

HSBC Private Wealth Solutions, Channel Islands
HSBC Trustee (C.I.) Limited
HSBC International Trustee Limited, Jersey Branch
HSBC Trustee (Guernsey) Limited

Our Privacy Notice for products and services provided in the Channel Islands

Effective Date: 25 May 2018

Before we begin

This notice (**Privacy Notice**) applies to personal information held by members of the HSBC Group as data controllers, as described below. It explains what information we collect about you, how we'll use that information, who we'll share it with, the circumstances when we'll share it and what steps we'll take to make sure it stays private and secure. It continues to apply even if your agreement for banking or other products and services with us ends. It should also be read alongside the terms and conditions for any services provided by us, as these may include sections relating to the use and disclosure of information.

This Privacy Notice covers any products or services you have with us, including trust and company administration services. Sometimes we may need to provide you with separate or further information about specific products and services. This will also apply if you have a relationship with other parts of the HSBC Group (e.g. HSBC business banking, first direct, M&S Bank or HSBC in any other countries), who will provide you with information separately where required.

Some of the links on HSBC websites may lead to other HSBC or non-HSBC websites with their own privacy notices, which may be different to this notice. You'll need to make sure you're happy with their privacy notices when using those other sites.

Wherever we've said 'you' or 'your', this means you (as a present, former or even prospective client), any authorised person on your existing or proposed account(s), anyone who does or will do your banking or deals or will deal with us for you (e.g. trustees or executors, attorneys under a Power of Attorney, employees or representatives) and any other persons related or otherwise connected to your existing or proposed account(s) (including authorised signatories, partners, members, trustees, settlors, beneficiaries and appointors / protectors / enforcers (where applicable)).

When we say 'we', we mean HSBC Group companies which act as a data controller in respect of your personal data. The primary data controller for the purposes of this notice will be HSBC Trustee (C.I.) Limited, a company incorporated in Jersey. HSBC International Trustee Limited, a company incorporated in the British Virgin Islands and operating in the Channel Islands through a Jersey regulated branch, and HSBC Trustee (Guernsey) Limited, a company incorporated in Guernsey, will also act as data controllers where they provide a product or service to you or otherwise for your benefit.

HSBC Trustee (C.I.) Limited's registered office is at HSBC House, Esplanade, St Helier, Jersey JE1 1HS, Channel Islands and HSBC Trustee (Guernsey) Limited's registered office is at Arnold House, St Julian's Avenue, St Peter Port, Guernsey, GY1 3NF, Channel Islands. The address for HSBC International Trustee Limited in the Channel Islands is at HSBC House, Esplanade, St Helier, Jersey JE1 1HS, Channel Islands. If you'd like to get in touch with us, you can also find contact details in the 'More details about your information' section below.

What information we collect

We'll only collect your information in line with relevant regulations and law. We may collect it from a range of sources and it may relate to any of our products or services you apply for, currently hold or have held in the past, including where you are the beneficiary of a trust or hold shares in a company. We may also collect information about you when you interact with us, e.g. when (i) you visit our websites or mobile channels, (ii) you call us or we call you, (iii) you visit one of our offices or we visit you, or (iv) you ask about any of our products and services.

Some of it will come directly from you, e.g. when you provide personal information to open an account or establish a trust or incorporate a company. It can also come from the settlor of a trust, your financial advisor, broker or mortgage intermediary, other HSBC companies, or other sources you've asked us to obtain information from or who are obliged to provide such information to us. We might also get some of it from publicly available sources. The information we collect may include:

Information that you provide to us, e.g.:

- ▶ personal details, e.g. name, previous names, gender, date and place of birth;
- ▶ contact details, e.g. address, email address, landline and mobile numbers;
- ▶ information concerning your identity e.g. photo ID, passport information, National Insurance number (or the equivalent social security details applicable in the Channel Islands), National ID card and nationality;
- ▶ market research, e.g. information and opinions expressed when participating in market research;
- ▶ user login and subscription data, e.g. login credentials for phone and online banking and mobile banking apps;
- ▶ other information about you that you give us by filling in forms or by communicating with us, whether face-to-face, by phone, email, online, or otherwise.

