

External Privacy Statement

**Industrial and Commercial Bank of China (Europe) S.A.
Amsterdam Branch**

1. Introduction

This privacy statement ("**Statement**") provides information on the processing of personal data by the Industrial and Commercial Bank of China (Europe) S.A. Amsterdam Branch, hereinafter referred to as: ("**ICBC**"). The contact details of ICBC are provided at the bottom of this Statement.

This Statement applies to all personal data processed by ICBC and/or on behalf of ICBC concerning all its data subjects (such as (prospective) customers, beneficiaries or payees, guarantors, ultimate beneficial owners, visitors of our websites of our physical locations, auditors or any other individuals involved in transactions), with which a natural person may be identified or become identifiable ("**Personal Data**"). The natural persons involved are hereinafter collectively referred to as data subjects ("**Data Subjects**").

This Statement sets out the elements necessary for ICBC's compliance with applicable privacy legislation, principles and practice, including but not limited to the General Data Protection Regulation ("**GDPR**") ("**Applicable Laws**"). ICBC reserves the right to review and/or update the Statement periodically, in order to comply with Applicable Laws, and for any other purpose deemed reasonably necessary by ICBC.

For queries and inquiries about this Statement, please contact ICBC's Data Protection Officer ("**DPO**") at: e-mail: dpo@nl.icbc.com.cn or telephone number: 020-5706666.

Please find below an overview of the subjects which will be discussed in this Statement.

- Categories of Personal Data
- Purpose, legal ground and retention period of data processing
- Security of Personal Data
- Transfer of Personal Data
- Rights in relation to Personal Data
- Questions and inquiries

2. Categories of Personal Data

ICBC processes the following categories of Personal Data, with respect to (prospective) customers, clients, traders, business partners and other third parties:

- name;
- last name;
- title;
- gender;
- nationality;
- country of citizenship;
- tax number;
- e-mail address;
- date of birth;
- place of birth;
- picture;
- signature;
- copy id;
- national identification number (where permitted by fiscal law and required for identification and administration purposes);
- telephone number (business and private);
- fax number;
- bank account number and balance;
- transaction counterparty account name;
- transaction details and history;
- address;
- business, invoice and delivery address;

- position in the company;
- department;
- origin of funds;
- source of wealth;
- AML risk level;
- MiFID profile; and
- images taken by CCTV monitoring.

Know Your Customer/AML/CTF auditing

- GTCs;
- MiFID questionnaire;
- name;
- first name;
- signature
- ID/ Passport;
- bank account number;
- bank account balance;
- FOVA number;
- CIS number;
- proof of residence (e.g. electricity bill, lease contract, city hall doc, car bill);
- source of funds (e.g. salary slip, employer's letter, comfort letter, bank statement, working contract including the employer's name, address and type of business);
- title/ position,
- education degree;
- employer's name;
- address;
- type of business;
- TIN number;
- social security number;
- address;
- phone number;
- email, fax number;
- marital status;
- internet search;
- picture;
- tax country;
- number of children;
- wedding certificate including name of the spouse and children;
- heirs;
- source of funds;
- employment status;
- tax declaration;
- comfort letters issued by banks, lawyers, consulting companies;
- inheritance certificate;
- name of the parents;
- CV,
- criminal record;
- degree/professional certification;
- signature.

These Personal Data are collected from or supplied directly by the Data Subjects or collected from publicly available information.

3. Purpose, legal ground and retention period of data processing

Based on the following legal grounds, ICBC is processing Personal Data for the following purposes.

a. Entering into a business relationship and agreement with you

ICBC processes personal data when a Data Subject intends to become a client, wishes to use a new product or wants to contact ICBC. For example:

- Opening, closing and maintaining client accounts;
- Customer relationship management, for instance data we process regarding correspondence with clients; and
- internal management of client accounts.

Legal ground

ICBC processes the Personal Data when this is necessary to conclude an agreement. ICBC also processes Personal Data to comply with a legal obligation. When a legal obligation to process Personal Data does not apply, ICBC processes Personal Data based on the legitimate interest of ICBC for the above mentioned purposes. More detailed information on ICBC's legitimate interests and the balancing thereof, can be requested from the DPO: dpo@nl.icbc.com.cn.

b. Agreements and carrying out instructions

ICBC processes Personal Data to be able to perform services to clients. Based on the instructions received from the Data Subject, ICBC processes Personal Data to perform the agreements ICBC concluded with the Data Subjects. For example financial services such as:

- Performing transactions and trading funds;
- providing funding after applications by clients; and
- credit scoring regarding clients.

Legal ground

ICBC processes the Personal Data because the processing is necessary for the performance of a contract to which the Data Subject is a party. ICBC also processes Personal Data based on a legal obligation where relevant, for example to execute payments. In some cases, ICBC processes Personal Data based on the legitimate interest of ICBC, for example when making recordings of telephone calls. More detailed information on ICBC's legitimate interests and the balancing thereof, can be requested from the DPO: dpo@nl.icbc.com.cn.

c. Ensuring security and integrity of the Data Subject, ICBC and the financial sector

ICBC processes Personal Data to ensure security and integrity of the Data Subject, ICBC and the financial sector. Personal Data is also processed in order to prevent fraud, money laundering and financing terrorism. For example:

- carrying out customer due diligence;
- consulting the Incident register;
- checking publicly accessible sources; and
- conducting regulatory reporting.

