

## 個人資料(私隱)條例通知

根據個人資料(私隱)條例，本公司就閣下與富達基金(香港)有限公司(「經理人」)及/或滙豐機構信託服務(亞洲)有限公司(作為富達優越投資組合基金和富達環球投資基金的受託人)或 HSBC Provident Fund Trustee (Hong Kong) Limited (作為富達退休集成信託的受託人)(個別或統稱「受託人」)，及/或其聯屬公司及/或服務提供者(以下統稱「資料使用者」)進行交易及向彼等提供有關退休產品(包括但不限於由經理人或其聯屬公司提供，及/或受託人或其聯屬公司不時作為受託人或管理人的強制性公積金(「強積金」)計劃及/或職業退休計劃(「退休產品」))的數據或資料，不論是關於處理相關退休產品的全部或某些行政方面，向閣下提供以下資料。請注意，本通知取代可能曾向閣下提供有關退休產品的任何同類性質的通知或聲明。

- (a) 客戶及其他人士(「資料當事人」)在開立或延續帳戶，或資料使用者向客戶及其他人士提供服務等情況下，必須不時向資料使用者提供有關資料。所收集的資料類別可能包括但不限於姓名、聯絡資料(包括地址、聯絡/流動電話號碼、電郵地址)、職業、出生地區/國家及城市/市鎮、出生日期、國籍、身份證號碼、護照號碼、社會保障或國家保險編號、稅籍居留國家/司法管轄區、稅務編號、帳戶資料及財政狀況詳情。
- (b) 若資料當事人未能提供該等資料，可能導致資料使用者無法開立帳戶或繼續向客戶提供服務或未能遵守任何由監管或其他機關頒佈的法律、規例或指引(「適用法律」)。
- (c) 在持續的正常業務往來中或資料當事人參與或投資退休產品的過程中，資料使用者不時亦會向資料當事人收集或接收資料，例如當資料當事人簽發支票、進行交易(包括但不限於供款/認購、投資供款分配、更改投資分配、轉移付款及支付權益)、出席講座/活動，或與資料使用者的一般口頭或書面通訊。
- (d) 資料當事人之資料的用途將視乎其與資料使用者的關係性質而有所不同，可能包括下列任何或所有用途：
- (i) 處理帳戶的申請程序；
  - (ii) 向資料當事人提供服務的日常運作；
  - (iii) 推廣服務及產品(詳見下述第(e)段)；
  - (iv) 任何人士就成員所參與的相關退休產品隨時履行任何責任(例如計算僱主應付的長期服務金或遣散費)；
  - (v) 根據不時適用於退休產品及/或資料使用者及/或任何資料承轉人(定義見下文)在香港或海外的任何適用法例或監管要求(包括當地及海外稅務機關)，履行法院命令、資料披露、報告及法規及任何其他法律及監管規定(包括但不限於稅務匯報)；
  - (vi) 遵守香港境內或境外任何對退休產品及/或資料使用者及/或資料承轉人具約束力或適用性的現存及未來適用法律，以及基於退休產品及/或資料使用者及/或資料承轉人位於或跟相關當地或海外法律、監管、政府、稅務、執法或其他機關所屬司法管轄區之有關個別金融、商業或業務活動，而向該等當地或海外法律、監管、政府、稅務、執法或其他機關承擔或委予的任何現有或未來的合約或其他義務或規定，包括但不限於：
