



BANK OF CHINA AUSTRALIAN OPERATIONS PRIVACY POLICY STATEMENT

Protection of your privacy

We, **Bank of China Limited, Sydney Branch** ABN 29 002 979 955 and **Bank of China (Australia) Limited** ABN 28 110 077 622 (jointly and severally referred to as “**Bank of China**” in this Privacy Policy Statement) understand our customers’ concern about the privacy of information that they provide us when using our products and services. We are committed to providing the highest degree of privacy in compliance with Australia’s National Privacy Principles (“**NPPs**”) under the Privacy Act 1988, as amended (“**Privacy Act**”).

This Privacy Policy Statement provides a brief background on Bank of China, how we may be contacted and how we comply with the requirements of the Privacy Act and NPPs, in protecting your personal information. The Privacy Act and the NPPs regulate the way that we can collect, use, disclose, keep secure and provide access to your personal information.

Who are we?

BANK OF CHINA LIMITED is a state-owned bank of the People’s Republic of China that was established in 1912. Head Office is located in Beijing and there is an international network of branches and offices located in all the major financial capitals of the world.

Bank of China Limited was first granted a licence to operate in Australia in 1942, which was reissued under the Banking Act in 1945. This licence lapsed in 1972, but was reissued again in April 1985 when Bank of China Limited Sydney Branch was granted a banking authority to re-commence banking business. In 2005, Bank of China Limited established a wholly-owned subsidiary, Bank of China (Australia) Limited.

Bank of China in Australia provides full service banking operations with an emphasis on facilitating trade and investment between Australia and China.

Bank of China has branches in York Street (Sydney), Haymarket (Sydney), Parramatta(Sydney), Hurstville (Sydney) Melbourne, Perth and Brisbane.

How do you contact us?

If you have any questions in relation to privacy, please contact us on:
1-800-092-009 (toll-free) or **61 2 8235 5907** between 9:00am and 5:00pm Monday to Friday.

If you prefer, you may also write to: **Legal and Compliance, Bank of China, 39-41 York Street, SYDNEY, NSW 2000**

Personal Information

Personal Information is information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. In other words, personal information is any information from which the identity of an individual can be ascertained.

Personal information relates to an individual person and does not include information held in respect of a company for the purposes of this Privacy Policy.

Why do we collect and how do we use your personal information?

We only collect personal information about individuals that is necessary for our business.

The personal information we collect is only used or disclosed for the purposes for which it is collected or for related purposes that would reasonably be expected. For example, we may collect personal information to maintain a business relation.

We will not use or disclose any personal information for any other purpose without the individual's consent or unless required or authorised by law (for example, to comply with court orders, taxation laws or anti-money laundering and counter-terrorism financing laws).

Uses of personal information that we collected include:

- Providing customers with the products and services they request
- Completing the relevant product transactions
- Providing customer support
- Monitoring and evaluating products and services
- Assisting customers with queries
- Responding to customers' requests for assistance
- Taking measures to detect and prevent funds and credit loss
- Administering our customer relationships
- Complying with our legal obligations, including our obligations under applicable anti-money laundering and counter-terrorism financing laws
- Further developing and researching our products and services
- Where relevant, conducting appropriate checks for credit-worthiness
- Maintaining and developing our information technology systems, including the testing and upgrading of these systems, in order for us to enhance our provision of our products and services to you
- Informing customers, unless they instruct us not to, of other products and services provided by us.

The type of information we collect, and where we get it from, will depend on the product or service requested for. The personal information we collect includes name, address, gender, marital status, date of birth, contact details (including telephone, facsimile and e-mail), personal details, tax file number, account details, business details, personal preferences, information about the products and services we have provided and financial information (including annual income).

For credit and loan facilities, we will also request personal income, balance sheet, copies of bank statements, credit reference checks and employment details.

Where the customer is a business, company or other legal entity such as a trust structure or partnership, we may collect personal information about the partners, directors, officers, trustees, the entity's agent or any beneficiaries.

If we perform an identification check on, or obtain identification verification for, an individual who is or will become a customer or a signatory on an account with us, we are doing so to comply with the anti-money laundering and counter-terrorism financing laws of Australia.

Our principle is “if we do not need it, we won't ask for it”.

Sensitive Information

Sensitive information is any information related to a person's race, health, political or religious beliefs, sexual preferences, trade union affiliations, etc.

We do not generally collect sensitive information about individuals unless we collect it with your consent, or unless we are required or authorized by law to do so.

However, Customers may nominate a preferred language for communicating with us in order that we can provide a personalised banking service. We may infer your consent to the Bank noting your language preference by your choice of language in dealing with us. Many of our staff are proficient in various dialects of spoken Chinese as well as other Asian languages and this forms part of the special service we offer to our clients. Our experience shows that customers welcome the opportunity to take advantage of the language skills that we possess.

How do we collect personal information?

We collect personal information when you apply for a banking service or product or make an inquiry at one of our branches or offices; or over the telephone; or via our website.

Unless it is unreasonable or impractical for us, we will collect the information we need from you directly. In some circumstances, we will request your authorisation to collect information from a third party. For example, with a loan facility we may need to confirm income and employment details from your employer or from your tax agent. Depending on the type of banking product provided, we may also need to source publicly available information about you held at registries such as the Australian Securities & Investments Commission or land registry office of a state/territory.

We will take reasonable steps to let you know that we have your personal information, unless it is obvious from the circumstances that you know or would expect us to have such information, such as where your agent is acting on your behalf. Reasonable steps may include asking the person who gave us your information to let you know that we have that information.

