Standard Chartered Bank (Hong Kong) Limited (the “Bank”)  
Notice to customers and other individuals relating to the Personal Data (Privacy) Ordinance (“Ordinance”) and the Code of Practice on Consumer Credit Data

(a) From time to time, it is necessary for data subjects to supply the Bank with data in connection with matters such as:
   (i) the opening or operation of accounts,
   (ii) the establishment, maintenance, review or evaluation of facilities; and/or
   (iii) the establishment or operation or provision of products or services offered by or through the Bank (which include banking, cards, financial, insurance, fiduciary, securities and/or investments products and services as well as products and services relating to these);

   (collectively, Facilities, Products and Services, and/or)

(b) Failure to supply such data may result in the Bank being unable to establish, maintain or provide Facilities, Products and Services to data subjects.

(c) It is also the case that data is collected, directly or indirectly, by the Bank from data subjects transacting with or through the Bank in the ordinary course of the Bank’s business, including (without limitation) information received from third parties, the public domain, collected through use of the websites, cookies and electronic banking services of the Standard Chartered Group, and/or when data subjects write cheques, deposit money or effect transactions through cards, or otherwise carry out transactions as part of the Bank’s services. The Bank will also collect data relating to the customer from third parties, including third party service providers with whom the customer interacts in connection with the marketing of the Bank’s products and services and in connection with the customer’s application for the Bank’s products and services (including receiving personal data from credit reference agencies approved for participation in the Multiple Credit Reference Agencies Model (hereinafter referred to as “credit reference agencies”)).

(d) Data relating to a data subject (the Bank being the data user) may be used for any one or more of the following purposes:
   (i) processing applications from the data subject (including assessing the merits and/or suitability of the data subject’s application(s)) for the establishment of Facilities, Products and Services offered by the Bank or any member of the Standard Chartered Group;
   (ii) operating, maintaining, providing, reviewing and evaluating Facilities, Products and Services to the data subject, including to enable the Bank or any member of the Standard Chartered Group to fulfil any contract for Facilities, Products and/or Services that a data subject has requested and/or to understand the overall picture of the relationship of a data subject with the Standard Chartered Group by linking data in respect of all accounts such data subject is connected to;
   (iii) conducting credit checks on the data subject (whether in respect of an application for, or modification of terms of Facilities, Products and Services or during regular or special review which normally will take place once or more each year);
   (iv) creating and maintaining the Bank’s credit scoring models;
   (v) maintaining credit history of the data subject for present and future reference;
   (vi) assisting other credit providers in Hong Kong approved for participation in the Multiple Credit Reference Agencies Model (hereinafter referred to as "credit providers") to conduct credit checks and collect debts;
   (vii) ensuring ongoing credit worthiness of the data subject;
   (viii) designing banking, cards, financial, insurance, securities and investment services or related products for data subject’s use;
   (ix) marketing services, products and other subjects (please see further details in paragraph (g) below);
   (x) determining the amount of indebtedness owed to or by data subjects;
   (xi) enforcement of data subjects’ obligations, to the Bank or any other member of the Standard Chartered Group, including but not limited to the collection of amounts outstanding from data subjects and those providing security for data subjects’ obligations;
   (xii) meeting or complying with any obligations, requirements or arrangements for disclosing and using data that apply to the Bank or any other member of the Standard Chartered Group or that it is expected to comply according to:
      (1) any law or regulation binding on or applying to it within or outside 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);
      (2) 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); and
      (3) 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 the Bank or any member of the Standard Chartered Group 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;
   (xiii) meeting or complying with any obligations, requirements, policies, procedures, measures or arrangements for sharing data and information within the Standard Chartered Group 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;
   (xiv) enabling an actual or potential assignee of all or any part of the business and/or asset of the Bank or participant or sub-participant of the Bank’s rights in respect of the data subject, to evaluate the transaction intended to be the subject of the assignment, participation or sub-participation;
   (xv) in connection with any member of the Standard Chartered Group defending or responding to any legal, governmental, or regulatory or quasi-governmental related matter, action or proceeding (including any prospective action or legal proceedings), including where it is in the legitimate interests of the Bank or any member of the Standard Chartered Group to seek professional advice, for obtaining legal advice or for establishing, exercising or defending legal rights;
   (xvi) in connection with any member of the Standard Chartered Group making or investigating an insurance claim or responding to any insurance related matter, action or proceeding;

