



PRIVACY POLICY & NOTIFICATION FOR CUSTOMERS DEALING WITH OUR HONG KONG BRANCH

Who we are

National Australia Bank Group (“NAB”) is an international financial services group that provides a comprehensive and integrated range of financial products and services. Our businesses are located in Australia, New Zealand, New York, United Kingdom, Hong Kong Special Administrative Region (“Hong Kong”), Singapore and Japan. We also have a representative office in China.

Respecting your privacy

This notice applies to your dealings as a customer with NAB in Hong Kong. We recommend you read and understand the provisions in this notification and the terms and conditions for NAB’s financial products with you which may also contain terms and conditions relating to our collection, use and handling of your information.

The confidentiality and privacy of your information is important to us. With respect to the collection, use and handling of your personal information or personal data (collectively “Personal Data”), we comply with:

- the Personal Data (Privacy) Ordinance (Cap. 486 of the Laws of Hong Kong) (“PDPO”);
- the Hong Kong Code of Banking Practice issued jointly by the Hong Kong Association of Banks and the DTC Association (“Code of Banking Practice”); and
- the Code of Practice on Consumer Credit Data issued by the Office of the Hong Kong Privacy Commissioner for Personal Data (“Code of Practice on Consumer Credit Data”).

Prior to the collection of Personal Data from you, we are required under the PDPO, the Code of Banking Practice and the Code of Practice on Consumer Credit Data to disclose information to you about the collection, use and handling of your Personal Data.

Your information

We and/or our officers, employees, contractors and agents collect information to assist us in our relationship with you. The information is collected from you, from the transactions performed on your behalf and/or from other persons and organisations. If you do not provide the information we need we may not be able to provide you with the product or service you have requested. We may also be required by law to collect information from or about you for certain purposes (for example, to identify you).

The types of information collected include but are not limited to:

- Information which identifies you;
- Information which relates to your financial affairs, business, employment, income or assets;
- Information which arises or is required in connection with the transactions you do with us or through us;
- Information which helps us to process applications made by you for particular products and services and to manage our exposures if you borrow funds from us or provide security;
- Information relevant to product development or marketing.

Using and disclosing your information

In this section:

“**Services**” means products, services and/or credit facilities provided by us to you from time to time including in connection with your use of accounts and facilities you have with us (including, without limitation, the making or receiving of a payment by us on your behalf).

“**Regulation**” or “**Regulations**” means any laws and policies including, without limitation, any subordinate instrument and the acts, practices, policies and guidelines of local or foreign governments (within or outside Hong Kong) and their instrumentalities whether or not having the force of law.

A “**Regulatory Authority**” means a local or foreign government or instrumentality.

We and our officers, employees, contractors and agents may collect, compile and/or use your information including any Personal Data and any information relating to your account, transactions or dealings with us or effected by us on your behalf or otherwise in relation to any of your accounts (collectively “**Account Information**”) for purposes including but not limited to the following:

- establishment and operation of the Services or in connection with administering any aspect of our relationship;
- management of local and global risk and credit exposures and/or establishing ongoing creditworthiness including conducting credit checks, assisting financial or other organisations to do so and/or providing banker’s or credit references;
- matching for whatever purpose (whether or not with a view to taking any adverse action against you) any Personal Data and/or Account Information with other data;
- involving the maintenance, review and development of our business systems, procedures and infrastructure including testing or upgrading our computer systems;
- involving our payment system including its interface or interaction with the payment systems of other financial institutions, merchants and payment organisations;
- designing financial services or related products;
- marketing, improving and/or furthering the provision of financial services or related products to you by us, or by our partners, contractors or third party service providers;
- determining the amount of indebtedness owed to or by you;
- enforcement of obligations including, without limitation, collection of amounts owed by you or by any other person providing security for your obligations;
- doing what is necessary to meet regulatory, compliance or legal obligations including making disclosure under the requirements of any Regulation or for any purpose which NAB reasonably considers necessary or desirable in connection with any Regulations or Services and you agree to provide all additional information required for such purpose;
- complying with any obligations, requirements, policies, procedures, measures or arrangements for sharing data and information within NAB group companies 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;

- retaining your Personal Data and Account Information in central databases (including those located overseas) for purposes including monitoring NAB's capital requirements and/or exposures and complying with Regulations;
- enabling those who may be interested in acquiring parts of our business or our rights or obligations in respect of you or your obligations to us, or the Services, to evaluate that business or those rights, obligations or Services;
- any other purposes agreed with you.

