

Notice relating to the Personal Data (Privacy) Ordinance ("Notice")

Section A Introduction

1. The Bank is strictly committed to protecting the confidentiality of the personal data which it collects and holds in connection with its banking operations.
2. This Notice describes the personal data which the Bank may collect and hold, and how the Bank uses, manages, processes and discloses them. Definition of terms used in this Notice are set out in Section G below.

Section B Collection of personal data

3. The Bank's operations in Hong Kong do not generally have direct business relationships with individual clients. However, from time to time, the Bank may require data about Relevant Individuals for a number of purposes including the opening or continuation of accounts, the establishment, provision and continuation of banking facilities and services, and compliance with any laws, guidelines or requests issued by regulatory or other authorities in any part of the world. Such data may include information and personal data about you. Failure to supply such data or a withdrawal of consent in relation to use and/or disclosure of relevant data may result in the Bank and members of the Rabobank Group being unable to open or continue accounts, or establish or continue banking facilities or provide banking services.
4. The personal data which the Bank may collect include:
 - (i) your name, residential address, date and place of birth, unique identification numbers and personal identifiers such as identity card numbers and tax identification numbers;
 - (ii) background information (which may include but is not limited to data relating to financial background), telephone numbers, email addresses or other contact details, information about your place of work and position/title; and
 - (iii) information generated in the ordinary course of a banking/financial relationship with the Bank or the Rabobank Group, or any other information from which the Relevant Individual can be identified, whether in electronic form or otherwise.
5. Please also note that the Bank may collect information (including personal data):
 - (i) in the ordinary course of the continuation of the banking relationship, for example, when you write cheques or deposit money;
 - (ii) from you or a person acting on your behalf;
 - (iii) when you visit websites of the Bank or members of the Rabobank Group, or when you communicate with the Bank or members of the Rabobank Group via telephone; and
 - (iv) from other sources, for example information obtained from external information providers.Information (including personal data) may also be generated or combined with other information available to the Bank or any member of the Rabobank Group.

Section C Purposes of use

6. The purposes for which data may be used are as follows:
 - (i) processing, assessing, determining and approving any applications or requests, and the daily operation of the services, products and credit facilities provided to clients or potential clients of the Bank or any member of the Rabobank Group, and dealing with any Relevant Individuals (such services and products include, without limitation, financial, banking, securities, investment services and products);
 - (ii) performing any functions and activities related to the products and/or services provided by the Bank or any member of the Rabobank Group including, without limitation, auditing, reporting (including analyses and materials and information generally in relation to investments and markets), conducting market research, and carrying out general servicing and maintenance of online and other services;
 - (iii) identifying and verifying the identity of clients and Relevant Individuals, conducting existing and potential client due diligence and due diligence on Relevant Individuals, and for managing risks and internal controls;
 - (iv) confirming in accordance with relevant laws and regulations that a client acts as principal or as agent for the principal, or confirming the qualifications and other requirements that a client must satisfy to use financial instruments, services and products;
 - (v) determining the appropriateness of financial instruments, services and other information to be offered to clients in light of the suitability principle or other requirements;
 - (vi) reporting trade results, asset balances and other information to clients;
 - (vii) obtaining business or credit approvals for transactions with clients, including conducting credit checks and other procedures to ensure the credit worthiness of clients and Relevant Individuals (including without limitation assisting other financial institutions to conduct credit checks and collect debts);
 - (viii) creating and maintaining the Bank's credit and risk related models;
 - (ix) studying, developing, promoting and improving financial instruments and services through market research, data analysis, questionnaires, etc.;
 - (x) offering services, products and other subjects (please see further details in Section E below);
 - (xi) exercising any rights and performing obligations in respect of the Bank's or the Rabobank Group's relationship with you, Relevant Individuals or clients of the Bank and the Rabobank Group;
 - (xii) enhancing operational, technology, finance, compliance and other support function efficiencies;
 - (xiii) storing data and/or processing in the Bank's and the Rabobank Group's global customer relationship management system;
 - (xiv) handling complaints and managing legal matters and disputes (including litigation, mediation and arbitration);
 - (xv) to the extent that the Bank and members of Rabobank Group record any communication they have with clients or Relevant Individuals (including telephone calls), checking instructions provided by clients or Relevant Individuals to the Bank and members of the Rabobank Group, and for identification, investigation, regulatory, fraud prevention, training and quality purposes and to analyse, assess and improve services provided by the Bank or the Rabobank Group;
 - (xvi) complying with the obligations, requirements or arrangements, whether compulsory or voluntary, of the Bank or any member of the Rabobank Group according to:
 - (a) any law, regulation, judgment, court order, arbitral award or order, voluntary code or sanctions regime whether within or outside Hong Kong and whether existing currently or in the future;
 - (b) the Bank's and the Rabobank Group's policies or any guidelines, guidance, requests, internal policies or procedures given or issued by any legal, regulatory, governmental, tax, law enforcement or other authorities, securities or futures exchanges, courts, arbitral bodies, central banks, or self-regulatory or industry bodies or associations of financial services providers within or outside Hong Kong existing currently and in the future;
 - (c) any present or future contractual or other commitment with local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities, depositories, securities or futures exchanges, courts, arbitral bodies, central banks, self-regulatory or industry bodies, associations of financial services providers or any of their agents with jurisdiction or authority (whether legal, contractual or

