

Industrial and Commercial Bank of China (Europe) S.A.
Paris Branch
Data Privacy Policy

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This data privacy policy document (the "**Policy**") is a notice to all persons for whom Industrial and Commercial Bank of China (Europe) S.A., Paris Branch (collectively referred to in this Policy as "ICBC", "we", "us" or "our") collects personal data within the meaning of the GDPR (as defined below in this Policy). This Policy is subject to the provisions of any other binding agreement, relating to the same subject matter(s) and substance (the "**Policy Subject Matter**"), which may have been or subsequently be entered into between ICBC and the relevant data subject or data controller. In the event of any conflict, discrepancy and/or difference in interpretation between the provisions of this Policy and those of such other binding agreement(s) relating to the Subject Matter, the provisions of this Policy shall prevail, due to their specific nature.

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Introduction

Welcome to ICBC's data privacy policy.

ICBC respects your privacy and is committed to protecting your personal data. This privacy policy will inform you about how we handle your personal data when you visit our website (regardless of where you visit from) and will inform you about your privacy rights and how the law protects you.

This Privacy Policy is presented in a layered format, so you can click on the specific areas indicated below. Please also use the glossary at the end of this Privacy Policy, which is provided for your reference to understand the meaning of some of the terms used in this Privacy Policy.

1. Important information and who we are

Purpose of this Privacy Policy

This Privacy Policy is intended to provide you with information about how ICBC collects and processes your personal data, including data you may provide through the ICBC website when you sign up for our newsletter or receive services from us.

This website is not intended for children and we do not knowingly collect data from children.

It is important that you read this privacy policy and any other privacy policy or fair processing policy we may provide on specific occasions when we collect or process personal data about you, so that you are fully aware of how and why we use your personal data.

Data Controller

ICBC is the data controller and is responsible for your personal data.

We have appointed a Data Protection Officer (the "**DPO**") who is responsible for answering questions about this Privacy Policy. If you have any questions about this Privacy Policy, including any request to exercise any of your legal rights, please contact the DPO at the contact information listed below.

Contact information

You can contact our DPO in the following ways:

E-mail address: dpo-rgpd-experts@ac2r.fr

Postal address: RGPL-Experts, 12 Lodineu, 56140 RUFFIAC, France.

With respect to personal data concerning you that is communicated to us or made available to us, you have the right to lodge a complaint at any time with the French authority responsible for the protection of personal data, the "*Commission Nationale de l'Informatique et des Libertés*" (commonly known as "**CNIL**"). However, we thank you for giving us the opportunity to address your concerns before addressing the CNIL.

Changes to the privacy policy and your duty to inform us of changes to your data

We regularly review our privacy policy.

It is important that the personal data we hold about you is accurate and up-to-date. Please inform us immediately if your personal data changes during your relationship with us.

Links to third parties

The ICBC website may include links to third-party websites, plug-ins and applications. Clicking on these links or enabling these connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy (or other equivalent or similar document) of each website you visit, and to understand its contents and the manner and substance of what is collected, for what purposes and for how long.

2. The information we collect about you

We may collect, use, store and transfer various types of personal data about you and your related parties, which we have classified as follows:

- **Identity data** includes first name, maiden name, last name, user name or similar identifier, marital status, title, date of birth and gender.
- **Contact data** includes billing address, delivery address, e-mail address, fax and telephone numbers.
- **Financial data** includes bank account and payment card details.
- **Transaction data** includes details of payments you have made and other details of products and services you have purchased from us or other transactions or activities you have considered entering into with us (or our affiliates) or have entered into with us (or our affiliates).
- **Technical data** includes Internet Protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in

types and versions, operating system and platform, and other technologies on the devices you use to access this website.

- **Profile data** includes your username and password, purchases or orders you have made, interests, preferences, feedback and survey responses.
- **Usage data** includes information about how you use our website, products and services.
- **Marketing and communication data** includes your preferences for receiving marketing from us and our third parties, as well as your communication preferences.

We also collect, use and share **Aggregate Data**, such as statistical or demographic data, for any purpose. Aggregate Data may be derived from your Personal Data but is not considered Personal Data at law because such data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect the Aggregated Data with your Personal Data in such a way that it can directly or indirectly identify you, we treat the combined data as Personal Data which will be used in accordance with this Privacy Policy.

We do not collect any **special categories of personal data** about you (including details of your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, health information and genetic and biometric data). We also do not collect information about criminal convictions and offenses.

Where Personal Data is provided by you (or by a third party or person on your behalf), such Personal Data may relate to you or to third parties or persons connected to you (such as, without limitation, your beneficial owners, authorised signatories or authorised parties, agents, delegated parties or agents and other connected parties) and the term "your Personal Data" shall be construed accordingly throughout this Policy. In such cases, we shall assume and shall be (and remain) fully entitled to rely on the fact that you are duly authorized to disclose such personal data on behalf of such party(ies) or person(s) in all cases, whether on a pre-contractual basis or in performance.

