



SMBC Nikko Securities (Hong Kong) Limited

Privacy Policy Statement

SMBC Nikko Securities (Hong Kong) Limited (**we** or **Nikko HK**) is part of Sumitomo Mitsui Financial Group, Inc. (our corporate group will hereinafter be referred to as “**SMFG**”) which is incorporated in Japan. Nikko HK operates in Australia (ARBN 638 096 643/ ABN 63 638 096 643).

Nikko HK is bound by the obligations set out in the *Privacy Act 1988 (Cth)* (**Privacy Act**), including the *Australian Privacy Principles* (**APP**).

This Privacy Policy Statement is prepared in compliance with APP No. 1 (Open and transparent management of personal information) and provides a summary of what personal information (**Personal Information**)¹ we collect, record, store, use, disclose and process, and how we do so, as part of our business in Australia, and how you can contact Nikko HK where you have concerns over matters on privacy. This Privacy Policy Statement applies to Nikko HK’s operations only, and not to any related entity of SMFG.

Our Privacy Policy is subject to regular review and may change without notice. Changes to our Privacy Policy will be reflected in an updated version of this Privacy Policy Statement.

1. Kinds of Personal Information collected and held

The kinds of Personal Information that Nikko HK usually collects and holds about individuals where necessary include:

<ul style="list-style-type: none"> Name (including former name and aliases). 	<ul style="list-style-type: none"> ID, such as your drivers’ licence and passport numbers. 	<ul style="list-style-type: none"> Date of birth. 	<ul style="list-style-type: none"> Business or employment details.
<ul style="list-style-type: none"> Gender. 	<ul style="list-style-type: none"> Education details. 	<ul style="list-style-type: none"> Nationality. 	<ul style="list-style-type: none"> Signature.
<ul style="list-style-type: none"> Contact details (including your job title, phone, e-mail and current and previous addresses). 	<ul style="list-style-type: none"> Judgments and convictions against an individual (including bankruptcy).² 	<ul style="list-style-type: none"> Information about the products and services which Nikko HK has provided or considered providing, in connection with an individual. 	<ul style="list-style-type: none"> Financial information, including share ownership and information which may have a bearing on credit worthiness, and tax registration details.

The above is not an exhaustive list.

¹ Personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.

² This is mainly in relation to pre-screening of job applicants or prospective employees of Nikko HK.



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2. How and when Nikko HK collects Personal Information

Personal Information may be collected by Nikko HK where it is necessary for our business purposes including complying with the relevant laws and regulations such as Know-Your-Customer duties. Generally, this will be when/where:

<ul style="list-style-type: none"> Where a client is to be onboarded by Nikko HK in order for Nikko HK to provide services. If you are a partner, director, officer, signatory, attorney, trustee, agent, settlor, beneficial owner or beneficiary of the relevant customer, potential customer or customer group (including a business, company, or other legal entity such as a trust or partnership), Personal Information may be collected directly from you or indirectly through your representative. 	<ul style="list-style-type: none"> When Nikko HK updates or confirms your Personal Information periodically, or where your or a customer's circumstances or information change (including for example, "Authorised Signatories" lists) and when there is an update in laws and regulations, an additional request for personal information may be made according to relevant laws and regulations. 	<ul style="list-style-type: none"> As part of our standard procedures for verifying verbal instructions which are provided on behalf of a customer (including, as relevant, recording of phone conversations where instructions are received from a customer).
<ul style="list-style-type: none"> If you visit the premises of Nikko HK (incl. security video recordings). 	<ul style="list-style-type: none"> When you apply for a job with Nikko HK. 	<ul style="list-style-type: none"> From a related body corporate (when it is necessary).

The above is not an exhaustive list.

Where possible, Nikko HK only collects Personal Information about individuals directly from those individuals or via an agent, representative, or employer of the individual for that purpose. If we are required to collect information about you from another third party, we will take reasonable steps to let you know of that collection, if necessary.

Nikko HK does not provide retail banking services in Australia and thus does not collect or report Personal Information (e.g. personal credit history) from/to Credit Reporting Bodies.

3. How Nikko HK holds Personal Information

Nikko HK holds Personal Information at our premises and also in our electronic servers owned by a wholly-owned subsidiary of SMFG, which is located offshore (including email and software).

We take reasonable steps to protect the Personal Information from misuse and loss and from unauthorized access, modification or disclosure. Nikko HK uses current technology and processes to protect Personal Information. Only employees of Nikko HK and those who are authorised to handle Personal Information and need to do so, will have access to it. All staff are trained and regularly updated in relation to information security.

Where Personal Information that Nikko HK holds is no longer necessary, we delete the



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information or permanently de-identify it as required under the Privacy Act and the APP. In particular, if you are unsuccessful for a job application with Nikko HK, your Personal Information will be destroyed (where possible) or otherwise, permanently de-identified.

4. Purpose of collection, holding, use and disclosure of Personal Information

Nikko HK only collects, holds, uses and discloses Personal Information that is necessary for Nikko HK’s business.

