



中國銀行
BANK OF CHINA

(卢森堡)有限公司斯德哥尔摩分行
(LUXEMBOURG) S.A. STOCKHOLM BRANCH

Bank of China (Luxembourg) S.A. Stockholm Branch

PRIVACY POLICY



1. WHAT IS THIS PRIVACY POLICY?

This is the privacy policy (the “**Privacy Policy**”) of Bank of China (Luxembourg) S.A. Stockholm Branch, having its registered address at Box 55628, 102 14 Stockholm, Sweden, with registration number 516406-0898 (hereinafter the “**Bank**”).

This Privacy Policy applies to data subjects such as visitors, users or clients (hereafter globally referred to as the “**Clients**”) or when used in singular form, the “**Client**”). The Client may be a natural person (“**Natural Person**”), or a legal entity (“**Legal Entity**”). Please note that the Privacy Policy only applies to natural persons (data subjects) whose Personal Data (as defined below) is being processed by the Bank. When the Client is a Legal Entity, this Privacy Policy shall be provided to contact persons, proxies, consultants or other employees working for the Legal Entity and whose Personal Data have been provided to the Bank by the Legal Entity or the contact person, consultant or employee itself. Please also provide this Privacy Policy to current and future authorised representatives and beneficial owners as well as any co-obligor or guarantors, which are included in the above definition of Client for the purposes hereof. The Privacy Policy describes how the Bank processes your Personal Data according to the Regulation (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, as amended from time to time as the case may be (the “**GDPR**”) and other applicable Swedish laws and regulations (“**Swedish Laws**”).

2. HOW CAN WE AMEND THIS PRIVACY POLICY?

The Bank may, at any time amend this Privacy Policy to take into account any legislative or regulatory amendments, as well as changes in banking and market’s practice.

In addition to the above:

- when informing you of any change in the collection or processing of your Personal Data, the Bank shall provide you the details required by articles 13 and 14 of the GDPR; and
- with respect to the collection or processing of your Personal Data which are carried out by the Bank on the lawful basis of your consent (as the case may arise), the changes will be subject to your express consent.

3. WHAT IS THE ROLE OF THE BANK WITH RESPECT TO YOUR PERSONAL DATA?

In accordance with the GDPR, the Bank in its capacity as a data controller in each of the cases listed in this Privacy Policy processes Personal Data of visitors, users or Clients and/or its proxies, representatives, co-obligors, guarantors, beneficial owners or others as the case may be.

Apart from Personal Data provided directly by the Client, to the extent allowed by law, the Bank may collect only such data that is necessary for the below described processing purposes. Such data may include electronic identification data, services provided to the Client, electronic communications and others. Should the Bank collect such data from a third party that is not mentioned in this Privacy Policy, it will inform the Client of the details required by article 14 of the GDPR. The Client shall inform the Bank as soon as possible of any changes in Personal Data collected by the Bank.

4. WHAT PERSONAL DATA WILL THE BANK COLLECT AND PROCESS?

The Bank will collect and process the following categories of personal data pertaining to visitors, users or the Client and/or its employees, consultants, proxies, representatives, beneficial owners, co-obligor, guarantors or others as the case may be (together the “**Personal Data**”):

- personal details, e.g. names, previous names, gender, date and place of birth, family details such as details about your spouse and/or children;
- contact details, e.g. address, email address, landline and mobile numbers;
- information concerning your identity e.g. photo ID, passport information, National Insurance number or social security number;
- national ID card and nationality;
- tax domicile and other tax-related documents and information;
- financial information, including payment and transaction records and information relating to your assets (including fixed properties), financial statements, liabilities, taxes, revenues, earnings and investments (including your investment objectives); salary details, information relating to complaints and disputes;
- information we use to identify and authenticate you, e.g. your signature;
- details of communication with you, including records of phone calls, emails and messages through other social communication platforms;
- records of any advice that we have given to you and the products and services you use;
- professional information about you, your investment knowledge, experience and objectives;
- investigations data, e.g. due diligence checks, sanctions and anti-money laundering checks, external intelligence reports, content and metadata related to relevant exchanges of information between and among individuals and/or organisations, including emails, voicemail, live chat, etc;
- information that we need to support our regulatory obligations, e.g. information about transaction details, detection of any suspicious and unusual activity and information about parties connected to you or these activities.

