



ICBC (Europe) S.A. Brussels Branch
Privacy notice for clients and suppliers

Applicable to the clients and suppliers of ICBC (Europe) S.A.

Brussels Branch

Last Updated: January, 2023

1 Our Privacy Statement

Within ICBC (Brussels Branch) we value your privacy and ensure that personal data is processed transparently and in accordance with the law and in particular the EU Regulation 2016/679 on the protection of personal data (“**GDPR**”).

This Notice explains to the clients and suppliers of ICBC (Brussels Branch), (“**you**”, “**your**”) how ICBC (Brussels Branch) collects and uses their personal data and provides further explanation on transfers and retention of personal data as well as rights that our clients have in relation to their personal data.

This Notice also applies to prospect and former clients. It further applies to the members, staff, shareholders, beneficial owners of our corporate clients and suppliers, as well as to third parties whose personal data is provided to us by our clients and suppliers such as family members, beneficiaries of payment transactions etc.

Please note that we also collect personal data when you visit our website www.icbc.be in line with our [Cookie Notice](#) and [privacy notice for website visitors](#) available on our website.

2 Who is the controller of your personal data?

ICBC (Brussels Branch) established in Belgium, 1050 Brussels, avenue Louise 81 (“**we**”, “**our**”) is the controller of your personal data. We determine the purposes for which and the means by which your personal data is processed.

ICBC (Brussels Branch) is a branch of Industrial and Commercial Bank of China (Europe) SA, a limited liability company, incorporated under the laws of the Grand Duchy of Luxembourg, with registered office in the Grand-Duchy of Luxembourg, 2449 Luxembourg, 32 Boulevard Royal.

3 When do we process your personal data and from which sources do we collect it?

We have further outlined, in the table below, the categories of personal data that we collect from you and the purposes for which we process it.

Generally speaking, we process personal data which we collect directly from you when we enter into a contractual relationship, such as your contact details or your ID when we you open an account. If you represent a corporate client we collect information such as your position held in the organisation of our client.

To the extent necessary in order to effectively enter or pursue our contractual relationship, we also process personal data which we lawfully receive from other entities within the ICBC Group which are involved in receiving services or products from you or the supplier you are working for (for instance we receive information from our entity based in Luxembourg, Industrial and Commercial Bank of China (Europe) SA).

We may also collect personal data from other sources, such as personal data we receive from our other ICBC group entities or public sources such as Dow Jones, searches on Google, Factiva, FOL, Belgian Official Gazette etc.

Clients:

Purposes of the Processing Activity	Types of Personal Data
<p>Managing our contractual relationship (including onboarding and offboarding of our clients)</p> <ol style="list-style-type: none">1. To provide you with information regarding our products and services2. To assist you and answer your requests3. To evaluate if we can offer you a product or service and under which conditions4. To provide products or services to our corporate clients of whom you are a member of staff, a shareholder, a beneficial owner or a representative5. To close accounts and to manage the termination of our contractual relationship	<ol style="list-style-type: none">1. Standard information related to your identity (name, first name(s), address)2. Personal information (gender, family composition (for retail clients only), date of birth, phone number, e-mail address, ...)3. Professional details (job title, function, department)4. Financial information (bank account numbers, payment and transaction records and information relating to your assets, financial statements, liabilities, taxes, revenues, earnings and investments (including your investment objectives))5. Details of your nomination within our corporate client or of mandates or functions held6. Business related interests and business-related information on products and services subscribed to7. Details of our interactions with you

Purposes of the Processing Activity	Types of Personal Data
<p>Complying with our legal obligations</p> <ol style="list-style-type: none"> 1. To prevent abuse and fraud (e.g. AML and KYC background checks) 2. To detect transactions which deviate from normal patterns 3. To define investment profiles, credit risk scores, etc. 4. To comply with risk management obligations 5. To fulfill reporting obligations vis-à-vis the relevant local and foreign authorities 6. To record, subject to the requirements of applicable law, phone calls, email, etc. 7. To reply to an official request from a duly authorized public or judicial authority 8. To confirm signatory powers 	<ol style="list-style-type: none"> 1. Standard information related to your identity (name, first name(s), address) 2. Personal information (gender, date of birth, phone number, e-mail address, nationality ...) 3. Copy of passport or identity card 4. Professional details (job title, function, department) 5. Financial information (bank account numbers, payment and transaction records and information relating to your assets, financial statements, liabilities, taxes, revenues, earnings and investments (including your investment objectives)) 6. Country of origin / activity 7. Information derived from background checks such as criminal activity of a board member of corporate client, information on politically exposed persons etc. 8. If relevant (for Mifid purposes mainly), your knowledge of, and experience in, investment matters 9. Any voice data / records of phone calls or emails between you and us
<p>Ensuring security of property and persons and business continuity</p> <ol style="list-style-type: none"> 1. To assure the safety and continuity of our services (through CCTV) 2. To ensure a proper IT management including business continuity and IT security; 3. For the establishment, exercise and defense of legal claims 	<ol style="list-style-type: none"> 1. Standard information related to your identity (name, first name(s), address) 2. Recording of images 3. Overview of access that you have to our premises 4. Any relevant information on our interactions with you