Information we may collect or generate about you, e.g.:

- ▶ your financial information and information about your relationship with us, including the products and services you hold, the channels you use and your ways of interacting with us, your ability to get and manage your credit, your payment history, transactions records, market trades, payments into your account including salary details and information concerning complaints and disputes;
- ▶ information we use to identify and authenticate you, e.g. your signature and your biometric information (if applicable), such as your voice for voice ID, additional information that we receive from external sources that we need for compliance purposes;
- ▶ geographic information, e.g. about which offices you contact or visit;
- ▶ information included in customer documentation, e.g. a record of advice that we may have given you;
- ▶ marketing and sales information, e.g. details of the services you receive and your preferences;
- ▶ cookies and similar technologies we use to recognise you, remember your preferences and tailor the content we provide to you – our cookie policy contains more details about how we use cookies and can be found at <http://www.hsbcprivatebank.com/en/utilities/cookie-policy>;
- ▶ risk rating information, e.g. credit risk rating, transactional behaviour and underwriting information;
- ▶ investigations data, e.g. due diligence checks, sanctions and anti-money laundering checks, external intelligence reports, content and metadata related to relevant exchanges of information between and among individuals, organisations, including emails, voicemail, live chat;
- ▶ records of correspondence and other communications between us, including email, live chat, instant messages and social media communications;
- ▶ information that we need to support our regulatory obligations, e.g. information about transaction details, detection of any suspicious and unusual activity and information about parties connected to you or these activities.

Information we collect from other sources, e.g.:

- ▶ information you've asked us to collect for you, e.g. information about your accounts or holdings with other companies including transaction information;
- ▶ information from third party providers, e.g. information that helps us to combat fraud or that relates to your relevant social interactions (including your communications via social media, between individuals, organisations, prospects and other stakeholders acquired from companies that collect combined information).

How we'll use your information

We'll only use your information where we have your consent or we have another lawful reason for using it. These reasons include where we:

- ▶ need to pursue our legitimate interests;
- ▶ need to process the information to carry out an agreement we have with you;
- ▶ need to process the information to comply with a legal obligation;
- ▶ believe the use of your information as described is in the public interest, e.g. for the purpose of preventing or detecting crime.

The reasons we use your information include to:

- ▶ deliver our products and services;
- ▶ carry out your instructions or requests, e.g. to fulfil a payment request;
- ▶ manage our relationship with you, including (unless you tell us otherwise) telling you about products and services we think may be relevant for you;
- ▶ understand how you use your accounts and services;
- ▶ banking operations support;
- ▶ prevent or detect crime including fraud and financial crime, e.g. financing for terrorism and human trafficking;
- ▶ security and business continuity;
- ▶ risk management;
- ▶ online banking, mobile apps and other online product platforms;
- ▶ product and service improvement;
- ▶ data analytics to better understand your circumstances and preferences so we can make sure we can provide you with the best advice and offer you a tailored service;
- ▶ protect our legal rights and comply with our legal obligations;
- ▶ correspond with solicitors, surveyors, valuers, other lenders, conveyancers and third party intermediaries;
- ▶ system or product development and planning, insurance, audit and administrative purposes.

Further details of how we'll use your information can be found in the Appendix below.

How we make decisions about you

While we currently do not use any fully automated decision making processes, we may do so in future and we currently may use automated systems to help us make decisions, e.g. when you apply for products and services, to make credit decisions and to carry out fraud and anti-money laundering checks. We may use technology that helps us identify the level of risk involved in customer or account activity, e.g. for credit, fraud or financial crime reasons, or to identify if someone else is using your profile without your permission.

You may have a right to certain information about how we make these decisions. You may also have a right to request human intervention and to challenge the decision. More details can be found in the 'Your rights' section below.

Tracking or recording what you say or do

To help keep you and your assets safe, we may record details of your interactions with us. We may record and keep track of conversations you have with us including phone calls, face-to-face meetings, letters, emails, live chats, video chats and any other kinds of communication. We may use these recordings to check your instructions to, or other communications with, us; assess, analyse and improve our service; train

our people; manage risk or to prevent and detect fraud and other crimes. We may also capture additional information about these interactions, e.g. telephone numbers that you call us from and information about the devices or software that you use. We use closed circuit television (CCTV) in and around our sites and these may collect photos or videos of you, or record your voice.

Compliance with laws and regulatory compliance obligations

We'll use your information to meet our compliance obligations, to comply with other laws and regulations and to share with regulators and other authorities that HSBC Group companies are subject to. This may include using it to help detect or prevent crime (including terrorism financing, money laundering and other financial crimes). We'll only do this on the basis that it's needed to comply with a legal obligation or it's in our legitimate interests and that of others.