We and our officers, employees, contractors and agents may disclose, transfer (whether within or outside Hong Kong), and/or exchange your Personal Data and/or Account Information to or with such persons as we or they may consider necessary including without limitation the following persons for the purposes set out above:

- any agent, contractor or service provider who provides operational, administrative, telecommunications, computer or, without limitation, other services to us in connection with the operation of our business;
- any of our branches or any member of NAB;
- credit reference agencies and/or, in the event of any default by you, debt collection agencies;
- any person (including, without limitation, all Regulatory Authorities or other banks whether within or outside Hong Kong) when we reasonably consider that such disclosure is required by law or pursuant to the directives of such Regulatory Authorities or is necessary or desirable in connection with any Regulations or Services;
- any actual or proposed assignee of, or participant or subparticipant or transferee of, all or any part of our assets or business or our rights or obligations in respect of you or the Services;
- any person in connection with any insolvency or analogous proceeding (including judicial management, winding-up, compromise or arrangement and/or receivership) relating to you and/or your property;
- any person whom we reasonably believe is entitled to your property in the event that you are a company that has been liquidated, struck off from any applicable register or otherwise no longer in existence or if you are bankrupt;
- any person under a duty of confidentiality to us including without limitation any auditors, lawyers or other professional advisors;
- other banks or intermediaries or Regulatory Authorities involved in the process of sending or receiving any payment or instruction to or from or in connection with you;
- any person providing a guarantee or security in connection with your obligations;
- and/or without limitation any other person in accordance with our general policy on use and disclosure of Personal Data and Account Information and/or as described in statements, circulars, notices or other terms and conditions made available by us to you from time to time.

Processing of your personal data and account information

We manage, operate and process the Personal Data and Account Information internationally and across corporate boundaries and we have centralised certain processing and data storage functions in order to provide the Services to you efficiently at the time you need them. Your Personal Data and Account Information may be processed and/or stored in Hong Kong or transferred to other countries in which we operate. Unless we can process and store your Personal Data and Account Information at our central processing centres we are unable to handle your banking or other transactions.

Under conditions of confidentiality, NAB does the processing and storage of your Personal Data and Account Information. At present, the centralised processing centres are located in Singapore, Hong Kong and Australia. Over time Australia will become the central location for processing and storage of your Personal Data and Account Information. Our employees and contractors are subject to the applicable laws and codes of conduct which deal with the confidentiality and privacy of your Personal Data and Account Information.

Use of personal data in direct marketing

We intend to use your Personal Data in direct marketing and we require your consent (which includes an indication of no objection) for that purpose. In this connection, please note that:

- (1) your name, contact details, products and services portfolio information, transaction pattern and behaviour, financial background and demographic data held by us from time to time may be used by us in direct marketing;
- (2) the following classes of services, products and subjects may be marketed:
 - I) financial, insurance, credit card, banking and related services and products;
 - II) reward, loyalty or privileges programmes and related services and products;
 - III) services and products offered by our co-branding partners (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); and
 - IV) donations and contributions for charitable and/or non-profit making purposes;
- (3)
 - I) our NAB group companies;
 - II) third party financial institutions, insurers, credit card companies, securities and investment services providers;
 - III) third party reward, loyalty, co-branding or privileges programme providers;
 - IV) our co-branding partners and NAB group companies (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); and
 - V) charitable or non-profit making organisations;
- (4) in addition to marketing the above services, products and subjects itself, we also intend to provide the data described in paragraph (1) above to all or any of the persons described in paragraph (3) above for use by them in marketing those services, products and subjects, and

we require your written consent (which includes an indication of no objection) for that purpose;

- (5) We may receive money or other property in return for providing the data to the other persons in paragraph (3) above and, when requesting your consent or no objection as described in paragraph (4) above, we will inform you if we will receive any money or other property in return for providing the data to the other persons.