The Bank does not collect personal data on its website by the use of cookies.

5. ON WHAT LEGAL BASIS AND FOR WHAT PURPOSES WILL THE BANK PROCESS PERSONAL DATA?

5.1 Personal Data processing by the Bank for the purpose of the performance of the relevant contractual obligations (on the legal basis of article 6(1)(b) of the GDPR)

The Bank will collect from the Client or from third parties (e.g. public authorities, establishments which operate professional databases, other financial institutions) and process Personal Data for the purpose of performing banking transaction, providing products and providing financial services pursuant to our contracts with our Clients or to take steps at your request to enter into or execute a contract, including but not limited to managing customer relationship, managing Client’s accounts,



related products and services, executing transactions, or establishing statistics.

5.2 Personal Data processing by the Bank for the purpose of compliance with its legal obligations (on the legal basis of article 6(1)(c) of the GDPR)

The Bank will collect from the Client or from third parties (e.g. public authorities, establishments which operate professional databases, other financial institutions) and process Personal Data because such collection is necessary for the purpose of complying with the Bank's obligations under Anti-Money Laundering ("AML") and Know your Customer laws and regulations, and for the purpose of any other mandatory law binding on the Bank.

5.3 Personal Data processing by the Bank for the Bank's legitimate interest (on the legal basis of article 6(1)(f) of the GDPR)

In conjunction with the below purposes, the Bank will collect Personal Data from the Client or from third parties (e.g. public authorities, establishments which operate professional databases, other financial institutions) and the processing will take place based upon a weighing of interests where the Bank's interest in processing the Personal Data overrides the interests, rights and freedoms of the data subject. In the capacity as a controller the Bank will process your Personal Data based on a legitimate interest for the following purposes:

- for Clients the Personal Data may be processed for marketing purposes, including developing commercial offers, receiving unsolicited communications regarding related services and products of the Bank, its affiliated companies or companies in the same group as the Bank (where the Bank considers marketing purposes to be a legitimate interest as confirmed by Recital (47) of the GDPR);
- managing customer relationship, related products and services or establishing statistics;
- for crime prevention;
- for the Bank's risk management;
- for the purpose of liaising with credit agencies;
- for the implementation and use of the Bank's IT structure and IT security tools; and
- to defend and initiate legal actions and claims.

Please note that you as a data subject have the right to object to any processing the Bank carries out based upon a weighing of interests as the legal basis. Further, you are also entitled to object to the processing of your Personal Data for direct marketing purposes.

5.4 Personal Data processing by the Bank on the basis of the Client's consent (on the legal basis of article 6(1)(a) of the GDPR)

To the extent the Bank would intend to process your Personal Data on the lawful basis of your consent, the Bank shall not carry out such processing without obtaining your prior express consent in compliance with the GDPR and inform you of the purpose thereof. The Bank may collect your consent as a data subject for the following purposes:

- for visitors and users not considered as Clients the Personal Data may be processed for marketing purposes, including developing commercial offers,

receiving unsolicited communications regarding services and products of the Bank, its affiliated companies or companies in the same group as the Bank.

Please note that you as a data subject have the right, at any time whatsoever, to withdraw your consent, without this affecting the lawfulness of the processing carried out on the basis of the consent before the consent was withdrawn.

6. TO WHOM WILL THE BANK TRANSFER YOUR PERSONAL DATA?

6.1 Transfer of Personal Data by the Bank within the European Union

To the extent allowed by applicable law, in certain cases the Bank may need to transfer Personal Data to the Bank's subcontractors, outside services providers or other companies, within the European Union, the involvement of which is necessary to provide the services of the Bank.

Such Personal Data will be subject to processing by the subcontractor, outside service provider or other company.

Also, Personal Data included in money transfers is processed by the Bank and other specialised companies, such as SWIFT (Society for Worldwide Interbank Financial Telecommunication). Such processing may be operated through centers located in other European Union countries such as the country in which you ask a money transfer. The legal basis for such processing will be that the Bank needs to perform this processing to be able to perform its obligations under the relevant contract.