If you do not provide personal data

Where we are required to collect personal data by law and regulation, or under the terms of a contract we have with you, and you do not provide such data when requested, we may not be able to perform the contract we have entered into with you or are attempting or intending to enter into with you (for example, to provide you with certain products or goods or to perform certain services, transactions or activities). In

this case, we may have to cancel, suspend or terminate any product, transaction, activity or service you have entered into (or are considering entering into) with us, but we will notify you if this is the case at the time.

3. How is your personal data collected?

We use a variety of methods to collect data from and about you and your loved ones, including through:

- **Direct interactions.** You may provide us with your identity, contact and financial information by filling out forms or by corresponding with us by mail, telephone, email or otherwise. This includes personal data you provide when you:
 - request our products or services;
 - create an account on our website;
 - subscribe to our services or publications;
 - request that marketing materials be sent to you;
 - participate in a contest, promotion or survey; or
 - give us your opinion or contact us.
- **Automated technologies or interactions.** When you interact with our website, we automatically collect technical data about your equipment, actions and browsing habits. We collect this personal data through the use of cookies, server logs and other similar technologies. This data is necessary to ensure the security of exchanges between the sites and your terminal and to access the services made available to you.
- Contact, financial and transaction data from technical, payment and delivery service providers inside and outside the EU.
- Identity and contact data from data brokers or aggregators, both inside and outside the EU.
- Identity and contact data from publicly available sources, such as the national company register and the commercial register, both inside and outside the EU.

Please note that the only communication channels authorized and approved by us are:

- Mail (including registered mail) addressed to ICBC,
- E-mails to authorized ICBC representatives,
- Hand-delivered to ICBC representatives,
- Business telephone numbers, including, if applicable, registered telephone lines:

- Secure messaging system via ICBC's dedicated electronic banking system.

These means of communication have been selected and authorized by us because they are subject to our control and are monitored internally to provide an appropriate level of protection for personal data. The use of other means of communication, such as social media, is strictly prohibited for business communications. Therefore, we will disregard any business contact initiated through any social media or, where appropriate, redirect the communication to one of the selected and approved communication channels.

4. How we use your personal information

We will only use your personal information where we are permitted to do so by law or regulation. Most often, we will use your personal data in the following circumstances:

- Where such data is necessary for the performance of the contract we are about to enter into or have entered into with you.
- Where this is necessary for our (or a third party's) legitimate interests and your interests and fundamental rights do not override these interests.
- Where such data is required to comply with a legal obligation.

Please see the GLOSSARY below and in particular the definition of LEGAL BASIS to learn more about the types of legal basis we will rely on to process your personal data.

As a general rule, we do not rely on consent as a legal basis for processing your personal data, although we do obtain your consent before sending direct marketing communications to third parties by email or SMS. You have the right to withdraw your consent to marketing at any time by contacting us.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways in which we plan to use your personal data, and the legal basis on which we do so. We have also indicated what our legitimate interests are, if any.

Please note that we may process your personal data for more than one lawful purpose depending on the specific purpose for which we use your data. Please contact us if you need details of the specific lawful reason we rely on to process your personal data where more than one reason has been set out in the table below.

Objective/Activity	Type of data	Legal basis for processing, including the basis of legitimate interest
To register as a new customer	<ul style="list-style-type: none"> a) Identity b) Contact person 	<ul style="list-style-type: none"> a) Performance of a contract with you b) Necessary to comply with a legal obligation (Article L. 561-5) of the Monetary and Financial Code, ACPR guidelines (LCB-FT)
<p>To process and deliver your order, including:</p> <ul style="list-style-type: none"> a) Manage payments, fees and charges b) To collect and recover amounts due to us 	<ul style="list-style-type: none"> a) Identity b) Contact person c) Financial d) Transaction e) Marketing and communications 	<ul style="list-style-type: none"> (a) the performance of a contract with you b) Necessary for our legitimate interests (to collect debts owed to us)
<p>Manage our relationship with you, which includes:</p> <ul style="list-style-type: none"> (a) inform you of changes to our terms and conditions or privacy policy (b) ask you to leave a comment or respond to a survey 	<ul style="list-style-type: none"> a) Identity b) Contact person c) Profile d) Marketing and communications 	<ul style="list-style-type: none"> (a) the performance of a contract with you b) Necessary to meet a legal obligation c) Necessary for our legitimate interests (to maintain our records and to study how customers use our products/services)
to allow you to participate in a draw, a contest or to answer a survey	<ul style="list-style-type: none"> a) Identity b) Contact person c) Profile d) Use e) Marketing and communications 	<ul style="list-style-type: none"> b) Necessary for our legitimate interests (studying how customers use our products/services, developing them and growing our business)
Administer and protect our business and website (including troubleshooting, data analysis, testing,	<ul style="list-style-type: none"> a) Identity b) Contact person c) Technical 	<ul style="list-style-type: none"> a) Necessary for our legitimate interests (for the management of our business, the provision of administrative and IT services,

