



Valid for:	Habib Bank Zurich (Hong Kong) Limited
Issuer:	COUNTRY DATA PRIVACY OFFICER
Entry into force:	1 November 2024

## Personal Information Collection Statement

### Table of contents

<b>1</b>	<b>Who is responsible for data processing and how can I contact them? .....</b>	<b>2</b>
<b>2</b>	<b>What data is used by the Bank? .....</b>	<b>2</b>
<b>3</b>	<b>How is your personal data used .....</b>	<b>3</b>
3.1	For the safeguarding of interests of the Bank or third parties .....	4
3.2	On the basis of your consent .....	4
3.3	On the basis of statutory requirements or in the public interest.....	5
<b>4</b>	<b>Who can access your data? .....</b>	<b>5</b>
4.1	The Bank's Group .....	5
4.2	External recipients of data .....	5
4.3	Service providers and agents.....	5
<b>5</b>	<b>Does the Bank transfer data across borders? .....</b>	<b>6</b>
<b>6</b>	<b>How long will your data be stored? .....</b>	<b>6</b>
<b>7</b>	<b>What are your basic rights? .....</b>	<b>6</b>
▪	Right to be notified of the purpose and the classes of persons to whom the data may be transferred.....	6
<b>8</b>	<b>What data are you asked to supply? .....</b>	<b>6</b>
<b>9</b>	<b>Is the decision-making automated? .....</b>	<b>7</b>
<b>10</b>	<b>Will cookies be collected? .....</b>	<b>7</b>
10.1	What are cookies?.....	7
10.2	Why do we use them? .....	7
10.3	Type of cookies used .....	7
10.4	How should I manage my settings with respect to cookies?.....	7
<b>11</b>	<b>Will your data be automatically processed? .....</b>	<b>8</b>
<b>12</b>	<b>Will biometric data be used? .....</b>	<b>8</b>
<b>13</b>	<b>When will this PICS be updated?.....</b>	<b>8</b>
<b>14</b>	<b>Does the Bank ensure data security? .....</b>	<b>8</b>
<b>15</b>	<b>How can you contact the Bank?.....</b>	<b>8</b>

This Personal Information Collection statement (PICS) only applies to and is only addressed to any client who is a natural person.

The following information is intended to provide you, as a natural person, with an overview of how your data is processed by Habib Bank Zurich (Hong Kong) Limited «the Bank» and your rights according to data privacy laws. The details of what data will be processed and which method will be used depend significantly on the services applied for or agreed upon, and the relevant requirements all the applicable laws and regulations. We therefore ask you to familiarize yourself with this Data Privacy Notice.

## 1 Who is responsible for data processing and how can I contact them?

The legal entity responsible is: Habib Bank Zurich (Hong Kong) Limited, 1701-05, Wing On House, 71, Des Voeux Road, Central, Hong Kong.

Our Privacy Officer can be reached at: 1701-05, Wing On House, 17/F, Des Voeux Road, Central, Hong Kong.

## 2 What data is used by the Bank?

The Bank processes data that it receives from its clients and that it generates as part of the business relationship with its clients. In order to facilitate, enable and / or maintain our business relationship, The Bank collects, uses or processes personal data relating to clients and any other person(s) involved in the business relationship, as the case may be, such as authorized representative(s), person(s) holding a power of attorney and beneficial owners, if different from the client (collectively referred to as 'Authorized Person(s)').

Personal data is the personal information of a client or an Authorized Person, identification data and authentication data which exists in a form in which access or processing is practicable. Furthermore, this can also be order data, data from the fulfilment of our contractual obligations, information about a client's or Authorized Person's financial situation, marketing data, sales data and / or documentation data which exists in a form in which access or processing is practicable.

In addition to data that the Bank receives directly from its clients, it also obtains and processes data on its clients that is available in the public domain as necessary or required, or under limited circumstances and client consent, from other entities within the Bank's Group of companies.