Purposes of the Processing Activity	Types of Personal Data
<p>For developing our products and services</p> <ol style="list-style-type: none"> 1. For general management and development of our services, systems and products 2. For client advisory services and sales 	<ol style="list-style-type: none"> 1. Standard information related to your identity (name, first name(s), address) 2. Personal information (gender, family composition (for retail clients only), date of birth, phone number, e-mail address, ...) 3. Professional details (job title, function, department) 4. Business related interests and business-related information on products and services subscribed to 5. Details of our interactions with you (including your feedback on our products and services)
<p>Social events</p>	<ol style="list-style-type: none"> 1. Standard information related to your identity (name, first name(s)) 2. Pictures
<p>Provision of Wifi accesses</p>	<ol style="list-style-type: none"> 1. Business card details 2. Device type and model, Operating system 3. Log data (IP Addresses and connection data; URLs of visited websites etc.) 4. Login details
<p>Mergers and acquisitions</p>	<ol style="list-style-type: none"> 1. Business card details 2. Financial information (bank account numbers, payment and transaction records) 3. As the case may be, information necessary to evaluate our compliance with our legal obligations in the framework of a due diligence

Suppliers:

Purposes of the Processing Activity	Types of Personal Data
Finding suppliers for goods and services	<ol style="list-style-type: none"> 1. Business card details 2. Professional / Educational background 3. Rates / prices
Ordering process	<ol style="list-style-type: none"> 1. Business card details 2. Rates / prices
Contract management (including daily organization)	<ol style="list-style-type: none"> 1. Business card details 2. Professional / Educational background / Skills and training 3. Contact persons in case of emergency 4. Role / function 5. Date of entry on / release from a project, hours performed (in particular for advisors, lawyers etc.)
Accounting (payment of invoices, data mining, maintenance process, reporting)	<ol style="list-style-type: none"> 1. Business card details 2. Financial details (account number etc.)
Background checking of suppliers, fraud management, conflict of interest	<ol style="list-style-type: none"> 1. Business card details 2. Professional details (function within supplier's organization etc.) 3. Description of identified issue
Security and business continuity (Closed circuit television (CCTV) - remote monitoring, business continuity (contact in case of urgency), risk management)	<ol style="list-style-type: none"> 1. Business card details 2. Professional details 3. Recording of images 4. Access details to ICBC Belgian branch premises

Purposes of the Processing Activity	Types of Personal Data
Provision of Wifi accesses	<ol style="list-style-type: none"> 1. Business card details 2. Device type and model, Operating system 3. Log data (IP Addresses and connection data; URLs of visited websites etc.)
Respond to requests of regulator and public authorities, perform legal disclosures (with regards to regulatory / legal requirements or investigations), handle litigation	<ol style="list-style-type: none"> 1. Business card details 2. Professional / Educational background 3. Financial details 4. Information pertaining to the legal claim or to the request of the public authority
Mergers and acquisitions	<ol style="list-style-type: none"> 1. Business card details 2. Rates / prices 3. Professional / Educational background

4 What is the legal basis we use to process your personal data?

We only process personal data about you:

- a. for the performance of contractual obligations (article 6 (1) b) GDPR): e.g. to enter into and perform a contract with you;
- b. for the purposes of safeguarding legitimate interests (article 6 (1) f) GDPR): e.g. ensuring security of the access to our offices and IT services;
- c. for compliance with a legal obligation (article 6 (1) c) GDPR), e.g. meeting AML / KYC obligations;
- d. you have, in strictly defined circumstances, given your consent to the processing (article 6 (1) a) GDPR), i.e. for the use of your pictures taken during social events.

5 Where do we transfer your personal data?

When we transfer personal data to other parties, we ensure that the data is transferred on a need-to-know basis and ensure that adequate legal mechanisms are in place to ensure the protection of your personal data.

We may transfer your personal data to the following third parties:

- To service providers which are involved in the services we provide to our clients such as providers active in the payment and communication sectors such as SWIFT.
- To independent agents, intermediaries or brokers and specialized partners, with which we have a regular relationship or which may be appointed by the entity you represent or through whom we may deal or transact in relation to your account or the services or products we provide to you
- To fraud prevention agencies in order to check the identity of our clients' representatives or individual clients or to investigate or prevent money laundering, fraud or other illegal activity
- To our auditors, legal representatives, notaries and advisors in connection with the services they provide to us
- To regulatory or enforcement authorities or judicial agencies (such tax or financial authorities, national supervisory banks or courts), if prescribed by law
- To a potential buyer or seller (and its representatives and advisors) in connection with any proposed acquisition merger or similar transaction

We may also transfer your personal data to other ICBC affiliated entities (e.g. our office established in the Grand-Duchy of Luxemburg or to our head office located in the People's Republic of China) which provide certain services to us such as compliance management support, storage facilities, IT backup etc. The access to your personal data is only allowed to the staff members who have a legitimate business need for access.