Standard Chartered Private Bank is the private banking division of Standard Chartered Bank (Hong Kong) Limited
(xvii) organizing and delivering seminars for the data subjects;
(xviii) managing, monitoring and assessing the performance of any agent, contractor or third party service provider who provides administrative, telecommunications, computer, payment or securities clearing or other services to the Bank in connection with the establishment, operation, maintenance or provision of Facilities, Products and Services; and/or
(xix) any other purposes relating to the purposes listed above.

e) Data the Bank holds relating to a data subject is kept confidential but the Bank may provide, transfer or disclose such data or information to any one or more of the following parties (whether within or outside Hong Kong) for the purposes set out in paragraph (d):
(i) any agent, contractor or third party service provider who provides administrative, telecommunications, computer, payment or securities clearing or other services to the Bank in connection with the establishment, operation, maintenance or provision of Facilities, Products and Services;
(ii) any other person under a duty of confidentiality to the Bank including any other member of the Standard Chartered Group which has undertaken to keep such information confidential;
(iii) the drawee bank providing a copy of a paid cheque (which may contain information about the payee) to the drawer;
(iv) third party service providers with whom the customer has chosen to interact with in connection with the customer’s application for the Bank’s products and services;
(v) credit reference agencies (including the operator of any centralized database used by credit reference agencies), and, in the event of default, to debt collection agencies;
(vi) any person or entity to whom the Bank or any other member of the Standard Chartered Group is under an obligation or otherwise required to make disclosure under the requirements of any law or regulation binding on or applying to the Bank or any other member of the Standard Chartered Group, or any disclosure under and for the purposes of any guidelines, guidance, directives, rules, codes, circulars or other similar documents issued or given by any legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of financial services providers with which the Bank or any other member of the Standard Chartered Group is expected to comply, or any disclosure pursuant to any contractual or other commitment of the Bank or any other member of the Standard Chartered Group 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, all of which may be within or outside Hong Kong and may be existing currently and in the future;
(vii) any financial institution and merchant acquiring company with which a data subject has or proposes to have dealings;
(viii) any actual or proposed assignee of all or any part of the business and/or asset of the Bank or participant or sub-participant or transferee of the Bank’s rights in respect of the data subjects;
(ix) any party giving or proposing to give a guarantee or third party security to guarantee or secure the data subject’s obligations; and/or
(x) any party or entity to whom the Bank or any other member of the Standard Chartered Group which may include a Head Office function acting as a data controller in respect of data subject’s data:
(1) third party financial institutions, insurers, credit card companies, securities and investment, mobile wallets & digital payment services providers;
(2) third party reward, loyalty, co-branding and privileges programme providers;
(3) third party and/or any member of the Standard Chartered Group (the names of such co-branding partners can be found in the application form(s) for the relevant services and products, as the case may be);
(4) credit reference agencies (including the operator of any centralized database used by credit reference agencies), and, in the event of default, to debt collection agencies;
(5) any financial institution and merchant acquiring company with which a data subject has or proposes to have dealings;
(6) any legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of financial services providers with which the Bank or any other member of the Standard Chartered Group is expected to comply, or any disclosure pursuant to any contractual or other commitment of the Bank or any other member of the Standard Chartered Group 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, all of which may be within or outside Hong Kong may be existing currently and in the future;
(7) any other purpose or entity to whom the Bank or any other member of the Standard Chartered Group is under an obligation or otherwise required to make disclosure under the requirements of any law or regulation binding on or applying to the Bank or any other member of the Standard Chartered Group, or any disclosure under and for the purposes of any guidelines, guidance, directives, rules, codes, circulars or other similar documents issued or given by any legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of financial services providers with which the Bank or any other member of the Standard Chartered Group is expected to comply, or any disclosure pursuant to any contractual or other commitment of the Bank or any other member of the Standard Chartered Group 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, all of which may be within or outside Hong Kong and may be existing currently and in the future;

Please refer to the Bank’s website (www.sc.com/hk) for the list of countries where such parties may be located.