In summary, personal data processed by the Bank may include the following if they can be used to identify a particular person:

- personal details (e.g. name, address and other contact data, date and place of birth, as well as nationality)
- identification data (e.g. identification documentation data)
- authentication data (e.g. specimen signature)
- order data (e.g. payment orders)
- data arising from the fulfilment of obligations (e.g. data required for payment transactions)
- information regarding a client's financial situation (e.g. credit reports, scoring / rating data, origin of assets)
- data available from the public domain (e.g. internet, social media, debtor directories, land register, trade association registers, media, etc.)

- other comparable data in line with the criteria outlined above.

### 3 How is your personal data used

The Bank may use personal data for the following purposes:

- assess and process your applications or requests for accounts, services, products or activities;
- provide, maintain and manage the accounts, services, products and activities offered by us from time to time;
- establish and verify identity as required or appropriate from time to time;
- assess whether it is appropriate to provide or continue to provide accounts, services, products and activities to you;
- where credit facility is provided, (i) conduct credit checks whenever appropriate (whether at the time of application for credit or for regular or special review from time to time), (ii) ensure your ongoing credit worthiness; (iii) create and maintain our credit scoring model, and (iv) create and maintain credit history and records of customers and the other individuals;
- determine amounts owed to or by you, and enforce our rights and powers in connection with the accounts, services, products or activities we provide to you, including recovering any amount payable to us;
- handle enquiries and complaints;
- conduct research, survey and analysis for providing, designing or enhancing accounts, services, products or activities;
- create, implement and operate our risk control measures and models;
- marketing and promotion (please see further details in paragraph 7 below);
- assist other banks or financial institutions, including other credit providers in Hong Kong approved for participation in the Multiple Credit Reference Agencies Model, to conduct credit checks, if requested by you, or if required or permitted by regulatory requirements or industry practices;
- comply with the obligations, requirements or arrangements for disclosing and using personal data which we are obliged or expected to comply due to:
  - any law in or outside Hong Kong, whether existing currently or in the future, including the laws relating to the detection, investigation and prevention of money laundering, terrorist financing, bribery, corruption, tax evasion, fraud, evasion of economic or trade sanctions or other unlawful activities, and/or acts or attempts to circumvent or violate these laws (Crime-countering Matters) (e.g. the Hong Kong Inland Revenue Ordinance requiring automatic exchange of financial account information amongst tax authorities in Hong Kong and overseas);
  - any guideline, direction, demand or request issued by any local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities, self-regulatory or industry bodies of financial institutions, or stock exchanges (Authorities and Organisations), whether existing currently or in the future, including those relating to any law or Crime-countering Matters (e.g. guideline issued by the Hong Kong Inland Revenue Department on automatic exchange of financial account information);
  - any present or future contractual or other commitment with any of the Authorities and Organisations that is undertaken by or imposed on us due to our financial, commercial, business or other interests or activities in or relating to the jurisdiction where the relevant Authority or Organisation is located;
  - comply with any obligations, requirements, policies, procedures, measures or arrangements for using, disclosing or sharing personal data in accordance with our programme

### Personal Information Collection Statement

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- relating to any law or Crime-countering matters;
- enable any actual or proposed assignee or transferee of our business or rights or obligations to evaluate the assignment or transfer;
- compare or match personal data, whether or not for the purpose of taking adverse action against you; and
- purposes incidental or relating to the purposes set out above.

If you do not supply the personal data required by the Bank, the Bank may be unable to provide or continue to provide accounts, services, products or activities to you.

The Bank may keep personal data in or outside Hong Kong. Further details can be found in your contract documents or in the General Terms & Conditions.

### 3.1 For the safeguarding of interests of the Bank or third parties

Where required, the Bank processes or discloses your data in association with or as derivative to the actual fulfilment of the contract for the purposes of the legitimate interests pursued by us or a proper third party. For example:

- Consulting with credit rating agencies to investigate creditworthiness and credit risks.
- Obtaining personal data from publicly available sources for client profiling purposes.
- Measures for business management and further development of services and products.
- Risk control at the Bank and the banking Group.
- Asserting legal claims or legal defenses in legal disputes.
- Facilitating banking services (i.e. remittance, trade banking services, etc.) for the need of clients inevitably through the collaboration or cooperation of other legitimate financial institutions.
- Guarantee of the Group's IT security and IT operations for the benefit of clients.
- Prevention and investigation of crimes (i.e. money laundering, financing of terrorist, fraud, bribery, corruption, etc.)
- Video surveillance and measures to protect the rights of an owner of premises to keep out trespassers and to provide security (e.g. access controls).

