

# SMBC Nikko Securities (Hong Kong) Limited (the “Company”) Personal Information Collection Statement

The following information is provided to you in relation to personal data (i.e. information relating to a living individual from whom it is practicable for the identity of the individual to be directly or indirectly ascertained) provided to the Company in accordance with the requirements of the Personal Data (Privacy) Ordinance (“PDPO”).

## 1 Disclosure Obligation

Unless otherwise stated, you must provide and supply personal data requested by the Company in connection with entering into a contractual relationship with the Company or the provision of services by the Company. If you do not supply this data, it will not be possible for the Company to enter into a relevant contract with you or provide services or products to you or companies related to you as the Company may not have sufficient information to do so.

## 2 Use of Personal Data

### 2.1 User

All personal data (whether provided by you or any other person, and whether provided before or after the date you receive this statement) may be provided to, exchanged with or transferred to, any of the following entities or persons as the Company may consider necessary whether or not they are in or outside Hong Kong (each, a “User”):

- (a) The Company or any entity that directly controls the Company, or any entity directly or indirectly under common control with the Company (together “Sumitomo Mitsui Financial Group”) or our or their branches or offices;
- (b) any director, officer, employee or representative of the Sumitomo Mitsui Financial Group only when carrying out the business of the Sumitomo Mitsui Financial Group;
- (c) any agent, contractor or third party service provider who provides employment, administrative, telecommunications, computer, payment, or securities clearing, nominee, custodian or other services, to any Sumitomo Mitsui Financial Group company;
- (d) any person who owes a duty of confidentiality to the Company or who has undertaken to keep such information confidential;
- (e) any financial institutions with which you have or propose to have dealings;
- (f) where data is collected by a Sumitomo Mitsui Financial Group company as agent of any other person or for forwarding to or otherwise for the purpose of making any application or request to any other person for any facility or service, any such person who may not be in Hong Kong and may not be subject to the PDPO and not restricted in the use of the data;
- (g) any trustee, registrar or custodian of any relevant unit trust or other collective investment scheme or any insurance company in connection with any service provided or to be provided by the Sumitomo Mitsui Financial Group or any centralized securities depository or registrar of products held in respect of any of your accounts;
- (h) credit reference agencies and, in the event of default, debt collection agencies;
- (i) any person to whom the Company transfer or assign or, propose to transfer or assign, our interests and/or obligations in respect of any of the accounts with the Company or any services provided by the Company; or
- (j) any other third parties:
  - (i) as are necessary to provide any of the services
  - (ii) where required by law, regulation, court order or request from any governmental or regulatory body;

- (iii) where the information is already in the public domain (otherwise than as a result of a breach of our obligations hereunder); or
- (iv) where requested or permitted by you.

The User also has strict confidentiality and protection obligations for the information received, and can only use such information for the agreed purposes. The Company will release specific name list of the User on its official website and updated on a regular basis. You can check it online or contact the Contact person for detailed information. If you have any questions, doubts, or intentions of refusing the Company to provide your information to the User, please also contact the Contact person.

## 2.2 Purposes

All personal data (whether provided by you or any other person, and whether provided before or after the date you receive this notice) may be used by any User for one or more of the following purposes:

- (a) new or existing client verification;
- (b) developing financial services or related products for clients;
- (c) marketing (including direct marketing) of financial services or related products;
- (d) providing you with information concerning our or the Sumitomo Mitsui Financial Group's businesses as well as information concerning any investment opportunities;
- (e) processing employment applications and, if this results in any employment with the Company, all aspects of our human resources functions;
- (f) transfer of such data to any place inside or outside Hong Kong whether for the processing, holding or use of such data inside or outside Hong Kong;
- (g) matching your personal data (irrespective of the purposes and sources for which such data were collected, and whether collected by a User or any other person);
- (h) data verification or exchange;
- (i) any purpose relating to or in connection with requirements to make disclosure under any law binding the Company or any other Sumitomo Mitsui Financial Group company under and for the purposes of compliance with any law, regulation, court order or order of a regulatory body;
- (j) conducting credit checks or assisting other institutions to conduct credit checks;
- (k) collecting debts, or assisting other institutions (including any Sumitomo Mitsui Financial Group company) to collect debts, from clients and those providing security for any clients' obligations; or producing or verifying data which may be used for the purpose of taking such action that a User or any other person may consider appropriate (including action that may relate to the rights, obligations or interest of you or any other person);
- (l) in connection with any system or facility for payment or communication by electronic means which the Company or any other Sumitomo Mitsui Financial Group company participates; or
- (m) any other purpose relating to or in connection with the any of the above, any business or dealings of the Sumitomo Mitsui Financial Group or which a client may from time to time agree.

## 3 Rights of Access and Correction

You have the right to have access to and correction of your personal data under the PDPO. In general, and subject to certain exemptions, you are entitled to:

- (a) enquire whether the Company hold personal data in relation to you;
- (b) request a copy of any such personal data;
- (c) request the correction of your personal data which is inaccurate;
- (d) be given reasons if a request for access or correction is refused;
- (e) ascertain the Company's policies and practices in relation to personal data and to be informed of the kind of personal data held by the Company;
- (f) in relation to customer credit, request to be informed which items of personal 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;
- (g) in relation to any personal 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) where the Company have obtained a credit report on you from a credit reference agency in considering any application for credit, to be given the contact details of the relevant credit reference agency; and

(i) other rights stipulated by applicable laws and regulations.

#### **4 Contact Person**

If you wish to request access to and/or correction of personal data concerning you or for information regarding policies, practices of and the kind of personal data held by the Company, you should address your request in writing to the Company as follows:

**SMBC Nikko Securities (Hong Kong) Limited**  
**Suites 807-811, 8/F, One International Finance Centre,**  
**1 Harbour View Street, Central, Hong Kong**

(Re: Personal Data Privacy Ordinance)

In accordance with the terms of the PDPO, the Company has the right to charge a reasonable fee for the processing of any data access request. Nothing in this notice shall limit your rights under the PDPO.