please be informed that the Bank's DPN have been revised and will be effective from 15 February 2019 ("Effective Date"). Enclosed the details of the amendments to different sections are provided for your ease of reference.

Please note that the amendments to the DPN shall be binding on you if you continue to maintain your account(s) with the Bank or use any of our banking, financial or other services on or after the Effective Date. If you do not accept the amendments, we may not be able to continue to provide services to you. Should you have any enquiries / responses regarding the amendments, please call our customer services hotline (852) 2622 2633.

The new version of the DPN will be available at our official website (www.ncb.com.hk) and displayed in our branches on the Effective Date. Should there be any discrepancy between the English and Chinese versions of this notice, the English version shall prevail.

Nanyang Commercial Bank, Limited

Encl.

Affected Clause	Amended Clause
Clause 2	<p>For the purposes of this Notice, the "Group" means the Company and its holding companies, branches, subsidiaries, representative offices and affiliates, wherever situated, together with China Cinda (HK) Holdings Company Limited and China Cinda Asset Management Co., Ltd.. Affiliates include the Company's holding companies and China Cinda (HK) Holdings Company Limited and their respective branches, subsidiaries, representative offices and affiliates that are located in the Hong Kong Special Administrative Region.</p>
Clause 3	<p>The term "data subject(s)", wherever mentioned in this Notice, has the meaning given to it in the Personal Data (Privacy) Ordinance (Cap. 486, Laws of Hong Kong) (the "Ordinance") and includes the following categories of persons who are individuals:</p> <p>(a) applicants for or customers, authorized signatories, policy holders, beneficiaries and other users of financial, insurance, credit card, securities, commodities, investment, banking and related services and products and facilities and so forth provided by the Company;</p> <p>(b) sureties, guarantors and parties providing security, guarantee or any form of support for</p>

	<p>obligations owed to the Company;</p> <p>(c) directors, shareholders, officers and managers of the corporate entities which fall within the above categories (a) and (b) and the users; and</p> <p>(d) suppliers, contractors, service providers and other contractual counterparties of the Company.</p> <p>For the avoidance of doubt, "data subjects" shall not include any incorporated bodies. The contents of this Notice shall apply to all data subjects and form part of any contracts for services that the data subjects have or may enter into with the Company from time to time. If there is any inconsistency or discrepancy between this Notice and the relevant contract, this Notice shall prevail insofar as it relates to the protection of the data subjects' personal data. Nothing in this Notice shall limit the rights of the data subjects under the Ordinance.</p>
Clause 6	<p>Data relating to the data subjects are directly or indirectly collected or received by the Company from various sources from time to time. Such data may include, but not limited to, data collected from data subjects in the ordinary course of the continuation of the relationship between the Company and data subjects, for example, when data subjects write cheques, deposit money, effect transactions through credit cards issued or serviced by the Company, use the websites or electronic</p>

	<p>banking services of the Company, or generally communicate verbally or in writing with the Company; and data obtained from any member(s) of the Group, the public domain and other sources (for example, credit reference agencies). Data may also be generated or combined with other information, available to the Company or any member of the Group.</p>
Clause 7 (a)	<p>assessing the merits and suitability of the data subjects as actual or potential applicants for the Services, such as financial, insurance, credit card, securities, commodities, investment, banking and related services and products, and facilities and/or processing and/or approving their applications, variation, renewals, cancellations, reinstatements, and claims, including such assessments that enable the Company to understanding a data subject by linking data in respect of all accounts with the Group that such data subject is connected to;</p>
Clause 7 (b)	<p>maintaining, facilitating the daily operation of the Services, credit facilities provided to and/or insurance policies issued to the data subjects;</p>
Clause 7 (c)	<p>conducting credit checks whenever appropriate (including, without limitation, at the time of application for Services and at the time of regular or special reviews which normally will take place one or more times each year) and carrying out</p>

	matching procedures (as defined in the Ordinance);
Clause 7 (d)	creating and maintaining the Company's and/or the Group's scoring models;
Clause 7 (e)	maintaining information about the data subjects for providing future reference;
Clause 7 (f)	assisting other financial institutions and/or any member of the Group to conduct credit checks and collect debts;
Clause 7 (k)	enforcing data subjects' obligations to the Company or member(s) of the Group, including without limitation the collection of amounts outstanding from data subjects and those providing security or any form of support for data subjects' obligations ;
Clause 7 (l)	complying with the obligations, requirements or arrangements for disclosing and using data that apply to the Company, any member of the Group, or any of its branches, or that it is expected to comply according to:
Clause 7 (l · i)	any law or regulation binding or applying to it within or outside the Hong Kong Special Administrative Region existing currently and in the future (e.g. the Inland Revenue Ordinance and its provisions including those concerning automatic exchange of financial account information);
Clause 7 (l · iii)	any present or future contractual or other