Fulfilling any reporting obligations to any empowered government authorities/institutions, authorities, regulators and law enforcement agencies.

### 3.2 On the basis of your consent

As long as you have granted your consent to the Bank to process your personal data for certain purposes (e.g. analysis of trading activities for marketing purposes), this processing/disclosure is legal on the basis of your consent. Consent can be withdrawn at any time. Your consent is not necessary for the Bank to obtain if your data is used/processed/disclosed for the purpose of fulfilling legal or regulatory obligations/requirements or upholding public interest or justice.

Withdrawal of consent does not affect the legality of data processing/use/disclosure prior to withdrawal.

### **3.3 On the basis of statutory requirements or in the public interest**

The Bank is subject to various legal obligations, meaning statutory requirements, and regulations applicable to financial institutions. The processing of data is also used, among others, for the verification of creditworthiness as well as identity and age, the prevention of fraud and money laundering, the fulfilment of tax-related monitoring and reporting obligations as well as the assessment and management of risks.

## **4 Who can access your data?**

### **4.1 The Bank's Group**

The Bank may share your data with other entities in the Group where required to fulfil our contractual and legal obligations. The Bank may transfer your personal data to other members of the Bank's Group for risk control purposes in connection with statutory / regulatory obligations. The Bank may also share information with other members of the Bank's Group in connection with services that we believe may be of interest to you.

### **4.2 External recipients of data**

The Bank will transfer personal data about you in the course of conducting our usual business or if legal, regulatory or market practice requirements demand it to the following external recipients, or for the following purposes:

- to public entities and institutions (e.g. financial authorities, HKMA, government agencies or law enforcement authorities in Hong Kong or other jurisdictions of governing power on the Bank (i.e. the jurisdiction(s) where the Bank or its banking Group is regulated)
- to other credit and financial services institutions or similar institutions to which the Bank transfers personal data within the context of its business relationship with you (e.g. correspondent banks, custodian banks, brokers, stock exchanges, information agencies)
- to third parties (for example correspondent banks, brokers, exchanges, trade repositories, processing units and third party custodians issuers, authorities and their representatives) for the purpose of ensuring that we can meet the requirements of applicable law, contractual provisions, market practices and compliance standards in connection with transactions you enter into and the services that we provide you with, or
- to a natural or legal person, public authority, agency or body for which you have given us your consent to transfer personal data to or for which you have released us from banking confidentiality.

### **4.3 Service providers and agents**

The Bank will transfer your personal data to service providers and agents appointed by us for any purposes given in Section 3, Section 4.1 or Section 4.2 above, subject to maintaining banking confidentiality. These are companies in the categories including but not limited to banking services, IT services, logistics, printing services, telecommunications, collection, advice and consulting and sales and marketing.

The Bank will implement appropriate organizational and technical safeguards to protect the personal data for which it acts as data controller at all times.

### 5 Does the Bank transfer data across borders?

Data transfer to legal entities in countries outside of Hong Kong takes place so long as:

- it is necessary to administer the working relationship with you or provide sound banking services to you as long as it is within the Bank and its banking group;
- if we have a legitimate interest in doing so;
- it is required by laws or regulations applicable to the Bank or the Group, or
- if you have given your consent.

### 6 How long will your data be stored?

The Bank will process and store your information as long as it is necessary in order to fulfil our contractual, regulatory and statutory obligations. It should be noted here that our business relationship is a long-term obligation, which is set up on the basis of periods of years.

The Bank will assess and respond to requests to delete data. The Bank will delete data provided that the data is no longer required in order to fulfil contractual, regulatory or statutory obligations, or the fulfilment of any obligations to preserve records according to any other applicable laws or regulations.