With respect to data in connection with mortgages applied for by a data subject (in any capacity) on or after 1 April 2011, the following data relating to the data subject (including any updated data of any of the following data from time to time) may be provided by the Bank, on its own behalf and/or as agent, to credit reference agencies:

(1) full name;
(2) capacity in respect of each mortgage (as borrower, mortgagor or guarantor, and whether in the data subject’s sole name or in joint names with others);
(3) date of birth;
(4) correspondence address;
(5) mortgage account number in respect of each mortgage;
(6) type of the facility in respect of each mortgage;
(7) mortgage account status in respect of each mortgage (e.g. active, closed, write-off (other than due to a bankruptcy order), write-off due to a bankruptcy order); and
(8) if any, mortgage account closed date in respect of each mortgage.

Credit reference agencies will use the above data supplied by the Bank for the purposes of compiling a count of the number of mortgages from time to time held by the data subject with credit providers, as borrower, mortgagor or guarantor respectively and whether in the data subject’s sole name or in joint names with others, for sharing in the consumer credit databases of credit reference agencies by credit providers (subject to the requirements of the Code of Practice on Consumer Credit Data approved and issued under the Ordinance).

The Bank may from time to time access the mortgage count held by the credit reference agency(ies) in the course of:

(1) considering mortgage loan application(s) made by the data subject (in any capacity) from time to time;
(2) reviewing any credit facility (including mortgage loan) granted or to be granted to the data subject (in any capacity) which is in default for a period of more than 60 days with a view to putting in place any debt restructuring, rescheduling or other modification of the terms of such credit facility by the Bank;
(3) reviewing any credit facility (including mortgage loan) granted or to be granted to the data subject (in any capacity) where there is in place any debt restructuring, rescheduling or other modification of the terms of such credit facility between the Bank and the data subject consequent upon a default in the repayment of such credit facility for implementing such arrangement;
(4) reviewing any credit facility (including mortgage loan) granted or to be granted to the data subject (in any capacity), with a view to putting in place any debt restructuring, rescheduling or other modification of the terms of any credit facility initiated by the request of the data subject, and/or
(5) reviewing, evaluating and modifying terms of any credit facility (including mortgage loan) granted or to be granted to the data subject (in any capacity) from time to time, and reviewing the same with the data subject.

The Bank may from time to time access the mortgage count held by the credit reference agency(ies) in the course of (after 31 March 2013):

(1) reviewing and renewing mortgage loans granted or to be granted to the data subject (in any capacity); and/or
(2) considering the application for credit facility (other than mortgage loan) by the data subject (in any capacity other than mortgagor) and/or reviewing or renewing any facility (other than mortgage loan) granted or to be granted to the data subject (in any capacity other than mortgagor), in each case where such facility is in an amount not less than such level or to be determined by a mechanism as prescribed or approved by the Privacy Commissioner for Personal Data from time to time.

USE OF DATA IN DIRECT MARKETING

The Bank intends to use a data subject’s data in direct marketing and the Bank requires the data subject’s consent (which includes an indication of no objection) for that purpose. In this connection, please note that:

(i) the name, contact details, products and services portfolio information, transaction pattern and behaviour, financial background and demographic data of a data subject held by the Bank from time to time may be used by the Bank in direct marketing;
In the event any amount in an account (as defined in paragraph (iv) above) may be retained by credit reference agencies until the expiry of five years from the date of final settlement of the amount in default.