system maintenance, support, security, reporting and data hosting)		network security, fraud prevention and in connection with a corporate reorganization or group restructuring exercise) b) Necessary to comply with a legal obligation under Article 32 of the GDPR
To provide you with relevant content and advertisements on the website and to measure or understand the effectiveness of the advertising we send you.	a) Identity b) Contact person c) Profile d) Use e) Marketing and communications f) Technical	Necessary for our legitimate interests (studying how customers use our products/services, developing them, growing our business and informing our marketing strategy).
Use data analysis to improve our website, products/services, marketing, customer relationships and experiences.	a) Technical b) Use	Necessary for our legitimate interests (to define the types of customers for our products and services, to keep our website current and relevant, to develop our business and to inform our marketing strategy).
Make suggestions and recommendations to you about goods or services that may be of interest to you.	a) Identity b) Contact person c) Technical d) Use e) Profile f) Marketing and communications	Necessary for our legitimate interests (to develop our products/services and grow our business)

Marketing

We strive to provide you with choices regarding certain uses of personal data, including marketing and advertising.

Promotional offers from us

We may use your identity, contact, technical, usage and profile data to form a view of what we think you want or need, or what might be of interest to you. This is how we

decide what products, services and offers might be of interest to you (we call this marketing).

You will receive marketing communications from us if you have requested information or purchased services from us and have not opted out of receiving such marketing materials.

Marketing with third parties

We will obtain your express consent before sharing your personal data with a third party for marketing purposes.

The choice not to participate

You may ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you.

If you choose not to receive these marketing messages, this will not apply to personal data provided to us as a result of purchasing a product/service, registering for a warranty, experiencing a product/service or other transactions.

Cookies

You can set your browser to refuse all or some cookies, or to alert you when websites create or access cookies. If you disable or reject cookies, please note that some parts of this website may become inaccessible or not function properly.

Change of objective

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another purpose and that this purpose is compatible with the original purpose. If you would like an explanation of how processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for unrelated purposes, we will inform you and explain the legal basis for doing so.

Please note that we may process your personal data without your knowledge or consent, in accordance with the above rules, where required or permitted by law.

5. Disclosure of your personal data

We may share your personal data with the parties listed below for the purposes set out in the table above.

- Internal third parties as indicated in the *glossary*.

- External parties as defined in the *glossary*.
- Third parties to whom we may choose to sell, transfer or merge portions of our business or assets. We may also seek to acquire or merge with other businesses. If there is a change in our business, the new owners may use your personal information in the same manner as set forth in this Privacy Policy.

We require all third parties to respect your personal data and to process it in accordance with the law. We do not allow our third party service providers to use your personal data for their own purposes and only allow them to process your personal data for specific purposes and in accordance with our instructions.

6. International transfers

We share your personal data within the ICBC group. This involves the transfer of your data outside the European Economic Area (EEA).

Whenever we transfer your personal data outside the EEA, we ensure that a similar level of protection is afforded to it by ensuring that at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been found to provide an adequate level of protection for personal data by the European Commission. For more details, see [European Commission: Adequacy of Personal Data Protection in Non-EU Countries](#).
- When we use certain service providers, we may use specific contracts approved by the European Commission that give personal data the same protection as in Europe. For more details, see [European Commission: Model Contracts for the Transfer of Personal Data to Third Countries](#).
- When we use U.S.-based vendors, we may transfer data to them in accordance with applicable regulations, including through the use of standard contractual clauses.

Please contact us if you would like more information about the specific mechanism we use when transferring your personal data outside the EEA.

7. Data security

We have appropriate security measures in place to protect your personal information from accidental loss, unauthorized use or access, alteration or disclosure. In addition, we restrict access to your personal data to employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and are subject to a duty of confidence or an obligation of secrecy or confidentiality.

We have procedures in place to deal with any suspected breach of personal data and will notify you and any relevant regulator of a breach where we are legally required to do so.

8. Data retention

How long will you use my personal data?

We will only keep your personal data for as long as is necessary to fulfil the purposes for which we collected it, including to meet any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period of time in the event of a complaint or if we reasonably believe that there is a prospect of litigation in relation to our relationship with you.

In determining the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes by other means, and any applicable legal, regulatory, tax, accounting or other requirements.

In some circumstances, we will anonymize your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without notifying you.

9. Your legal rights

In certain circumstances, you have rights under data protection laws with respect to your personal data. These rights are set out in the Glossary and include:

- Request access to your personal data.
- Request correction, update of your personal data.
- Request the deletion of your personal data.
- To object to the processing of your personal data.
- To request the limitation of the processing of your personal data.
- Request the portability of your personal data, especially in the context of bank portability.
- Right to withdraw consent.
- The right to define the fate of your personal data during your lifetime in a specific or general way for their post-mortem use.

