

## CITIC BANK INTERNATIONAL LTD (the "BANK")

### 1) Scope of Personal Data

It includes all the information, account details, transaction record and affairs of a customer (including but not limited to applicants for banking/financial services and banking/credit facilities, sureties and persons providing security or guarantee for banking/credit facilities, shareholders, directors, officers and managers of corporate clients or applicants)(collectively referred to as "Customer") that is collected and held by the Bank through the establishment of accounts, the provision of banking facilities or any service or in the ordinary course of the continuation of the banking relationship with the Customer.

### 2) Importance of Data Collection

From time to time, it is necessary for Customers to supply the Bank with data in connection with the opening or continuation of accounts and the establishment or continuation of banking facilities or provision of services. The Bank may not be able to open accounts, process credit application or provide banking facilities if Customers fail to supply their personal information.

### 3) Purposes of Data Collection and Usage

The personal data relating to a Customer are collected and may be used for the following purposes:-

- i) the daily operation of the banking facilities or services provided to Customers;
- ii) conducting credit checks and collecting debts;
- iii) assisting other financial institutions, credit or charge card issuers or credit reference agencies to conduct credit checks and collect debts;
- iv) ensuring ongoing credit worthiness of Customers;
- v) designing financial services or related products for Customers' use;
- vi) marketing financial services or related products;
- vii) determining the amount of indebtedness owed to or by Customers;
- viii) collection of amounts outstanding from Customers and those providing security for Customers' obligations;
- ix) meeting the requirements to make disclosure under the requirement of any law binding on the Bank or any of its branches or under and for the purposes of any guidelines issued by regulatory or other authorities with which the Bank or any of its branches are expected to comply;
- x) enabling an actual or proposed assignee of the Bank, or participant or sub-participant of the Bank's rights in respect of the Customer to evaluate the transaction intended to be the subject of the assignment, participation or sub-participant;
- xi) conducting matching procedures;
- xii) maintaining a credit history of Customers (whether or not there exists any relationship between the Customer and the Bank or the recipient of the data) for present and future reference; and
- xiii) all other incidental and associated purposes relating thereto.

### 4) Data Confidentiality

Data held by the Bank relating to a Customer will be kept confidential but the Bank or the recipient thereof may provide such information to:-

- i) any agent, contractor or third party service provider who provides administrative, telecommunications, computer, payment or securities clearing, debt collection or other services to the Bank in connection with the operation of its business;
- ii) any branch, subsidiary, holding company, associated company or affiliates of the Bank;
- iii) the drawee bank providing a copy of a paid cheque (which may contain information about the payee) to the drawer;
- iv) credit reference agencies; and, in the event of default, to debt collection agencies;
- v) any other person under a duty of confidentiality to the Bank which has undertaken to keep such information confidential;
- vi) any financial institution, credit or charge card issuer or credit reference agency (whether in Hong Kong or elsewhere) with which the Customer has or proposes to have dealings;
- vii) any insurance agent, brokerage firm, merchant, fund house or strategic partner of the Bank;
- viii) any person to whom the Bank is under an obligation to make disclosure under the requirements of any law binding on the Bank or any of its branches or under and for the purposes of any guidelines issued by regulatory or other authorities with which the Bank or any of its branches are expected to comply;
- ix) any party giving or proposing to give a guarantee or third party security to guarantee or secure the Customer's obligations;
- x) any actual or proposed assignee of the Bank or participant or sub-participant or transferee of the Bank's right in respect of the Customer including, without limitation, to the Hong Kong Mortgage Corporation Limited ("HKMC") or such other person as may be required or necessary pursuant to contractual arrangement with HKMC in respect of the sale of mortgages or other security by the Bank;
- xi) any person who has established or proposes to establish any business relationship with the Bank or recipient of the data; and
- xii) Joint Electronic Teller Services Limited ("JETCO"), the operator of any ATM within the JETCO network and other issuers of ATM cards used within the JETCO network.

### 5) Transfer of Data Outside Hong Kong

The Bank may from time to time transfer the data of Customers outside Hong Kong for different purposes including processing and storage.

### 6) Individual Customer's Rights

Under and in accordance with the terms of the Personal Data (Privacy) Ordinance (the "Ordinance" ) and the Code of Practice on Consumer Credit Data approved and issued under the Ordinance, any individual Customer has the right to:-

- i) check whether the Bank holds data about him/her and the right of access to such data;
- ii) require the Bank to correct any data relating to him/her which is inaccurate;
- iii) ascertain the Bank's policies and practices in relation to data and to be informed of the kind of personal data held by the Bank;
- iv) in relation to consumer credit, to request to be informed which items of 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;
- v) in relation to consumer credit which does not involve a residential mortgage loan, upon full repayment of the relevant credit facility and if there is no material default record, to require the Bank to request a credit reference agency to which the Bank has provided his data relating to the relevant credit facility to delete from its database the relevant data.

### 7) Access to Customer Credit Data

The Bank may from time to time access the consumer credit data of a Customer held by a credit reference agency in the course of the consideration of any grant of consumer credit or the review or renewal of existing consumer credit facilities granted to the Customer as borrower or to another person for whom the Customer proposes to act or acts as guarantor or security provider or for the purpose of the reasonable monitoring of the indebtedness of the Customer while there is currently a default by the Customer as borrower, as guarantor or as security provider. In particular, the Bank may access the consumer credit data for the purpose of the review of the existing consumer credit facilities granted to assist the Bank in considering any of the following matters:

- i) an increase in the credit amount;
- ii) the curtailing of credit (including the cancellation of credit or a decrease in the credit amount);
- iii) the putting in place or the implementation of a scheme of arrangement with the individual Customer.

### 8) Further Retention of Consumer Credit Data

In relation to consumer credit, in the event of any default in payment, unless the amount in default is fully repaid before the expiry of 60 days from the date such default occurred, otherwise the account data of the individual Customer will be liable to be retained by the credit reference agency to which the Bank has provided his data until the expiry of 5 years from the date of final settlement of the amount in default.

### 9) In accordance with the terms of the Ordinance, the Bank has the right to charge a reasonable fee for the processing of any data access request.

### 10) The person to whom requests for access to data or correction of data or for information regarding policies and practices and kinds of data held are to be addressed as follows:

The Data Protection Officer  
CITIC Bank International Limited  
18th Floor, Somerset House, Taikoo Place, Quarry Bay, Hong Kong.  
Fax: 2258 2615

### 11) Nothing in this Notice shall limit the rights of Customers under the Personal Data (Privacy) Ordinance.

### 12) Any right conferred under the Ordinance shall only apply to individual Customers.

This Circular shall from the date hereinafter appearing be deemed an integral part of all contracts, agreements, credit facility letters, account mandates and other binding arrangements which Customers have entered into or intend to enter into with the Bank.

February 16, 2007