    - (1) 遵守《香港稅務條例》適用於退休產品及/或資料使用者及/或資料承轉人的要求，其規定和指引或由稅務局發出或提供的要求，包括與稅務事項有關的自動交換財務帳戶資料(「AEOI」)；或
    - (2) 遵守根據不時經修訂或補充的《1986年美國稅務守則》副標題A第4章的相關安排(「FATCA」)(在與 FATCA 有關並適用於相關退休產品的範圍內)而對資料使用者及/或資料承轉人在香港或海外的任何個別的聯營公司具約束力的義務；或
    - (3) 確立您是否一名美國公民、美國聯邦所得稅法所指的美國居民，或須繳納美國稅務的其他人士；及/或就 FATCA 目的而言(在與 FATCA 有關並適用於相關退休產品的範圍內)，證明您的帳戶是否美國帳戶。
  - (vii) 處理與相關退休產品或資料當事人在其中參與或投資的有關任何行政方面的用途；
  - (viii) 有關強積金的資料，以用作研究、設計和推出與強積金有關的產品及服務，予強積金計劃成員；
  - (ix) 有關強積金的資料，以用作規劃及籌備講座/活動/論壇予強積金計劃成員；
  - (x) 提供內容與強積金計劃及/或有關產品相關的提示服務、通訊、單張及訊息包括市場資訊及投資教育資料；
  - (xi) 設計及進行問卷調查/統計分析，以作客戶檔案分析/分類之用；改善及擴展經理人提供的強積金服務；
  - (xii) 有關非強積金的資料，以用作研究、設計和推出金融、投資、財富管理、證券、退休、保險及代理人服務或相關服務和產品，予非強積金計劃成員；
  - (xiii) 有關非強積金的資料，以用作規劃及籌備金融、投資講座/活動/論壇予非強積金計劃成員；及
  - (xiv) 與上述各項直接相關或附帶的用途，包括諮詢專業意見。
- (e) 資料作直銷業務推廣用途
- 資料使用者(就本段(e)所述直銷業務推廣用途而言，不包括受託人及其聯屬公司及服務提供者)擬使用資料當事人的資料(可由資料使用者收集)作直銷業務推廣及資料使用者須為此目的取得資料當事人同意(包括資料當事人不反對之表示)。因此，請注意以下：
- (i) 資料使用者(不包括受託人及其聯屬公司及服務提供者)或會不時將持有資料當事人的姓名、聯絡資料(包括地址、聯絡電話號碼/流動電話號碼、電郵地址)、強積金產品及服務投資組合資料、強積金交易模式及習性、財務背景、強積金網上行為及強積金人口統計資料(統稱「強積金成員資料」)用於直銷業務推廣；
  - (ii) 資料使用者(不包括受託人及其聯屬公司及服務提供者)或會不時將持有資料當事人的姓名、聯絡資料(包括地址、聯絡電話號碼/流動電話號碼、電郵地址)、產品及服務投資組合資料、交易模式及習性、財務背景、網上行為及人口統計資料(統稱「非強積金成員資料」)用於直銷業務推廣；
  - (iii) 以下是可能會用作直銷業務推廣的服務類別、產品及項目：