If you wish to exercise any of the rights set out above, please contact us by email: dpo-rgpd-experts@ac2r.fr

In accordance with the applicable regulations, in addition to your rights above, you also have the right to lodge a complaint with the CNIL.

There is usually no fee

You will not be charged a fee to access your personal data (or to exercise any of your other rights). However, we may charge a reasonable fee if your request is manifestly unfounded, repetitive or excessive. We may also refuse to comply with your request in these circumstances.

What we may need from you

We may ask you for specific information to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to anyone who does not have a right to receive it. We may also contact you to request additional information related to your request in order to expedite our response.

Response time

We strive to respond to all legitimate requests within one month. Occasionally, it may take us two months if your request is particularly complex or if you have made multiple requests. In this case, we will notify you within one month and keep you informed.

10. Glossary

LEGAL BASIS

Legitimate interest means our company's interest in conducting and managing our business to enable us to provide you with the best service/product and the best and safest experience. We ensure that we consider and balance any potential impact on you (both positive and negative) and your rights before processing your personal data for our legitimate interests. We do not use your personal data for activities where the impact on you outweighs our interests (unless we have your consent or are required or permitted to do so by law). You can get more information about how we assess our legitimate interests in relation to any potential impact on you in relation to specific activities by contacting us.

Contract performance: processing of your data where it is necessary for the performance of a contract to which you are a party or to take action at your request before entering into such a contract.

Complying with a legal obligation means processing your personal data where necessary to comply with a legal obligation to which we are subject.

PERSONAL DATA

Personal data means any information relating to an identified or identifiable natural person ("data subject"); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person

THIRD PARTS

Internal levels

Other ICBC Group companies acting as controllers or processors and based in the People's Republic of China provide software and applications as well as administrative support.

External levels

Professional advisors acting as joint processors or controllers, including lawyers, bankers, auditors and insurers based in the People's Republic of China who provide consulting, banking, legal, insurance, auditing and accounting services.

Permitted levels

An "authorized third party" is an organization that can access certain data contained in public or private files because a law expressly authorizes it to do so. These "authorized third parties" are public authorities or court officers.

YOUR RIGHTS REGARDING THE PROCESSING OF YOUR PERSONAL DATA

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This allows you to receive a copy of the personal data we hold about you and to verify that we are processing it lawfully.

Request a correction or update of the personal data we hold about you. This allows you to have incomplete or inaccurate data we hold about you corrected, although we will need to verify the accuracy of the new data you provide to us.

Request the deletion of your personal data. You can thus request us to erase or delete personal data when we have no valid reason to continue processing them. You also have the right to ask us to erase or delete your personal data when you have successfully exercised your right to object to processing (see below), when we may have processed your information unlawfully, or when we are required to erase your personal data to comply with local law. Please note, however, that we may not always be able to comply with your request for erasure for specific legal or technical reasons, which will be notified to you, if applicable, at the time of your request.

To object to the processing of your personal data where we rely on a legitimate interest (or those of a third party) and there is an element of your particular circumstances that causes you to object to the processing on this ground, as you consider it to impact on your fundamental rights and freedoms. You also have the right to object when we process your personal data for direct marketing purposes. In some cases, we can demonstrate that we have compelling legitimate grounds for processing your information that override your rights and freedoms.

Request the restriction of the processing of your personal data. This allows you to request us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the accuracy of the data.
- When our use of the data is illegal but you do not want us to delete it.
- When you need us to retain the data even if we no longer need it because you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data, but we must verify that we have overriding legitimate reasons for using it.

Request portability of your personal data to you or a third party. We will provide your personal data to you or a third party you choose in a structured, commonly used and machine-readable format. Note that this right only applies to automated information

that you initially consented to us using or where we have used that information to perform a contract with you.

Withdraw your consent at any time where we rely on your consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide you with certain products or services. We will inform you if this is the case at the time you withdraw your consent.

The right to determine what happens to your personal data during your lifetime.

Allows individuals to give instructions regarding the retention, deletion and disclosure of their data after their death.

A person may be designated to carry out these directives. This person is then entitled, when the person is deceased, to take cognizance of the directives and to request their implementation from the data controllers concerned.

These guidelines are:

- general, when they relate to all the data concerning a person;
- or specific, where such guidelines relate only to certain specific data processing operations.

When these directives are general and concern all of the deceased's data, they can be entrusted to a trusted third party certified by the CNIL.

In the case of specific directives, they can also be entrusted to the data processors (social networks, online messaging) in the event of death. They are subject to the specific consent of the person concerned and cannot result from the mere approval by the latter of the general terms of use.