



Privacy Policy Statement

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1. INTRODUCTION

This Statement is adopted as the Privacy Policy Statement (the “Statement”) of East Asia Futures Limited (“EAF”). The purpose of this Statement is to establish the policies and practices of EAF’s commitment to protect the privacy of personal data and to act in compliance with the provisions of the Personal Data (Privacy) Ordinance (the “Ordinance”) and the relevant guidelines issued by the Privacy Commissioner for Personal Data (the “Privacy Commissioner”).

2. KINDS OF PERSONAL DATA HELD BY EAF

2.1. There are two broad categories of personal data held in EAF. They are personal data related to customers and employees/potential employees of EAF.

2.2. Personal data held by EAF regarding customers may include the following:

- a. name and address, occupation, contact details, date of birth and nationality of customers and spouses of customers and their identity card and/or passport numbers and place and date of issue thereof;
- b. current employer, nature of position, annual salary and other benefits of customers and spouses of customers;
- c. details of properties, assets and investments held by customers and their spouses;
- d. details of all other assets and liabilities (actual or contingent) of customers and their spouses;
- e. information obtained by EAF in the ordinary course of the continuation of the financial relationship (for example, when customers generally communicate verbally or in writing with EAF, by means of documentation or telephone recording system, as the case may be);
- f. information as to credit standing provided by a referee, credit reference agency or debt collection agency in connection with a request to collect a debt due from any customer to EAF; and
- g. information which is in the public domain.

2.3 Personal data held by EAF regarding employees and potential employees may include the following:

- a. name and address, contact details, date of birth and nationality of employees and potential employees and their dependents and their identity card and/or passport numbers and place and date of issue thereof;
- b. additional information compiled about potential employees to assess their suitability for a job in the course of the recruitment and selection process which may include references obtained from their current or former employers or other sources;

- c. additional information compiled about employees in the ordinary course of the continuation of the employment relationship which may include records of remuneration and benefits paid to the employees, records of job postings, transfer/secondment and training, records of medical checks and sick leaves; and performance appraisal reports of the employees;
 - d. relevant personal data pertaining to former employees required by EAF to fulfil its obligations to the former employees and its legal obligations under certain ordinances; and
 - e. information which is in the public domain.
- 2.4 EAF 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 All personal data collected will only be used for purposes which are directly related to the EAF's functions or activities. Personal data collected may be transferred to third parties when necessary for the same purposes. Individuals concerned would be informed of the possible transferees of their personal data when their personal data is collected.
- 3.2 It is necessary for customers to supply EAF with data in connection with the opening or continuation of accounts and the establishment or continuation of provision of financial services.
- 3.3 It is also the case that data is collected from customers in the ordinary course of the continuation of financial relationship.
- 3.4 The purposes for which data relating to customers may be used are as follows:
- a) processing and considering applications for products and services and the daily operation of products and services provided to customers;
 - b) conducting credit checks at the time of trading and at the time of regular or special reviews which normally will take place one or more times each year;
 - c) ensuring ongoing credit worthiness of customers;
 - d) marketing the following services and products (in respect of which EAF may or may not be remunerated);
 - I. financial and related services and products;
 - II. reward, loyalty or privileges programmes and related services and products; and these services or products may be provided and/or marketed by:
 - a. EAF or The Bank of East Asia, Limited and its group companies;
 - b. third party securities and investment services providers; and
 - c. third party reward, loyalty or privileges programme providers.

- e) verifying the data or information provided by any other customer or third party;
- f) determining amounts owed to or by customers;
- g) enforcing customers' obligations, including but not limited to the collection of amounts outstanding from customers and those providing security for customers' obligations;
- h) complying with the obligations, requirements or arrangements for disclosing and using data that apply to EAF or that it is expected to comply according to:
 - I. any law binding or applying to it within or outside the Hong Kong Special Administrative Region ("Hong Kong") existing currently and in the future (e.g. the Inland Revenue Ordinance and its provisions including those concerning automatic exchange of financial account information);
 - II. 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 within or outside Hong Kong existing currently and in the future (e.g. guidelines or guidance given or issued by the Inland Revenue Department including those concerning automatic exchange of financial account information);
 - III. any present or future contractual or other 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 EAF 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;
- i) complying with any obligations, requirements, policies, procedures, measures or arrangements for sharing data and information within the group of The Bank of East Asia, Limited ("BEA") 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;
- j) enabling an actual or proposed assignee of EAF, or participant or sub-participant of EAF's rights in respect of the customer to evaluate the transaction intended to be the subject of the assignment, participation or sub-participation; and
- k) purposes relating thereto.

3.5 The purposes for which data relating to employees and potential employees may be used are as follows:

- a. processing employment applications;
- b. determining and reviewing salaries, bonuses and other benefits;
- c. conducting fit and proper assessment and performance assessment according to internal policy or regulatory requirements or consideration of promotion,

- training, secondment or transfer;
- d. determining any disciplinary or rectifying action arising from employees' conduct or employees' ability to perform their job requirements;
 - e. consideration of eligibility for and administration of staff loans and other benefits and entitlements;
 - f. providing employee references;
 - g. registering employees as intermediaries or licensees with statutory authorities / institutions for purposes directly related or associated to the employment;
 - h. monitoring compliance with regulatory requirements and internal governance, policies, procedures, guidelines or rules of EAF;
 - i. complying with the obligations, requirements or arrangements for disclosing and using data that apply to EAF or that it is expected to comply according to:
 - (i) any law binding or applying to it within or outside Hong Kong existing currently and in the future; or
 - (ii) 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 within or outside Hong Kong existing currently and in the future;
 - j. detecting or conduction investigation regarding any suspicious fraud cases, misconduct (e.g. fake sick leave) or criminal activities; and
 - k. for human resources management or purposes relating thereto.