### 強積金成員資料

- (1) 由資料使用者提供與強積金有關的服務及產品；
- (2) 強積金性的獎勵、長期客戶或優惠計劃及優惠推廣；及
- (3) 邀請參與強積金相關的講座/活動/論壇。

### 非強積金成員資料

- (1) 金融、投資、財富管理、證券、保險、代理人服務或相關服務和產品；
- (2) 非強積金性的獎勵、長期客戶或優惠計劃及優惠推廣；及
- (3) 邀請參與金融、投資講座/活動/論壇。

- (f) 所收集的資料可於適用法律規定或審慎管理相關退休產品所須的時限內儲存，並可於資料當事人不再為客戶或不再於相關退休產品中擁有實益權益後繼續保留。
- (g) 資料使用者對其所持有資料當事人的資料將保密，但資料使用者可向以下本港或海外各方就 (d) 段所述的用途提供該等資料（「資料承轉人」）：
- (i) 經理人或受託人（視情況而定），資料使用者的最終控股公司及／或彼等附屬公司及／或聯屬公司；
  - (ii) 資料使用者的服務供應商，包括各相關退休產品的管理人（不論是關於處理相關退休產品的全部或某些行政方面）、保管人、註冊登記處、專業顧問及資料使用者的核數師，或由資料使用者聘請的其他服務提供商，以協助並進行代表相關退休產品在 AEOI 下需履行的義務；
  - (iii) 受委任就強積金計劃成員的資料以設計、研究、推出或宣傳資料使用者與強積金有關的產品或服務；
  - (iv) 受委任就非強積金計劃成員的資料以設計、研究、推出或宣傳資料使用者的產品或服務；
  - (v) 經理人、受託人或上述 (i) 至 (iii) 項所述任何各方的僱員、高級行政人員、董事及代理／代表；
  - (vi) 在任何受適用法律所禁止或規限的情況下，任何參與相關退休產品成員的僱主（或前僱主）及／或任何僱主（或前僱主）委任的代理；
  - (vii) 就資料使用者的業務營運或履行 (d) (v) 及 (vi) 段規定的義務提供行政、電腦、數據儲存、電訊、軟件開發及應用程式、編印、郵件組裝處理、郵寄或其他服務受聘的任何第三方服務供應商；
  - (viii) 資料使用者（就作直銷業務推廣用途而言，不包括受託人及其聯屬公司及服務提供者）為第 (e) 段所述的委聘的外部服務供應商（包括但不限於印刷公司、郵務公司、電訊公司、公關公司、廣告代理機構、電話推銷公司、數據處理及數據儲存公司、雲端服務供應商、儲存公司、客戶熱線中心、市場調查公司、軟件開發及應用程式公司及資訊科技公司）；
  - (ix) 任何合適的監管機構／組織、政府機構／組織、市場公認的行業組織，例如期貨交易所、財政與貨幣機關、證券協會、信貸資料庫、證券交易所及任何司法管轄區（不論在香港境內或境外）的稅務機關，包括但不限於 (a) 香港稅務局，例如為了遵守 AEOI 的義務，及 (b) 美國國家稅務局，以符合（舉例說）FATCA 的規定（在與 FATCA 有關並適用於該類退休產品；以及香港法例不禁止的範圍內）；及
  - (x) 在不限制上述 (ix) 段一般性的原則下，根據對資料使用者具約束力的適用法律或自願性安排，資料使用者有義務向其披露資料的各方；及
  - (xi) 關於強積金計劃，「積金易」平台，即由積金易平台有限公司管理和營運的電子強積金系統，而該公司是強制性公積金計劃管理局的全資附屬公司。

請注意，在香港以外的任何司法管轄區儲存或處理之個人資料可能亦須提供予該司法管轄區的執法機構、國家安全或其他政府機關，並未必能享獲與香港同等的保障。

- (h) 根據個人資料（私隱）條例，任何人士均有權：
- (i) 查核資料使用者是否持有其資料及查閱該等資料；
  - (ii) 要求資料使用者更正任何有關該名人士的不正確資料；
  - (iii) 確定資料使用者有關資料的政策和慣例，以及獲通知經理人或受託人持有個人資料的類別；及
  - (iv) 拒絕使用及／或提供其資料作任何直銷業務推廣用途。若該名人士已向經理人或受託人（視情況而定）反映其拒絕接收直銷業務推廣資料的意向，經理人不得使用其個人資料作上述用途（為避免疑義，受託人將不會使用或提供參與退休產品的任何成員的個人資料作直銷業務推廣用途）。
- (i) 根據個人資料（私隱）條例的條款，資料使用者有權就處理任何查閱資料的要求徵收合理費用。
- (j) 如欲拒絕使用及／或提供閣下的個人資料作直銷業務推廣用途，應於適當的表格內列明或向以下人士提出書面要求或致電我們，而如欲查閱或更正資料，或索取有關政策與慣例及所持資料類別的資料，應聯絡以下人士：