Marketing and market research

We may use your information to provide you with details about HSBC products and services, and also products and services from our partners and other relevant third parties. We may send you marketing messages by post, email, telephone, text or secure messages. You can change your mind on how you receive marketing messages or choose to stop receiving them at any time. To make that change, please contact us in the usual way.

If you ask us not to send you marketing, it may take us a short period of time to update our systems and records to reflect your request, during which time you may continue to receive marketing messages. Even if you tell us not to send you marketing messages, we'll continue to use your contact details to provide you with important information, such as changes to your terms and conditions or if we need to tell you something to comply with our regulatory obligations.

We may use your information for market research and to identify trends. Market research agencies acting on our behalf may get in touch with you by post, telephone, email or other methods of communication to invite you to take part in research. We won't invite you to take part in research using a communication method if you've asked us not to get in touch that way. Any responses that you provide whilst participating in market research will be reported back to us anonymously unless you give us permission for your details to be shared.

Who we might share your information with

We may share your information with others where lawful to do so including where we or they:

- ▶ need to in order to provide you with products or services you've requested, e.g. fulfilling a payment request;
- ▶ have a public or legal duty to do so, e.g. to assist with detecting and preventing fraud, tax evasion and financial crime;
- ▶ need to in connection with regulatory reporting, litigation or asserting or defending legal rights and interests;
- ▶ have a legitimate business reason for doing so, e.g. to manage risk, verify your identity, enable another company to provide you with services you've requested, or assess your suitability for products and services;
- ▶ have asked you for your permission to share it, and you've agreed.

We may share your information for these purposes with others including:

- ▶ other HSBC Group companies and any sub-contractors, agents or service providers who work for us or provide services to us or other HSBC Group companies (including their employees, sub-contractors, service providers, directors and officers);
- ▶ any joint account holders, trustees, beneficiaries, administrators or executors;

- ▶ people who give guarantees or other security for any amounts you owe us;
- ▶ people you make payments to and receive payments from;
- ▶ your beneficiaries, intermediaries, correspondent and agent banks, clearing houses, clearing or settlement systems, market counterparties and any companies you hold securities in through us, e.g. stocks, bonds or options;
- ▶ other financial institutions, lenders and holders of security over any property you charge to us, tax authorities, trade associations, credit reference agencies, payment service providers and debt recovery agents;
- ▶ any fund managers who provide asset management services to you and any brokers who introduce you to us or deal with us for you;
- ▶ any entity that has an interest in the products or services that we provide to you, including if they take on the risk related to them;
- ▶ any people or companies where required in connection with potential or actual corporate restructuring, merger, acquisition or takeover, including any transfer or potential transfer of any of our rights or duties under our agreement with you;
- ▶ law enforcement, government, courts, dispute resolution bodies, our regulators, auditors and any party appointed or requested by our regulators to carry out investigations or audits of our activities;
- ▶ other parties involved in any disputes, including disputed transactions;
- ▶ fraud prevention agencies who'll also use it to detect and prevent fraud and other financial crime and to verify your identity;
- ▶ anyone who provides instructions to us, or otherwise communicates with us, or operates any of your accounts on your behalf, e.g. Power of Attorney, solicitors, intermediaries, etc.;
- ▶ anybody else that we've been instructed to share your information with by either you, a joint account holder or anybody else who provides instructions to us, or otherwise communicates with us, or operates any of your accounts on your behalf;
- ▶ our card processing supplier(s) to carry out credit, fraud and risk checks, process your payments, issue and manage your card;
- ▶ insurers so they can provide you with a quote or cover. For further details please refer to your policy documentation.

Sharing aggregated or anonymised information

We may share aggregated or anonymised information within and outside of the HSBC Group with partners such as research groups, universities or advertisers. You won't be able to be identified from this information, e.g. we may share information about general spending trends in for example the Channel Islands and Isle of Man to assist in research.

How long we'll keep your information

We keep your information in line with our data retention policy. For example we'll normally keep core trust administration data for a period of twenty one years from the end of our relationship with you. This enables us to comply with legal and regulatory requirements or use it where we need to for our legitimate purposes such as managing your account and dealing with any disputes or concerns that may arise.

We may need to retain your information for a longer period where we need the information to comply with regulatory or legal requirements or where we may need it for our legitimate purposes, e.g. to help us respond to queries or complaints, fighting fraud and financial crime, responding to requests from regulators, etc.

If we don't need to retain information for this period of time, we may destroy, delete or anonymise it more promptly.