When will we disclose your personal information?

Unless a customer has instructed us otherwise, we may disclose your personal information as follows.

- Personal information may be disclosed to related bodies corporate within the Bank of China group of entities worldwide, in accordance with the NPPs.

Please note, however, that without your consent, no related entity of our Bank may use or disclose your personal information for a purpose other than that for which it was originally collected.

- To other financial institutions and credit providers for credit related purposes such as credit-worthiness or financing or, unless you instruct us not to, referees or persons with whom you transact or to another financial institution for facilitating direct debits.
- To our local Australian clearing agent bank which participates in the cheque clearing system on our behalf enabling our customers' cheques to clear.
- When compelled by law, to certain government or regulatory bodies such as the Australian Tax Office and the Australian Transactions Reports and Analysis Centre (AUSTRAC) or to law enforcement agencies with appropriate authority.
- If necessary, to our professional advisers including lawyers and auditors.
- To your duly authorised representatives, eg under Power of Attorney, legal representatives or accountants.

Outsourcing

Bank of China may choose to outsource some business functions to service providers and business associates who provide services and financing in connection with our products and services whether locally or overseas – e.g. information technology support, bulk mailing or the appointment of agents who collect personal information on our behalf. In all cases, confidentiality agreements will be put in place such that contractors, agents and outsourced service providers are unable to disclose your personal information for any purpose other than what you have consented to.

Bank of China takes its obligations to protect customer information very seriously and we make every effort only to deal with parties who share and demonstrate the same attitude.

Sending personal information overseas

We send personal information overseas if we outsource functions using overseas service providers, agents or contractors, or to complete a particular transaction (eg. the remittance of a money transfer), or in the normal course of the administration of banking services (eg. for audit purposes or for loan approval purposes if required).

Jointly held information

Where your personal information is held in conjunction with that of another individual or individuals (eg. in the case of a joint account), we will allow each individual to access their own personal information and to the joint information (eg. account balances and transaction details), but not to the personal information of the other individual(s).

Security measures we take to protect your information

We recognise the importance of protecting your personal information and have taken all reasonable steps to ensure that only authorised staff can have access to your information for properly designated purposes. We have policies and procedures in place to prevent misuse, loss, unauthorised access, modification and disclosure of your information.

Where your information is kept in hard-copy form, it is in secured premises with restricted access. Information in electronic form is stored in databases and requires logins and security passwords accessible only to designated staff.

No outside member of the public such as a visitor can gain access to your information, all of which is stored in secure facilities. We detect and prevent unauthorised access to buildings by employing physical and electronic means such as card reader security access, camera surveillance and security guards.

In ordinary circumstances, information concerning an account is destroyed after seven (7) years of account closure. Provided your information is no longer needed by us, we use secure methods to destroy or de-identify your personal information.

How can you access your information?

You have the right to request access to your personal information held by us. We will process your request within a reasonable amount of time which in most cases will not exceed 14 days from the date we receive your request. We will inform you within 14 days if a longer period of time is needed to respond.

There are circumstances in which the Privacy Act allows us to deny access to personal information. For example, where access would reveal evaluative information in relation to a commercially sensitive decision-making process we may provide you instead with an explanation for the decision rather than grant you direct access to the information.

Employee records exemption

In some circumstances, the handling of employee records in relation to our current or former employees is exempt from the NPPs.

What do we charge for access to personal information?

No fee applies to lodging a request for access to your information.

However, we may charge you an access fee to reimburse us for any reasonable cost of providing the information you request. Before we act on your request, we will give you an estimate of how much this service will cost and ask you whether you want to proceed.

Correction of Information

We take all reasonable precautions to ensure that the personal information we collect, use or disclose is accurate, complete and up to date. Our ability to do so depends to a large extent on the information you provide which is why we urge you to:

- advise us immediately if there are any errors in your personal information; and
- always ensure you advise us of changes to your personal information such as name, address and contact telephone numbers.

Your rights

Naturally, you have the right not to provide us with any of the information we request when you apply for any of our products or services. If any personal information we need is not available, or not provided, we may not be able to provide the relevant product or service or we may delay, block or refuse to make a payment or action an instruction relating to your account.



If you have any questions, concerns or complaints about our Privacy Policy please contact us on **1-800-092-009** (toll-free) or **61 2 8235 5907**, or in writing to the address stated above.

We will try our best to satisfy your requests or to resolve any privacy complaint. In the event we are unable to do so, you have the right to lodge a complaint with the Privacy Commissioner or the Financial Ombudsman Service Limited whose contact details are as follows:

The Privacy Commissioner

Office of the Federal Privacy Commissioner
GPO Box 5218
Sydney NSW 1042
Phone: 1300 363 992
Internet: <http://privacy.gov.au>
Email: privacy@privacy.gov.au

FINANCIAL OMBUDSMAN SERVICE LIMITED

GPO Box 3, Melbourne VIC 3001
Telephone 1300 78 08 08 or (03) 9613 7366 9am – 5pm AEST
Facsimile (03) 9613 6399
Email: info@fos.org.au
Website: www.fos.org.au

Changes to our Privacy Policy

Bank of China may change our privacy policy from time to time. If we do, we will publish an updated Privacy Policy Statement, which is available upon request.

Issued by:

Bank of China Limited
ABN 29 002 979 955
AFSL 230547

Bank of China (Australia) Limited
ABN 28 110 077 622
AFSL 287322