Such transfer of Personal Data will be made by the Bank on the basis of agreement(s) with the recipient(s) compliant with article 28 of the GDPR (if applicable) and/or the GDPR in general.

6.2 Transfer of Personal Data by the Bank to the United States and People's Republic of China (PRC)

United States

Personal data included in money transfers is processed by the Bank and other specialised companies, such as SWIFT (Society for Worldwide Interbank Financial Telecommunication). Such processing may be operated through centers located in the United States of America, according to their local legislation. As a result, the United States of America authorities can request access to personal data held in such operating centers for the purposes of fighting terrorism. All data elements necessary for the correct completion of the transaction may be processed outside of Sweden when instructing the Bank to execute a payment order. These transfers of Personal Data will be made to recipients in the United States of America, which under the EU-US Privacy Shield afford an adequate level of protection as required by article 45 (1) of the GDPR.

Such transfer of Personal Data will be made by the Bank on the basis of agreement(s) with the recipient(s) compliant with article 28 of the GDPR (if applicable) and/or the GDPR in general.

People's Republic of China

Personal Data will be transferred to the Bank's head office in People's Republic of China (PRC). The Bank and/or the Bank's head office in PRC will process Personal Data for the



purpose of internal management, statistics, accounting, storage and reporting, to allow the Bank to provide its service and perform its legal requirements and contractual obligations towards you or to take steps at your request to enter into or execute a contract.

These transfers of Personal Data to the Bank's head office **in People's Republic of China (PRC)**:

- will be made while ensuring that your rights and effective legal remedies remain fully enforceable (article 46 (1) of the GDPR);
- will rely on appropriate safeguards compliant with article 46(2)(c) of the GDPR, including the European Union Standard Contractual Clause entered into with the Bank's head office (see article 46(5) of the GDPR) and our Service Level Agreement.

Such transfer of Personal Data to PRC will be made by the Bank on the basis of agreement(s) with the recipient compliant with article 28 of the GDPR (if applicable) and/or the GDPR in general.

Transfer to other non EEA-Countries

In addition, your Personal Data may be transferred, for processing and storage, to countries outside the European Union and /or the European Economic Area (EEA), including countries that do not have the same level of protection for Personal Data, but always within the framework of articles 44 to 46 of the GDPR. In addition, such transfers will be lawfully based either on the necessity, in order to provide our services to you under the relevant banking transaction, providing products and providing financial services that you request, pursuant to our contracts with our natural persons as Clients or to take steps at your request to enter into or execute a contract, or to comply with our legal obligations. To the extent the Bank would intend to transfer your Personal Data to such a country on the lawful basis of your consent or specific consent, the Bank shall not enforce such transfer without obtaining your prior express consent in compliance with the GDPR.

7. HOW LONG WILL THE BANK STORE PERSONAL DATA?

Personal Data will be stored by the Bank as long as necessary to fulfil the purpose for which it was collected and no longer than for a duration of a 10 years period after the end of the business relationship with the Client, corresponding to the maximum duration in view of the statute of limitations under Swedish law or in certain cases for a longer period of time due to Swedish laws or laws on capital adequacy. Storage of Personal Data for other purposes than of a fulfillment of a contract, other applicable laws may apply regarding data retention such as for the compliance with anti-money laundering laws and bookkeeping laws.

8. WHAT ARE YOUR RIGHTS UNDER THE GDPR IN RESPECT OF YOUR PERSONAL DATA?

The data subject has the rights, under the provisions of the GDPR, to request from the Bank, in its capacity as controller, a registry extract (generally free of charge) containing information about what Personal Data belonging to you as a data subject that is registered in the Bank's filing systems and other relevant information listed in article 15 of the GDPR. Upon your request, or on our own initiative, we will correct, erase or restrict the processing of your Personal Data. You are further entitled to object to any processing carried out based upon the legal basis legitimate interest or for direct marketing

purposes. In certain cases, you have the right to data portability. However, your ability to exercise these rights will depend on a number of factors, and in some instances, the Bank will not be able to agree to your request (for example, if the Bank has a legitimate reason for not doing so or the right does not apply to the particular information the Bank holds about you).