資料保護主任，富達基金（香港）有限公司，香港灣仔皇后大道東1號太古廣場三座18樓（或不時通知或披露之其他地址）或

資料保護主任，滙豐機構信託服務（亞洲）有限公司，香港九龍深旺道一號滙豐中心第二及三座3樓 或

資料保護主任，HSBC Provident Fund Trustee (Hong Kong) Limited，香港中央郵政局郵政信箱5482號

為避免疑義，關於強積金計劃成員，任何關於上述用途的個人資料修改只能通過「積金易」平台進行，且此類請求必須按照「積金易」平台有限公司所規定的程序提交。

- (k) 本通知所載的內容概不會限制資料當事人根據個人資料（私隱）條例所享有的權利。

## PERSONAL DATA (PRIVACY) ORDINANCE NOTICE

Pursuant to the Personal Data (Privacy) Ordinance, the following information is provided to you in connection with your dealings with and provision of data or information to FIL Investment Management (Hong Kong) Limited (the "Manager") and/or HSBC Institutional Trust Services (Asia) Limited (being the trustee of Fidelity Advantage Portfolio Fund and Fidelity Global Investment Fund) or HSBC Provident Fund Trustee (Hong Kong) Limited (being the trustee of Fidelity Retirement Master Trust) (each a "Trustee" and together "Trustees"), and/or any of their affiliates and/or service providers (hereafter collectively known as the "Data User") relating to retirement products, including but not limited to mandatory provident fund ("MPF") schemes and/or occupational retirement schemes ("Retirement Products") offered by the Manager or its affiliates and/or of which the Trustees or their affiliates act as trustee or administrator, whether in respect to all or certain aspects of the administration of the relevant Retirement Product(s), from time to time. Please be aware that this notice replaces any notice or statement of similar nature in respect of the Retirement Products that may have been provided to you previously.

- (a) From time to time, it is necessary for clients and various other individuals ("data subjects") to supply the Data User with data in connection with various matters such as account opening or continuations, or provision of services to clients and other individuals. The kinds of data that may be collected includes, but are not limited to, name, contact details (including address, contact/mobile phone number, email address), occupation, town/city and region/country of birth, date of birth, nationality, identity card numbers, passport numbers, social security or national insurance numbers, country/jurisdiction of tax residency, tax identification numbers, account information and details of financial status.
- (b) Failure to supply such data may result in the Data User being unable to open an account or continue services to clients or comply with any laws, regulations or guidelines issued by regulatory or other authorities ("Applicable Laws").
- (c) It is also the case that data are collected or received from data subjects from time to time in the ordinary course of the continuation of the Data User's relationship with them or the data subjects' participation or investment in the Retirement Products, for example, when clients write cheques, effect transactions including without limitation making contributions/subscriptions, allocating contributions to investments, changing investment allocations, transferring payments and withdrawing benefits, attend seminar/events or generally communicate verbally or in writing with the Data User.
- (d) The purpose for which data relating to a data subject may be used will vary depending on the nature of the data subject's relationship with the Data User. These purposes may comprise any or all of the following:
  - (i) the processing of an application for an account;
  - (ii) the daily operation of the services provided to the data subject;
  - (iii) marketing services and products (please see further details in paragraph (e) below);
  - (iv) for the purposes of any party having at any time obligations under the relevant Retirement Product in relation to a member participating in such Retirement Product (e.g. calculating an employer's long service or severance payment accrued liability);
  - (v) complying with an order of a court or meeting disclosure, reporting, compliance and any other legal and regulatory requirements (including but not limited to tax reporting) under any Applicable Laws or regulatory requirements (including local and foreign taxation authorities) applicable to the Retirement Products and/or the Data User and/or any Data Transferee (as defined below) in Hong Kong or elsewhere from time to time;
  - (vi) complying with any Applicable Laws binding or applicable to the Retirement Products and/or the Data User and/or the Data Transferee within or outside of Hong Kong existing currently and in the future, as well as any present or future contractual or other obligations or requirements with local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities that are assumed by or imposed on the Retirement Products and/or the Data User and/or the Data Transferee by reason of their respective financial, commercial or business activities in or related to the jurisdiction of the relevant local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities, including but not limited to:
    - (1) compliance with requirements applicable to the Retirement Products and/or the Data User and/or the Data Transferee pursuant to the Hong Kong Inland Revenue Ordinance, its provisions and guidelines or requests issued or given by the Inland Revenue Department, including those concerning automatic exchange of financial account information on tax matters ("AEOI"); or
    - (2) compliance with obligations binding on the Data User and/or the Data Transferee in Hong Kong or elsewhere pursuant to the arrangements in relation to Chapter 4 of Subtitle A of the United States Inland Revenue Code of 1986 as amended or supplemented from time to time ("FATCA"), to the extent FATCA is relevant and applicable to the relevant Retirement Products; or
    - (3) establishing whether you are a citizen of the United States, resident of the United States for its federal income tax purposes or otherwise subject to tax in the United States and/or to substantiate whether your account has US status for the purposes of FATCA, to the extent FATCA is relevant and applicable to the relevant Retirement Products.
  - (vii) any purpose related to any aspect of the administration of the relevant Retirement Products or the data subject's participation or investment therein;
  - (viii) with respect to MPF data, researching, designing, and launching MPF-related products and services to MPF scheme members;
  - (ix) with respect to MPF data, designing and organising seminars/events/forums to MPF scheme members;
  - (x) providing alerts, newsletter, leaflets and communications with contents relevant to MPF scheme and/or related products including market information and investment education materials;
  - (xi) designing and conducting surveys/questionnaires for client profiling/segmentation, statistical analysis, improving and furthering the MPF services provided by the Manager;
  - (xii) with respect to non-MPF data, researching, designing, and launching financial, investment, wealth management, securities, retirement, insurance and nominee services or related services and products to non-MPF scheme members;
  - (xiii) with respect to non-MPF data, designing and organising financial and investment seminars/events/forums to non-MPF scheme members; and
  - (xiv) purposes directly related or incidental to the above including seeking professional advices.