- otherwise) over all or any part of the Rabobank Group that is assumed by, imposed on, applicable to, or customarily or voluntarily accepted by the Bank or any member of the Rabobank Group by reason of its financial, commercial, business or other interests or activities in or related to the jurisdiction of the relevant bodies above;
- (xvii) complying with any obligations, requirements, policies, procedures, measures or arrangements for sharing data and information within the Rabobank Group and/or any other use of data and information in accordance with any programmes for client due diligence, compliance with sanctions or prevention or detection of money laundering, terrorist financing or other unlawful activities;
 - (xviii) enabling an actual or proposed assignee or transferee of the Bank or a member of the Rabobank Group, or participant or sub-participant of the Bank's rights (or that of a member of the Rabobank Group) in respect of you, clients of the Rabobank Group or Relevant Individuals to evaluate the transaction intended to be the subject of the assignment, transfer, merger, disposal, participation or sub-participation, and to continue to operate the Bank's or a member of Rabobank Group's business or a similar service upon completion of such transaction; and
 - (xix) purposes relating directly or indirectly thereto.

Section D Disclosure and retention of information supplied by you

7. Data held by the Bank or a member of the Rabobank Group relating to you will be kept confidential but the Bank or a member of the Rabobank Group may provide such information to the following parties, who may be within or outside Hong Kong, for the purposes set out in paragraph 6 above:
- (i) employees, officers or directors of the Bank, and members of the Rabobank Group and their employees, officers or directors;
 - (ii) any agent, contractor, sub-contractor, data processors, professional advisers, associates of any member of Rabobank Group or third party service provider who provides administrative, telecommunications, computer, payment, securities clearing, custodial, depository, nominee, data processing, storage or other services to the Bank or a member of the Rabobank Group in connection with the operation of its business (including for the avoidance of doubt any person to whom the Bank or any member of the Rabobank Group may outsource or delegate any service, function or duty);
 - (iii) companies and/or intermediaries the Bank or members of the Rabobank Group may deal with in the course of processing transactions;
 - (iv) the relevant client for whose purposes the relevant data are obtained, and Relevant Individuals in respect of that relevant client;
 - (v) credit reference agencies, and, in the event of default, to debt collection agencies;
 - (vi) any person or entity to whom the Bank or any member of the Rabobank Group is under an obligation or otherwise required or expected to make disclosure under the requirements of any law, regulation, judgment, court order, arbitral award or order, voluntary code or sanctions regime, or any disclosure under and for the purposes of any guidelines, guidance, requests, internal policies or procedures given or issued by any legal, regulatory, governmental, tax, law enforcement or other authorities, securities or futures exchanges, courts, arbitral bodies, central banks, or self-regulatory or industry bodies or associations of financial services providers with which the Bank or any member of the Rabobank Group are expected or accustomed to comply, or any disclosure pursuant to any contractual or other commitment of the Bank or any member of the Rabobank Group with local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities, securities or futures exchanges, courts, arbitral bodies, central banks, or self-regulatory or industry bodies or associations of financial services providers, whether within or outside Hong Kong and whether existing currently or in the future;
 - (vii) any court or arbitral body of competent jurisdiction in defence of claims or enforcement of rights, or any agreed forum for alternative dispute resolution;
 - (viii) any other person or entity under a duty of confidentiality to the Bank or members of the Rabobank Group which has undertaken to keep such data confidential;
 - (ix) any person to whom disclosure of data is necessary in order for the Rabobank Group to validly effect, manage, administer and/or enforce any services or transactions requested or authorised by us;
 - (x) any actual or proposed assignee, participant, sub-participant or transferee of the Bank's rights or the rights of any member of the Rabobank Group in respect of you, a client or Relevant Individuals; and
 - (xi) (a) third party financial institutions, insurers, securities and investment services providers, clearing houses, depositories; and (b) 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 Bank or any member of the Rabobank Group engages for the purposes set out in this Notice.
- Such information may be transferred to a place outside Hong Kong, including Australia, the Netherlands, Singapore, United Kingdom and the United States of America.
8. If the Bank or members of the Rabobank Group reasonably considers that a client or a Relevant Individual is required to report his/her income or is subject to tax in another country, the Bank or members of the Rabobank Group may share data about such client or Relevant Individual (or his/her accounts) held with the Bank or members of the Rabobank Group with any relevant tax authorities of any jurisdiction (whether directly or through a third party).

