



PRIVACY POLICY & NOTIFICATION FOR CUSTOMERS DEALING WITH NATIONAL AUSTRALIA BANK LIMITED, SHANGHAI BRANCH

Who we are

This Privacy Policy and Notification is issued by National Australia Bank Limited, Shanghai and Beijing branches (“**Bank**”, “**we**”, “**our**” or “**us**”), a group member of National Australia Bank Group which is an international financial services group that provides a comprehensive and integrated range of financial products and services. Our businesses are located in the People’s Republic of China (excluding Hong Kong, Macau and Taiwan) (“**PRC**”), Hong Kong, Singapore, Japan, United Kingdom, United States, Australia and New Zealand.

Respecting your privacy

This notice applies to your dealings as a customer with the Bank. The confidentiality and privacy of your information is important to us. Depending on the type of customer you are, where you reside and how we store and process your information, in addition to the protection given to you by the laws in your country regulating the confidentiality of your banking information, you may also be covered by applicable PRC Regulations (as defined hereinafter). If these laws do apply to you, then we comply with the relevant privacy principles those laws have established with respect to you and your personal information or personal data (collectively “personal data”).

Your information

We and/or our officers, employees, contractors and agents collect information to assist us in our relationship with you. This 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 the acts, practices, codes, guidelines, conventions, directives, notices, circulars, injunctions, writs, orders, sanctions, judicial decisions, regulations, rules and policies of any Regulatory Authority 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 (collectively “**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 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 we reasonably consider necessary or desirable in connection with any Regulations or Services and you agree to provide all additional information required for such purpose;
- retaining your Data and Account Information in central databases (including those located overseas) for purposes including monitoring the Bank’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; and
- any other purposes agreed with you.

We and our officers, employees, contractors and agents may disclose, transfer (whether within or outside the PRC), and/or exchange your 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,

referral, broking or, without limitation, other services to us in connection with the operation of our business;

- any branches of National Australia Bank Group or any member of our Group;
- 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 the PRC or in other countries in which the National Australia Bank Group operates) 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 sub-participant 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 a 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 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.

Subject to the applicable Regulations, we manage, operate and process Data and Account Information internationally and across corporate boundaries and we have centralised certain of our processing and data storage functions in order to provide the Services to you efficiently at the time you need them. Your Data and Account Information may be processed and/or stored in the PRC or in other countries in which the National Australia Bank Group operates. Unless we can process and store your Data and Account Information at our central processing centres we are unable to handle your banking or other transactions. By using our Services, you consent to such processing and storage.

Under conditions of confidentiality, the Bank does the processing and storage of your Data and Account Information. At present, the centralised processing centers are located in Shanghai, Hong Kong or Australia.

We are also required by PRC law to acquire your relevant Data for the purpose of appraising the credit application, guarantee qualification assessment of the legal representative and sponsor(s) of your company and submit to a personal credit data collection services centre which is centrally administered by the People's Bank of China ("**Data Centre**"). Our employees and contractors are subject to the applicable Regulations which deal with the confidentiality and privacy of your Data and Account Information. Upon the above statements, you should fully understand and authorize us of obtaining your relevant credit data from Data Centre for the above purposes.

Marketing our products and services

You can tell us not to share your Data and Account Information within our group of companies for marketing purposes. It is your choice to tell us if you do not want us to market to you in any way or in a certain way, for example by telephone, but not by mail.

Important

We reserve the right to amend our prevailing Privacy Policy and Notification at any time upon giving you a notice in a reasonable manner as we may decide in accordance with applicable Regulations.

This Privacy Policy and Notification is not intended to, nor does it, create any contractual rights whatsoever or any other legal rights, nor does it create any obligations on the Bank in respect of any other party or on behalf of any party.

This Privacy Policy and Notification provides our overview of our privacy policies and procedures (in addition to those that may apply in respect of specific Services), it is not intended to constitute legal advice in relation to your rights under any privacy legislation or any other matter.

Contact us

Further information about relevant privacy laws and consumer banking codes can be obtained from our privacy officer at the branch where you deal with us. In Shanghai, their contact details are:

Compliance Manager

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