### (e) USE OF DATA IN DIRECT MARKETING

The Data User (excluding the Trustees and their affiliates and service providers for the purpose of direct marketing under this paragraph (e)) intends to use the data subject's data (as may be collected by the Data User) in direct marketing and the Data User requires the data subject's consent (which includes an indication of no objection) for that purpose. In this connection, please note that:

- (i) the name, contact details (including address, contact/mobile phone number, email address), MPF products and services portfolio information, MPF transaction pattern and behaviour, financial background, MPF online behaviour and MPF demographic data of the data subject held by the Data User from time to time (collectively referred to as "MPF member data") may be used by the Data User (excluding the Trustees and their affiliates and service providers) in direct marketing;
- (ii) the name, contact details (including address, contact/mobile phone number, email address), products and services portfolio information, transaction pattern and behaviour, financial background, online behaviour and demographic data of the data subject held by the Data User from time to time (collectively referred to as "Non-MPF member data") may be used by the Data User (excluding the Trustees and their affiliates and service providers) in direct marketing;

- (iii) the following classes of services, products and subjects may be marketed in direct marketing :
- MPF member data
- (1) MPF-related services and products offered by the Data User;
  - (2) reward, loyalty or privileges programmes, and promotional offers in relation to MPF; and
  - (3) invitations to MPF-related seminars/events/forums.
- Non-MPF member data
- (1) financial, investment, wealth management, securities, insurance, nominee services or related services and products;
  - (2) Non-MPF related reward, loyalty or privileges programmes, and promotional offers; and
  - (3) invitations to financial and investment seminars/events/forums.
- (f) Data collected may be maintained for such period as may be required by Applicable Laws or as otherwise prudent in relation to administration of the relevant Retirement Products and may be retained after the data subject ceases to be a client or have a beneficial interest in the relevant Retirement Products.
- (g) Data held by the Data User relating to a data subject will be kept confidential but the Data User may provide such information to the following parties whether inside or outside Hong Kong for the purposes set out in paragraph (d) ("Data Transferee") :
- (i) the Manager or the Trustees (as the case may be), the ultimate holding company of the Data User and/or their subsidiaries and/or affiliates;
  - (ii) the service providers of the Data User, including the administrator (whether in respect to all or certain aspects of the administration of the relevant Retirement Product(s)), the custodian, the registrar, the professional advisors and the auditor of the Data User or of each relevant Retirement Product or such other service providers engaged by the Data User to assist and act on behalf of the relevant Retirement Product with the fulfilment of its obligations under AEOL;
  - (iii) persons appointed to design, research, launch or promote MPF-related products or services of the Data User for data relating to MPF scheme members;
  - (iv) persons appointed to design, research, launch or promote the products or services of the Data User for data relating to non-MPF scheme members;
  - (v) the employees, officers, directors and agents/delegates of the Manager, the Trustees or any of the parties in (i) to (iii) above;
  - (vi) the employer (or former employer) and/or any agent appointed by the employer (or former employer) of any member participating in a relevant Retirement Product, subject to any prohibitions or restrictions in Applicable Laws;
  - (vii) any third party service provider employed to provide administrative, computer, data storage, telecommunications, software development and application, printing, letter-shopping, mailing or other services to the Data User in connection with the operation of its business or meeting the obligations under paragraphs (d)(v) and (vi) ;