Section E Use of data in direct marketing

9. The Bank may use your data in direct marketing to you in your official capacity. In this connection, please note that:
- (i) your name, contact details and other relevant information held by the Bank and the Rabobank Group from time to time may be used by the Bank or any member of the Rabobank Group in offering, providing or direct marketing of its services and products; and
 - (ii) the above services and products may be provided by any member of the Rabobank Group.
10. **If you do not wish the Bank or any member of the Rabobank Group to use or provide to other persons your data for use in direct marketing as described above, you may exercise your opt-out right by notifying the Bank.**

Section F Managing your information

11. To ensure proper handling of personal data, the Bank will review this Notice from time to time and may notify you of any changes accordingly, whether online via an electronic medium or otherwise. You can find the most up to date Notice by accessing the following page on the Bank's website: <https://www.rabobank.com/en/locate-us/asia-pacific/hong-kong.html>.
12. In accordance with the terms of the Ordinance and the Code of Practice on Consumer Credit Data, any individual has the right:
- (i) to check whether the Bank holds data about them and of access to such data;
 - (ii) to require the Bank to correct any data relating to them which is inaccurate;
 - (iii) to ascertain the Bank's policies and practices in relation to data and to be informed of the kind of personal data held by the Bank; and
 - (iv) in relation to consumer credit, 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.
13. In accordance with the terms of the Ordinance, the Bank has the right to charge a reasonable fee for the processing of any data access request.

14. 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 by the Bank is as follows:

Data Protection Officer – Compliance

Rabobank Hong Kong

32/F, Three Pacific Place

1 Queen's Road East, Hong Kong

Email: l.hk.hongkong.Compliance@rabobank.com

15. Nothing in this Notice shall limit your rights under the Ordinance.

Section G Definitions

16. In this document, the terms are defined as follows:

- (i) **Bank** - means the Hong Kong branch of Rabobank.
- (ii) **Code of Practice on Consumer Credit Data** – means the fourth revision of the Code of Practice on Consumer Credit Data approved and issued by the Privacy Commissioner for Personal Data.
- (iii) **Holding Company** – means, in relation to any company or corporation, any other company or corporation in respect of which it is a Subsidiary.
- (iv) **Hong Kong** - means the Hong Kong Special Administrative Region.
- (v) **Ordinance** - means the Personal Data (Privacy) Ordinance, Chapter 486, Laws of Hong Kong.
- (vi) **Rabobank Group** – means Rabobank, its direct and indirect Holding Company, any direct or indirect Subsidiary of Rabobank and its Holding Company, and the head office, branches and other offices (wherever located) of any of the aforesaid companies (together or individually).
- (vii) **Rabobank** - means Coöperatieve Rabobank U.A.
- (viii) **Relevant Individuals** - includes any guarantor, security provider, manager, officer, director, employee, shareholder, beneficial owner, partner, trustee, authorised person, authorised signatory, servant, agent and representative of a client of the Rabobank Group, or any other persons with whom such client has a relationship that is relevant to the client's relationship with the Rabobank Group or provision of services by the Rabobank Group.
- (ix) **Subsidiary** – in relation to any company or corporation, a company or corporation:
 - (a) which is controlled, directly or indirectly, by the first mentioned company or corporation;
 - (b) more than half the issued share capital of which is beneficially owned, directly or indirectly, by the first mentioned company or corporation; or
 - (c) which is a Subsidiary of another Subsidiary of the first mentioned company or corporation, and, for this purpose, a company or corporation shall be treated as being controlled by another if that other company or corporation is able to direct its affairs and/or to control the composition of its board of directors or equivalent body.

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