If you do not want us to use or provide to other persons your Personal Data for use in direct marketing as described above, you may exercise your opt-out right by notifying us.

Applications for consumer credit to be secured by a mortgage

For applications for consumer credit to be secured by a mortgage which are received by us on or after 1st April 2011, we may provide the following types of Personal Data relating to you (including any updated data of any of the following data from time to time) to a credit reference agency:

- your full name;
- your capacity in respect of each mortgage facility (as borrower, mortgagor or guarantor, and whether in the customer's sole name or in joint names with others);
- your Hong Kong identity card number or travel document number;
- your date of birth;
- your correspondence address;
- your mortgage account number in respect of each mortgage;
- the type of the facility in respect of each mortgage;
- the mortgage account status in respect of each mortgage (e.g., active, closed, written-off); and
- if any, mortgage account closed date in respect of each mortgage.

This data may be used for the purpose of compiling a count of the number of credit facilities from time to time held by you (as borrower, mortgagor or guarantor respectively), for sharing in the consumer credit database of credit reference agencies by credit providers (subject to the requirements of the Code of Practice on Consumer Credit Data).

You may request for deletion of the data from the database of the credit reference agencies upon termination of the account on the condition referred to in the section "Your Rights" below.

Retention of your personal data and account information

In the event of any default of repayment to us, unless the amount in default is fully repaid or written-off (other than due to a bankruptcy order) before the expiry of 60 days from the date when such default occurred, your Personal Data and Account Information may be retained by the credit reference agency until the expiry of 5 years from the date of final settlement of the amount in default. Nothing in this policy shall imply, infer or otherwise suggest that we may at any time write-off, or grant any waiver or consent in connection with, any loan or facility with you.

In the event any amount in an account is written-off due to a bankruptcy order being made against you, your Personal Data and Account Information may be retained by the credit reference agency (regardless of whether the Personal Data reveals any material default) until the expiry of 5 years from the date of final settlement of the amount in default, or the expiry of 5 years from the date you were discharged from bankruptcy as notified by you with appropriate evidence to the credit reference agency, whichever is earlier.

Your rights

Under the PDPO and the Code of Practice on Consumer Credit Data, you may do the following things in respect of any of your Personal Data and Account Information:

- check whether we hold Personal Data about you and the right of access (with some exceptions) to such Personal Data;
- require us to correct any Personal Data relating to you which you establish is inaccurate;
- ascertain our policies and practices in relation to Personal Data and to be informed of the kind of Personal Data held by us;
- be informed upon request 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; and
- in relation to consumer credit provided to you by us, upon termination of the account by full repayment and on condition that there has not been within 5 years immediately before account termination any material default on the account, instruct us to request the relevant credit reference agency to delete from its database any Personal Data and Account Information relating to the terminated account. Please note that we will only deal with instruction that is given within five years of termination of the account.

Any request to do or have done any one or more of the above things or to raise any concern you have regarding the privacy of your Personal Data and Account Information should be made to us in writing and addressed to the Hong Kong privacy officer named below. In accordance with the terms of PDPO, we are entitled to charge a reasonable fee for fulfilling any data access request.

Contact us

Further information about relevant privacy laws and consumer banking codes can be obtained from our Hong Kong privacy officer, whose contact details are:

Compliance Manager

Level 27, One Pacific Place
Queensway, Hong Kong

Ph: 2826 8111

Fax: 2845 9251

Email: Compliance_HK@nabasia.com