	<p>commitment with local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of financial services providers that is assumed by or imposed on the Company, any member of the Group, or any of its branches by reason of its financial, commercial, business or other interests or activities in or related to the jurisdiction of the relevant local or foreign legal, regulatory, governmental, tax, law enforcement or other authority, or self-regulatory or industry bodies or associations;</p>
<p>Clause 7 (m)</p>	<p>complying with any obligations, requirements, policies, procedures, measures or arrangements for sharing data and information within the Group 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;</p>
<p>Clause 7 (q)</p>	<p>in connection with the Company or any member of the Group defending or responding to any legal, governmental, or regulatory or quasi-governmental related matter, action or proceeding (including any prospective action or legal proceedings), including where it is in the legitimate interests of the Company or any member</p>

	of the Group to seek professional advice, for obtaining legal advice or for establishing, exercising or defending legal rights;
Clause 7 (r)	organizing and delivering seminars for the data subjects;
Clause 7 (s)	in connection with the Company or any member(s) of the Group making or investigating an insurance claim or responding to any insurance related matter, action or proceeding;
Clause 7 (t)	managing, monitoring and assessing the performance of any agent, contractor or third-party service provider who provides administrative, telecommunications, computer, payment or securities clearing or other services to the Company in connection with the establishment, operation, maintenance or provision of the Services; and
Clause 7 (u)	any other purposes incidental, associated or relating to any matter mentioned above in Paragraph 7
Clause 8	Data held by the Company relating to data subjects is kept confidential but the Company may provide and disclose (as defined in the Ordinance) such data to any one or more of the following parties (whether within or outside Hong Kong Special Administrative Region) for the purposes set out in the previous paragraph:

<p>Clause 8 (a)</p>	<p>any agent, contractor or third party service provider who provides administrative, telecommunications, computer, payment or securities clearing or other services to the Company in connection with the operation of its business and/or the provision of its Services, wherever situated;</p>
<p>Clause 8 (f)</p>	<p>any person to whom the Company or any of its branches or any member of the Group is under an obligation or otherwise required to make disclosure under the requirements of any law binding on or applying to the Company or any of its branches or any member of the Group, or any disclosure under and for the purposes of any guidelines or guidance 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 with which the Company or any of its branches or any member of the Group are expected to comply, or any disclosure pursuant to any contractual or other commitment of the Company or any of its branches or any member of the Group with local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of financial services providers, all of which may be within or</p>

	outside the Hong Kong Special Administrative Region and may be existing currently and in the future ;
Clause 14	<p>Without limiting the generality of the foregoing, the Company may from time to time access the personal and account information or records of a data subject held by the credit reference agency for the purpose of reviewing any of the following matters in relation to the existing credit facilities granted to a data subject or a third party whose obligations are guaranteed by a data subject:</p> <p>(a) an increase in the credit amount;</p> <p>(b) the curtailing of credit (including the cancellation of credit or a decrease in the credit amount); and</p> <p>(c) the putting in place or the implementation of a scheme of arrangement with the data subject or the third party.</p>
Clause 15	The Company may have obtained a credit report on a data subject from a credit reference agency in considering any application for credit. In the event a data subject wishes to access the credit report, the Bank will advise the contact details of the relevant credit reference agency.
Clause 16	Data of a data subject may be processed, kept and transferred or disclosed in and to any country as

	<p>the Company or any person who has obtained such data from the Company referred to in Paragraph 8 above considers appropriate. Such data may also be processed, kept, transferred or disclosed in accordance with the local practices and laws, rules and regulations (including any governmental acts and orders) in such country.</p>
Clause 19	<p>Nothing in this document shall limit the rights of data subjects under the Ordinance.</p>
Clause 20	<p>If there is any inconsistency between the English version and the Chinese version of this Notice, the English version shall prevail, except that the Chinese version shall prevail in relation to any matters solely relating to and/or arising in Mainland China exclusive of the Hong Kong and Macao Special Administrative Regions.</p>