Nikko HK’s business is to provide financial services in Australia only and does not involve the provision of any financial services directly to individuals. Accordingly, Personal Information is collected, held, used and disclosed so that Nikko HK may:

<ul style="list-style-type: none"> Administer Nikko HK’s customer relationships. 	<ul style="list-style-type: none"> Provide and manage products and services to business customers, including confirming the identity of relevant signatories and officers in connection with those business customers. 	<ul style="list-style-type: none"> Conduct pre-employment checks.
<ul style="list-style-type: none"> Establish an individual or entity’s tax status under any Australian or foreign legislation, regulation or treaty or pursuant to an agreement with any tax authority. 	<ul style="list-style-type: none"> Comply with Nikko HK’s legal obligations, including obligations under Australian/Hong Kong anti-money laundering and counter- terrorism financing laws and regulations of Hong Kong (e.g., Drug Trafficking (Recovery of Proceeds) Ordinance, Organized and Serious Crimes Ordinance, etc.). This includes identity verification. 	<ul style="list-style-type: none"> Identify, prevent, or investigate any actual or suspected fraud, unlawful activity or misconduct.

The above is not an exhaustive list.

From time to time, Nikko HK may also use or disclose your Personal Information for general customer relationship management or for various secondary purposes which are ancillary and related to its business (and for which you might reasonably expect it to be used).

Nikko HK does not generally collect Sensitive Information (as defined in the Privacy Act) about individuals unless it is necessary for Nikko HK’s functions or activities, and:

- the individual consents to the collection; or
- Nikko HK is required or authorised by an Australian law or a court/tribunal order to do so.

5. Who Nikko HK discloses Personal Information to

Nikko HK may disclose Personal Information where necessary, to:



<ul style="list-style-type: none"> • Related bodies corporate within the SMFG, as required. Nikko HK will ensure that those entities do not breach the Privacy Act (including entering into a contract with the receiving entity for the protection of Personal Information, if it considers it necessary to do so). 	<ul style="list-style-type: none"> • Participants in financial and payments systems and other financial institutions (including any person wishing to acquire an interest in a customer's facilities). 	<ul style="list-style-type: none"> • Entities that provide services to Nikko HK, including auditors, financial advisors and lawyers. Nikko HK takes reasonable steps (including providing instructions to ensure that they protect the privacy of individuals, and entering into confidentiality agreements, where necessary) to ensure that those entities protect and maintain the confidentiality of Nikko HK's information (including Personal Information).
<ul style="list-style-type: none"> • Relevant guarantors and security providers. 	<ul style="list-style-type: none"> • Parties to whom Nikko HK is authorised or required by law or court/tribunal order to disclose information. 	<ul style="list-style-type: none"> • Regulatory bodies, government agencies, law enforcement bodies and courts in Australia and overseas.

The above list is not exhaustive.

Overseas recipients of the Personal Information are likely to include recipients (e.g. group related entities) located in some or all of the following countries: Japan, the United Kingdom, the United States of America, and Singapore. The recipient countries may be subject to change from time to time. Nikko HK will only share Personal Information with parties who have comparable level of controls and measures in protecting such information and in accordance with the Privacy Act and the APP.

6. Accuracy

Nikko HK will take reasonable steps to ensure that all Personal Information that Nikko HK collects, uses or discloses is accurate, complete and current. To assist Nikko HK with this, individuals should contact Nikko HK if any of their personal information changes or if they believe that the personal information Nikko HK has is not accurate or complete.

7. How to Access and Correct Personal Information

Individuals have a right to request Nikko HK to provide them with access to the Personal Information Nikko HK holds about them, and to update or correct their Personal Information. This can be done by contacting Nikko HK using the details listed below.

Nikko HK will deal with the request within a reasonable period. Access will be provided unless there is a legal or administrative reason for denying or limiting access. Nikko HK will let you know the reason for denial of access or correction and the complaint procedure about the refusal.



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8. Complaints and Breach Reporting

Individuals can submit their complaints about any breach by Nikko HK of the Privacy Act, the APP or other regulatory obligations on privacy, by contacting Nikko HK on the details below. Unless the complaint is assessed as frivolous or unreasonable, Nikko HK will acknowledge the complaint, investigate it, and reply to the complainant in writing within a reasonable timeframe (we usually aim to respond within 30 days). If, as a result of Nikko HK's investigation, Nikko HK has come to conclusion that there has been a breach, Nikko HK will take reasonable steps to rectify the breach and implement relevant preventative measures.

Where the breach is assessed to be one with broad impact and may likely cause serious harm to the individuals involved, Nikko HK will immediately report the breach to the Office of the Australian Information Commissioner (**OAIC**) as required under the Notifiable Data Breaches scheme³.

9. Employee records exemption

In some circumstances, the handling of employee records in relation to Nikko HK's current or former employees is exempt from the operation of the Privacy Act pursuant to s.7B(3) of the Privacy Act. This may also apply to cases where the employee records are provided to a related party or third party.

10. Contacting the Office of the Australian Information Commissioner (OAIC)

If you would like further information about privacy laws in Australia you can contact the OAIC at www.oaic.gov.au.

11. How to contact Nikko HK about privacy issues

If an individual:

- wants to access, update or correct their Personal Information;
- wants more information concerning how Nikko HK handles Personal Information or any privacy issues; or
- has a complaint in relation to privacy,

he/she should contact Nikko HK at the following address:

SMBC Nikko Securities (Hong Kong) Limited

Suites 807-811, 8/F, One International Finance Centre

³ The Notifiable Data Breaches (NDB) scheme commenced from 22 February 2018.



SMBC Nikko Securities (Hong Kong) Limited

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