The visitor, user, Client or any other relevant data subject has the right under the GDPR and Swedish Laws, to lodge complaints with the Swedish Data Protection Authority by sending a mail to Swedish Data Protection Authority, Box 8114, 104 20 Stockholm or by e-mail to the following address datainspektionen@datainspektionen.se.

To make use of these rights, the Client may contact the Bank by electronic mail at the address lc.se@bankofchina.com or by mail at the following address: Bank of China (Luxembourg) S.A. Stockholm Branch, Box 55628, 102 14 Stockholm, Sweden.

9. HOW TO CONTACT OUR DATA PROTECTION OFFICER?

For any question or request, you may also contact our data protection officer at Bank of China (Luxembourg) S.A. Stockholm Branch, Box 55628, 102 14 Stockholm, Sweden, or email address: lc.se@bankofchina.com.

10. WHAT WILL HAPPEN IF YOU DO NOT WISH TO GIVE YOUR CONSENT UPON OUR REQUEST?

Further to the processing of your Personal Data as described herein, the Bank may specifically ask your consent to be able to carry out certain processing or transfer of your Personal Data or of other categories of data relating to you. In the case of refusal by you to consent to such collections, transfers and processing, the Bank may reject the entering into further business relations with you or may decide to terminate the existing relationship, but without prejudice to the pre-existing relation and to your rights, and may suspend its services to you to the extent where the processing of Personal Data to which you did not consent was necessary for the provision of the Bank's services.

11. DOES THE BANK TRANSFER PERSONAL DATA TO OTHER THIRD PARTIES THAN AS DESCRIBED ABOVE?

Outside the situations described above, the Bank shall not disclose the collected Personal Data to third parties, except on the express instructions of the Client or if legally required to do so (such as to authorities and courts etc.).

12. PROCESSING OF PERSONAL DATA RELATING TO A CLIENT'S REPRESENTATIVES OR AGENTS

The Client – Legal Entity - shall make all necessary actions to receive the consents necessary from its representatives, agents, proxies, co-obligors, borrowers, beneficial owners and any other contacts, the processing of whose Personal Data is concerned as well as to provide them with the above information regarding processing of their personal data, notably inform them about the right to access and rectify data.

Notwithstanding the foregoing, the Bank shall adopt and take prudent measures and actions, as are reasonably expected from the Bank, to protect the confidentiality of such personal information.



13. VIDEOSURVEILLANCE AND TELEPHONE RECORDINGS

The Bank reserves the right to make use of video surveillance inside and in connection with our buildings and facilities for security reasons to protect our property and facilities. The video surveillance tapes will be used to provide proof of an offense or damage or to identify person in this context. The Bank reserves the right to record telephone conversations for the purpose of proving the content of the conversations and the instructions given by the Client. Telephone recordings will further be made in order to avoid commercial disputes in the course of business, to obey the Directive (EU)2014/65 covering telephone recording obligations and to comply with the local Swedish AML Act (SFS 2017:630).

The Bank will not use the video surveillance tapes or telephone recordings for other purpose save if otherwise agreed by the parties, or if a legal obligation so requires. The video surveillance tapes will be retained for a maximum period of 30 days. Telephone recordings will be kept as long as it's necessary for the purpose with the processing. The Bank are using video surveillance and telephone recordings after a weighing of interests where video surveillance and telephone recordings constitutes a limited risk for rights and freedoms of data subjects and the Bank's and the data subjects beneficial interest overrides the risks with such surveillance and recordings. In certain cases, telephone recordings will be processed based on a legal obligation (as previously mentioned).

14. HOW WE KEEP YOUR PERSONAL DATA SECURE

The Bank takes reasonable organisational, technical and administrative measures to keep your Personal Data secure. We require our staff and any third parties who carry out any work on our behalf to comply with appropriate compliance standards including obligations to protect any information and applying appropriate measures for the use and transfer of Personal Data.