If a data subject does not wish the Bank to use or provide to other persons his/her data for use in direct marketing as described above, the data subject may exercise his/her opt-out right by notifying the Bank without charge.
(iv) in some circumstances a data subject may have the right to restrict how the personal data of such data subject is processed;
(v) in some circumstances a data subject may have the right to request the personal data that has been given to the Bank in a machine readable format. An accountholder may already be able to do this through online banking in relation to banking transactions;
(vi) a data subject has the right to complain to the Privacy Commissioner for Personal Data, or if the data subject is located in the European Union, the UK Information Commissioner. Details can be provided by emailing privacy@sc.com

(q) The person to whom requests for access to or correction of data held by the Bank, or for information regarding the Bank’s data policies and practices and kinds of data held by the Bank are to be addressed is as follows:

Data Protection Officer

STANDARD CHARTERED BANK (HONG KONG) LIMITED

GPO Box 21, Hong Kong

Should you have any queries, please do not hesitate to contact either your relationship manager or our designated hotline 2886 6023.

(r) Nothing in this document shall limit the rights of data subjects under the Ordinance.

(s) Security:

(i) The security of personal data is important to the Bank. The Bank has technical and organisational security measures in place to safeguard each data subject’s personal data. When using external service providers, the Bank requires that they adhere to security standards mandated by the Bank and the Standard Chartered Group. The Standard Chartered Group may do this through contractual provisions, including any such provisions approved by a privacy regulator, and oversight of the service provider. Regardless of where personal data is transferred, the Bank takes all steps reasonably necessary to ensure that personal data is kept securely.

(ii) Data subject(s) should be aware that the Internet is not a secure form of communication and they must not send the Bank any personal data over the Internet as this carries with it risks including the risk of access and interference by unauthorised third parties. Information passing over the Internet may be transmitted internationally (even when sender and recipient are located in the same country) via countries with weaker privacy and data protection laws than in the country of residence of a data subject.

(t) The Bank and the Standard Chartered Group retain personal data in line with applicable legal and regulatory obligations and for business and operational purposes. In the majority of cases this will be for seven years from the end of a data subject’s relationship with the Standard Chartered Group.

(u) To the extent permitted by law, the Bank and other members of the Standard Chartered Group may record and monitor electronic communications with data subjects to ensure compliance with legal and regulatory obligations and internal policies for the purposes outlined at paragraph (d) above.

(v) Data subjects should also read the cookie policy when using the Bank’s online services.

In this document, unless inconsistent with the context or otherwise specified, the words in italic shall have the following meanings:
account(s) means, for each facility, service or product which the Bank may from time to time make available to the data subjects, the account that is, opened and/or maintained in respect of it from time to time.

accountholder(s) means holder(s) of an account, and includes joint accountholder(s) in case there is more than one holder for an account.

card means an ATM card, a debit card, a credit card, or a revolving card or all of them, as the context requires.

data subject(s) has the meaning given to it in the Ordinance and includes applicants or accountholders for Facilities, Products and Services, customers, security providers, guarantors, referees, corporate officers and managers (e.g. authorized signatories, contact persons, company secretary, directors, shareholders, beneficial owners of a corporate), beneficiaries, suppliers, agents, contractors, service providers and other contractual counterparties and any third party transacting with or through the Bank.

disclose, disclosing or disclosure, in relation to personal data, includes disclose or disclosing information inferred from the data.

Hong Kong means the Hong Kong Special Administrative Region.

in any capacity means whether as a borrower, mortgagor or guarantor and whether in the data subject’s sole name or joint names with others.

mortgage count means the number of mortgage loans held by the data subject (in any capacity) with credit providers in Hong Kong from time to time.

Standard Chartered Group means each of or collectively Standard Chartered PLC and its subsidiaries and affiliates (including each branch or representative office).

Please circulate this document to any and all data subject(s) relating to your account(s) at our Bank. Should there be any inconsistencies between the English and Chinese versions, the English version shall prevail.

Standard Chartered Bank (Hong Kong) Limited

Last Updated in September 2022