4. SECURITY OF PERSONAL DATA

It is the policy of EAF to ensure an appropriate level of protection for personal data in order to prevent unauthorised or accidental access, processing, erasure, loss or other 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 EAF 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 and the access to the personal data is granted on a need-to-know basis only. Personal data is only transmitted by secured means to prevent unauthorised or accidental access. If EAF engages a data processor (whether within or outside Hong Kong) to process personal data on EAF's behalf, EAF 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 EAF to ensure that all practicable steps have been taken to maintain the accuracy of all personal data collected and processed by EAF 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 EAF 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 When collecting personal data, EAF will satisfy itself that the purposes for which the data is collected are lawful and directly related to EAF's functions or activities. The manner of collection is lawful and fair in the circumstances and the personal data collected is necessary but not excessive for the purposes for which it is collected.

6.2 In the course of collecting personal data, EAF 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. Practicable steps will be taken by EAF to ensure that the individuals concerned are informed of whether it is obligatory or voluntary for them to supply the data and, if obligatory, the consequences for them if they fail to do so.

6.3 Prior to using any personal data from public domain, due regards will be given by EAF 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 EAF.

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

a. On-line Security

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

b. On-line Correction

Personal data provided to EAF 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 EAF, relevant members or sections for assistance.

c. On-line Retention

Personal data collected on-line will be transferred to the relevant members or sections of EAF for processing. Personal data will not be retained in EAF's internet systems' database normally for a period of no longer than six months.

6.5 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.

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

a. Session Identifier

EAF 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 EAF's websites 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. EAF mainly collects the information to understand more about our users including user demographics, interests and usage patterns.

The 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. The information would not be further transferred to other parties by the third parties engaged by EAF. The information collected is anonymous research data and no personally identifiable information is collected or shared by the third parties.

Most web browsers are initially set up to accept cookies. Users can choose to "not accept" cookies by changing the settings on the web browsers but this may disable the access to EAF's Futures Cybertrading System and certain features on EAF's website will not work properly. EAF will retain the collected information for as long as is necessary to fulfil the original or directly related purpose for which it was collected and to satisfy any applicable statutory, regulatory or contractual requirements.

The information collected through technologies such as cookies, tags and web logs etc. will be retained for a period of no longer than 3 years.

6.6 The Parent Company – The Bank of East Asia, Limited ("BEA") of EAF installs closed circuit television ("CCTV") (with recording mode) systems at its premises and automated teller machines primarily for general security purposes to protect the safety of customers and the staff, business assets, intellectual property or other proprietary rights. Access to and use of the CCTV records will be granted to authorised personnel only. BEA may disclose the CCTV records to third parties including regulatory authorities and law enforcement agencies where it is necessary in order for it to respond to any legal processes or to investigate any incidents or complaints, etc.

Subject to the aforesaid, all CCTV records will be erased according to BEA's policies

and guidelines. The security measures that apply to the CCTV records will be consistent with this Statement.

7. DATA ACCESS REQUESTS AND DATA CORRECTION REQUESTS

- 7.1 It is the policy of EAF 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 EAF may, subject to the Ordinance and the guidelines thereon issued by the Privacy Commissioner, impose a fee for complying with a DAR. EAF 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 requests for an additional copy of the personal data that EAF has previously supplied pursuant to an earlier DAR, EAF may charge a fee to cover the full administrative and other costs incurred in supplying that additional copy.
- 7.3 DARs and DCRs to EAF may be addressed to EAF’s Data Protection Officer (“DPO”) or other person as specifically advised.

8. RETENTION OF PERSONAL DATA

- 8.1 EAF 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. EAF shall usually hold data relating to the customer(s) and employee(s) for a period of 7 years or such other period as prescribed by applicable laws and regulations after closure of account, termination of service or cessation of employment.
- 8.2 Regarding personal data collected from job applicants, unless there is subsisting reason that EAF is obliged to retain the data for a longer period (such as other period as prescribed by applicable laws and regulations), EAF may hold the data of unsuccessful applicants for a period up to 2 years from the date of rejecting the applicants.
- 8.3 If EAF engages a data processor (whether within or outside Hong Kong) to process personal data on EAF’s behalf, EAF 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

- 9.1 EAF will keep this Statement under regular review.
- 9.2 The following are maintained by EAF to ensure compliance with the Ordinance:
- a. A Log Book as provided for in section 27 of the Ordinance;
 - b. Internal policies and guidelines on compliance with the Ordinance for observance by staff of EAF;

- c. Data Access Request Form and Data Correction Request Form for individuals' requests for access to and correction of personal data held by EAF.

10. APPOINTMENT OF DATA PROTECTION OFFICER

10.1 The Data Protection Officer has been appointed by EAF to co-ordinate and oversee compliance with the Ordinance and the personal data protection policies of EAF.

10.2 The contact details of the DPO are as follows:

The Data Protection Officer	Telephone	:	(852) 3608 8038
East Asia Futures Limited	Fax	:	(852) 3608 6132
9/F., 10 Des Voeux Road Central	Website	:	www.eafutures.com.hk
Hong Kong			

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