  - (viii) external service providers (including but not limited to printing houses, mailing houses, telecommunication companies, public relation companies, advertising agency, telemarketing companies, data processing and data storage companies, cloud providers, storage companies, call centres, market research firms, software development and application companies and information technology companies that the Data User (excluding the Trustees and their affiliates and service providers for the purpose of direct marketing) engages for the purposes set out in paragraph (e);
  - (ix) any applicable regulatory authorities/bodies, governmental authorities/bodies, industry recognised bodies such as future exchanges, fiscal and monetary authorities, securities associations, credit reference agencies, securities exchanges and tax authority of any jurisdictions (whether within or outside of Hong Kong), including but not limited to (a) the Hong Kong Inland Revenue Department for the purpose of, for example, compliance with AEOL, and (b) the United States Internal Revenue Service for the purpose of, for example, compliance with FATCA, to the extent FATCA is relevant and applicable for such Retirement Products and to the extent not prohibited by the laws of Hong Kong; and
  - (x) without limiting the generality of (ix) above, any party to whom the Data User is under an obligation to make disclosure by Applicable Laws or voluntary arrangements binding on the Data User; and
  - (xi) in respect of MPF scheme(s), the eMPF Platform, i.e. an electronic MPF system administered and operated by the eMPF Platform Company Limited, a wholly-owned subsidiary of the Mandatory Provident Fund Schemes Authority.

Please note that personal data stored or processed in any jurisdiction outside of Hong Kong may also be accessible to law enforcement, national security and other government authorities of that jurisdiction and may not enjoy the same protection as in Hong Kong.

- (h) Under the Personal Data (Privacy) Ordinance, any individual has the right:
- (i) to check whether the Data User holds data about him/her and of access to such data;
  - (ii) to require the Data User to correct any data relating to him/her which are inaccurate;
  - (iii) to ascertain the Data User's policies and practices in relation to data and to be informed of the kind of personal data held by the Manager or the Trustees; and
  - (iv) to object to the use and/or provision of his/her personal data for direct marketing purposes; and the Manager will not use his/her personal data for these purposes if he/she communicates his/her objection to the Manager or the Trustee (as the case may be) (for the avoidance of the doubt, the Trustees will not use or provide the personal data of any member participating in the Retirement Products for direct marketing purposes).
- (i) In accordance with the terms of the Personal Data (Privacy) Ordinance, the Data User has the right to charge a reasonable fee for the processing of any data access request.
- (j) **You should indicate in the appropriate form or write to the following person(s) or call us if you wish to object to the use and/or provision of your personal data for direct marketing purposes** or if you would like to make a request 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, FIL Investment Management (Hong Kong) Limited, Level 18, Three Pacific Place, 1 Queen's Road East, Wanchai, Hong Kong (or such other addresses as may be notified or disclosed from time to time); **OR**
- The Data Protection Officer, HSBC Institutional Trust Services (Asia) Limited, 3/F, Tower 2&3, HSBC Centre, 1 Sham Mong Road, Kowloon, Hong Kong; **OR**
- The Data Protection Officer, HSBC Provident Fund Trustee (Hong Kong) Limited, P.O. Box 5482, General Post Office, Hong Kong.

For the avoidance of doubt, in respect of MPF scheme members, any amendment to your personal data for the above mentioned purposes may only be effected through the eMPF Platform, and such requests must be submitted in accordance with the procedures prescribed by the eMPF Platform Company Limited.

- (k) Nothing in this Notice shall limit the rights of data subjects under the Personal Data (Privacy) Ordinance.