When your personal data is transferred outside the European Economic Area, we make sure that such transfer occurs under signed contractual clauses approved by the European Commission. You may obtain a copy of such document by contacting our Data Protection Officer using the contact details in section 11.

6 How long do we retain your personal data?

We process and store your personal data as long as it is necessary for the performance of our contractual and statutory obligations.

Given that the need to retain data depends on the type of data and the purpose of the processing, retention periods may vary considerably.

Below you will find the criteria we use as a basis to define the length of retention periods:

- How long do we need the data to be able to provide the requested service?
- Have we defined and announced a specific retention period?
- Have we been granted permission to extend the retention period?
- Are we subject to a legal or contractual obligation, or a comparable obligation?

As soon as we no longer need your data and are no longer legally obliged to retain them, we will permanently delete them or, if this is not possible, anonymise them in our systems.

Your personal data will, however, be retained and used for the period necessary for the fulfilment of our legal obligations, the settlement of disputes or the conclusion of contracts. The personal data is regularly deleted ten years after the end of our contractual relationship to ensure we can answer contractual liability issues (as imposed by the statutory period of limitations set by the Belgian Civil Code).

Images recorded by security cameras in and around our premises are kept for thirty days from the visit, except otherwise requested by the police, by the public prosecutor or by the legal department.

7 Your rights in respect to your personal data

Under the GDPR, you have as a “data subject” the following rights:

- *The right to access your personal data:* you have the right to request access to your personal data. You may also request a copy of it.
- *The right to rectification:* you have the right to ask that we correct your personal data should your data be incomplete, inaccurate or out of date.
- *The right to erasure:* you have the right to request that we erase your personal data.
- *The right to restrict processing:* you have the right to request that we restrict how we process your personal data, for example, if it is inaccurate. This means we are only permitted to store the data.
- *The right to data portability:* you have the right to request the transfer of your personal data to another party.
- *The right to object:* you have the right to object to specific types of processing of your personal data. We will then stop the processing, except if legal exceptions apply.
- *The right to withdraw consent:* in the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data, you have the right to withdraw your consent for that specific processing at any time.
- *The right to complain to a Supervisory Authority:* you have the right to complain to the Belgian data protection authority about our collection and use of your personal data if you feel that we have not sufficiently addressed any concern or complaint.

The exercise of these rights is subject to conditions which are set out in the GDPR. Please note that it may not be possible to fully exercise them (e.g. if you request personal data to be deleted but the law requires that we keep it).

In order to exercise the above-mentioned rights, you must date and sign your written request and submit it along with a copy of your identity card to our Data Protection Officer using the contact details in section 11.

This request is free of charge, except in the case of the requests are deemed to be manifestly unfounded or excessive (in particular due to their repetitive nature).

We may also require the payment of reasonable costs based on the administrative expenses associated with any additional copies requested.

The request is processed within one month. This period may possibly be extended by two months, based on, in particular, the complexity and number of requests. If the period is extended, you will be informed and the reasons will be communicated to you.

We will notify the third parties to which the data have been communicated of any rectifications, erasures or limitations carried out, unless this proves impossible and/or results in a disproportionate effort.

8 What happens if you refuse that we process your personal data?

If you refuse to provide certain information when requested, and the personal data is necessary in order to (i) admit you as a client, (ii) provide you our services or products, or (iii) provide you further information on our services and products, then we may not be able to enter into that contract or provide the requested services, products or information.

9 Data security and quality

We use appropriate technical and organizational measures to protect your personal data, such as:

- ensuring that we store your data in a secure operating environment, only accessible to ICBC workers and defined advisors on a need-to-know basis;
- verifying rigorously an individual's identity prior to gaining access to any IT or business premises (e.g. through login ID, password, pin codes and badges);
- implementing industry wide accepted IT security measures such as firewalls, data encryption etc.

10 Update of this Notice

We reserve the right to update this privacy statement at any time, in response to any legal, technical or business change and developments. The latest updated date is specified on the first page of this notice.

11 Contact

If you want to request information about this Notice or exercise any of your rights in respect to your privacy, you can contact our Data Protection Officer (“**DPO**”) at the following address: DPO ICBC, Avenue Louise 81, 1050 Brussels, Belgium. or by email at the following address: : data.protect@be.icbc.com.cn.