Legal ground

ICBC processes Personal Data to comply with a legal obligation. When a legal obligation to process Personal Data does not apply to ICBC, ICBC processes Personal Data based on the legitimate interest of ICBC, the financial sector or ICBC's clients and employees. More detailed information on ICBC's legitimate interests and the balancing thereof, can be requested from the DPO: dpo@nl.icbc.com.cn.

d. Complying with legal obligations

ICBC processes Personal Data to comply with the legal obligations imposed on ICBC. For example, The Dutch Financial Supervision Act (In Dutch: 'Wet Financieel Toezicht') and the Dutch Money Laundering and Terrorist Financing (Prevention) Act (in Dutch: 'Wet ter voorkoming van witwassen en financieren van terrorisme') requires ICBC to collect and analyze large amounts of Personal Data of the Data Subjects. We also process Personal Data to produce risk models when Data Subjects apply for a loan or receive credit, which is required under European law.

Legal ground

ICBC processes Personal Data to comply with a legal obligation. ICBC may also have a legitimate interest in processing the Personal Data to comply with a legal obligation. More detailed information on ICBC's legitimate interests and the balancing thereof, can be requested from the DPO: dpo@nl.icbc.com.cn.

e. Carrying out business processes and internal management

ICBC processes Personal Data to carry out business processes and for purposes of internal management, such as:

- 'Know Your Customer'-related activities;
- activities to ensure compliance with regulations to which ICBC is subject, such as regulations issued by the European Banking Authority ("EBA"); and
- data/IT management purposes.

Legal ground

ICBC processes Personal Data to comply with a legal obligation. ICBC may also have a legitimate interest in processing the Personal Data, or the processing is necessary to perform a contract with the Data Subject. More detailed information on ICBC's legitimate interests and the balancing thereof, can be requested from the DPO: dpo@nl.icbc.com.cn.

ICBC will only process Personal Data to the extent necessary for the described purposes. Personal Data may in principle not be processed for other purposes other than that for which the Personal Data were collected. If there is a necessity or need to process Personal Data for other purposes, it shall be investigated by ICBC whether the purposes of the intended data processing is compatible with the original purposes. ICBC shall provide the Data Subject prior to that further processing with information on that other purpose.

Data retention

ICBC is required to retain Personal Data for a period of time, based on applicable law or regulation. The retention periods may vary, depending on the applicable laws. For example, ICBC will retain Personal Data processed for the purpose of anti-money laundering ("AML") requirements for a period of five years after the relationship has ended. Another example is that ICBC will retain Personal Data for authorization details and customer agreement for a minimum of seven years after termination of the customer agreement. Conform applicable tax legislation, ICBC also retains Personal Data for seven years. Personal Data is sometimes kept longer in case necessary, for example in court proceedings or when a regulator requires specific information in the context of risk models. When the Personal Data is no longer necessary for the purpose for which the Personal Data was originally collected, ICBC has implemented measures to ensure deletion or anonymisation takes place.

4. Security of Personal Data

ICBC handles Personal Data carefully and confidentially, and uses appropriate technical and organisational measures to preserve the integrity and security of your Personal Data.

5. Transfer of Personal Data

ICBC transfers Personal Data to the following recipients:

- Auditors;
- Government, judicial/investigative and supervisory authorities;
- ICBC entities;
- IT suppliers;
- Financial institutions;
- Service providers;

ICBC transfers Personal Data to a third country or international organisations outside the European Economic Area ("EEA"). These transfers only take place in compliance with the Applicable Laws and where appropriate safeguards are in place that ensure the level of protection of Data Subjects as required by these Applicable Laws (e.g. transfers on the basis of an adequacy decision or standard EU Model clauses). ICBC uses EU Model Clauses for safeguarding this transfer. A copy of the EU Model Clauses can be provided, by contacting the DPO at: dpo@nl.icbc.com.cn.

6. Rights in relation to Personal Data

Data Subjects have the right of information, access, rectification, addition and erasure of Personal Data, and the right to object against or restrict the processing of Personal Data (or withdraw an earlier given consent), as well as the right to data portability. The procedure of ICBC that enables Data Subjects to exercise these rights, is described below.

Data Subjects may file a request for access with ICBC, and ICBC shall respond as soon as possible, and in any event within one (1) month, about:

- a) whether ICBC holds any Personal Data relating to the respective Data Subject; and,
- b) if so, information is provided on the purposes of the processing, the categories, the recipients (if applicable) the envisaged period for which the Personal Data will be stored, or the criteria used, the existence of the right to request rectification, erasure, restriction or to object to such processing, the right to lodge a complaint with a supervisory authority, the existence of automated decision-making, where the data is transferred to a third country, the appropriate safeguards and the source(s) of the Personal Data.

ICBC informs the Data Subject within one (1) month after receiving the request whether the request shall be complied with (in time), and if not, accompanied with the reasons for the delay or rejection. Information provided shall be free of charge. Data Subjects can exercise these rights at reasonable intervals. Data Subjects can exercise their rights by contacting the Privacy contact person in writing or per e-mail at (see address above).

ICBC will comply with a legitimate request of a Data Subject for rectification, addition and erasure, if the Personal Data are factually incorrect, incomplete, or irrelevant for the purpose(s) of the data processing, or otherwise processed in violation with the Applicable Laws. ICBC shall respond as soon as possible, and in any event within one (1) month to such requests.

With regard to a request to erase Personal Data, it should be taken into account that ICBC shall not comply with such request, if it is incompatible with any legal obligations of ICBC.

In the event of concerns about the handling of Personal Data, Data Subjects also have the right to lodge a complaint with a local supervisory authority.

7. Questions and inquiries

For queries and inquiries about this Statement of ICBC, please contact the DPO at: e-mail: dpo@nl.icbc.com.cn and telephone number: 020-5706666.