The Bank will normally retain your records for a minimum 5 to 10 years after the formal termination of the relationship with you to comply with regulatory and contractual requirements unless there is a particular reason to hold records for longer, including legal hold requirements, which require us to keep records for an undefined period of time. <sup>1</sup>

### 7 What are your basic rights?

Your data protection rights include the following:

- **Right of access:** requesting that information on your personal data that the Bank holds on record be shared with you.
- **Right to be notified of the purpose and the classes of persons to whom the data may be transferred**
- **Right to rectification:** demanding that the information be rectified should it be incorrect.
- **Right to restrict processing:** demanding that the processing of your data be restricted if: You have disputed the accuracy of your data stored by the Bank and it has not yet completed its assessment

### 8 What data are you asked to supply?

In the context of your relationship with the Bank, you must provide all personal data that

- is required for accepting and carrying out a business relationship and fulfilling the accompanying contractual obligations or regulatory obligations, and
- The Bank is legally required to collect.

Without this data, the Bank will most likely be unable to enter into a contractual relationship with you.

Under the regulations on combatting money laundering and the financing of terrorism, the Bank is obligated to verify your identity on the basis of your identification documents and other useful documents and, in this context, to collect and store the data including but not limited to your address, nationality, name, date and place of birth, and identification data prior to the commencement of a business relationship. In order for the Bank to comply with these regulations, you are required to supply it with all the necessary information. If such kinds of information change during the course of the business relationship, you are obliged to notify the Bank without delay. If you do not provide with the necessary information, it will not be able to commence or continue a business relationship with you.

## 9 Is the decision-making automated?

No. The Bank does not use automated decision-making.

## 10 Will cookies be collected?

Yes. The Bank does collect cookies.

### 10.1 What are cookies?

Cookies are information packages sent by a web server (in this case this website) to your internet browser, saved on your computer and checked by the server on each subsequent visit to the site. To gain full benefit from this website, the Bank recommends that you configure your browsers to accept cookies.

### 10.2 Why do we use them?

Cookies are used to facilitate navigation within the website and correct use. They also serve a statistical purpose, making it possible to establish which areas of the site have been visited, and to improve and update user procedures.

### 10.3 Type of cookies used

For further information about the types of cookies used please refer to our "Cookies Notice" on our website.

### 10.4 How should I manage my settings with respect to cookies?

To optimize your use of our website, the Bank recommends that you accept the cookies. Most internet browsers are initially set to accept cookies. You can at any time set your browser to accept all cookies, just some cookies or no cookies. In the latter case, you would disable use of part of the sites. Additionally, you can set your preferences in the browser so that you will be notified whenever a cookie is saved on your device. Please note that if you disable the cookies, you may not have optimum use of the site.

### 11 Will your data be automatically processed?

The Bank merely processes some of your data automatically to limited extent, with the goal of assessing certain personal aspects (profiling) or meeting regulatory requirements. For example, the Bank may use profiling in the following ways:

- In order to combat money laundering, the financing of terrorism, and criminal acts, the Bank also conducts data assessment. The aim of these measures is to protect the Bank's your legitimate interests.
- The Bank may choose to sometimes use auxiliary assessment tools to provide clients with relevant and appropriate information on its products and services. These allow communications and services to be tailored, as needed.
- The Bank may choose to use sometimes auxiliary assessment tools in order to be able to specifically notify you and advise you in response to your banking needs. These allow communications and services to be tailored as expected.

### 12 Will biometric data be used?

The Bank does not collect and store biometric data or medical records from clients directly. However, the Bank may use external vendors to collect biometric data as part of its client on-boarding process with the consent of the Individual and such data is managed as per the vendor's own data privacy policies to which the individual has consented prior to providing such data.

### 13 When will this PICS be updated?

This PICS can be adapted or updated at any time in accordance with the corresponding regulations. You may refer to the latest version at <https://habibbank.com/hk/wp-content/uploads/sites/5/2024/10/Personal-Information-Collection-Statement.pdf> from time to time.

### 14 Does the Bank ensure data security?

Yes, the Bank takes all necessary practicable steps required by the laws to safeguard personal data from unauthorized or accidental access, processing, erasure, loss or use.

### 15 How can you contact the Bank?

Should you have any questions about the treatment/processing of your data, the Privacy Officer can be reached at: 1701-05, Wing On House, 17/F, Des Voeux Road, Central, Hong Kong or your Relationship Manager will be happy to assist you.