Transferring your information overseas

Your information may be transferred to and stored in locations outside of the Channel Islands, the Isle of Man and the European Economic Area (EEA), including countries that may not have the same level of protection for personal information as these jurisdictions. When we do this, we'll ensure it has an appropriate level of protection and that the transfer is lawful. We may need to transfer your information in this way to carry out our contract with, or discharge our fiduciary duties to, you; to fulfil a legal obligation; to protect the public interest; and / or for our legitimate interests. In some countries the law might compel us to share certain information, e.g. with tax authorities. Even in these cases, we'll only share your information with people who have the lawful authority to see it.

You can obtain more details of the protection given to your information when it's transferred outside the Channel Islands and Isle of Man or EEA by contacting us using the details in the 'More details about your information' section below.

Your rights

You have a number of rights in relation to the information that we hold about you. These rights include:

- ▶ the right to access information we hold about you and to obtain information about how we process it;
- ▶ the right to withdraw your consent to our processing of your information, which you can do at any time. We may continue to process your information if we have another legitimate reason or legal obligation for doing so;
- ▶ in some circumstances, the right to receive certain information you have provided to us in an electronic format and / or request that we transmit it to a third party;
- ▶ the right to request that we rectify your information if it's inaccurate or incomplete;
- ▶ in some circumstances, the right to request that we erase your information. We may continue to retain your information if we're entitled or required to retain it;
- ▶ the right to object to, and to request that we restrict, our processing of your information in some circumstances. Again, there may be situations where you object to, or ask us to restrict, our processing of your information but we're entitled to continue processing your information and / or to refuse that request.

You can exercise your rights by contacting us using the details set out in the 'More details about your information' section below. Please note that in Jersey and Guernsey in the case of a request to access information by a beneficiary there is an exception in relation to documentation related to trustee decisions.

Individuals also have a right to complain to the data protection regulator in the country where they live or work. For the Channel Islands and Isle of Man, these are:

- ▶ the Office of the Information Commissioner in Jersey, by visiting www.dataci.je
- ▶ the Office of the Data Protection Commissioner in Guernsey, by visiting www.dataci.gg
- ▶ the Information Commissioner in the Isle of Man, by visiting www.inforights.im

Fraud and Money Laundering

Fraud Prevention Agencies

We'll carry out checks with fraud prevention agencies for the purposes of preventing fraud and money laundering, and to verify your identity before we provide products and services to you. These checks require us to process personal information about you.

The personal information you provide or which we've collected from you, or received from third parties, will be used to carry out these checks in order to prevent fraud and money laundering, and to verify your identity.

We'll process personal information, such as your name, address, date of birth, contact details, financial information, employment details, and device identifiers e.g. IP address.

We and fraud prevention agencies may also enable law enforcement agencies to access and use your personal data to detect, investigate and prevent crime.

We process your personal data on the basis that we have a legitimate interest in preventing fraud and money laundering and to verify your identity. This enables us to protect our business and to comply with laws that apply to us. This processing is also a contractual requirement of any of our products or services you use.

Fraud prevention agencies can hold your personal data for different periods of time. If they're concerned about a possible fraud or money laundering risk, your data can be held by them for up to six years.

Consequences of Processing

If we, or a fraud prevention agency, have reason to believe there's a fraud or money laundering risk, we may refuse to provide the services and credit you've requested. We may also stop providing existing products and services to you. A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services to you. The information we hold about you could make it easier or harder for you to get credit in the future.

To find out more about fraud prevention agencies and how they manage your information, please visit <https://www.cifas.org.uk/privacy-notice>.

What we need from you

You're responsible for making sure the information you give us is accurate and up to date, and you must tell us if anything changes as soon as possible. If you provide information for another person on your account, you'll need to direct them to this notice and make sure they agree to us using their information as described in it.

How we keep your information secure

We use a range of measures to keep your information safe and secure which may include encryption and other forms of security. We require our staff and any third parties who carry out any work on our behalf to comply with appropriate compliance standards including obligations to protect any information and applying appropriate measures for the use and transfer of information.

More details about your information

If you'd like further information on anything we've said in this Privacy Notice, you can contact your Relationship Manager in the usual way or contact us generally at:

HSBC Trustee (C.I.) Limited
HSBC House
The Esplanade
St Helier, Jersey JE1 1GT, Channel Islands
T +44 (0) 1534 672400

You can also contact our Data Protection Officer at HSBC House, The Esplanade, St Helier, Jersey JE1 1HS addressed 'for the attention of the DPO'.

This Privacy Notice may be updated from time to time and the most recent version can be found at <https://www.hsbcprivatebank.com/en/utilities/privacy-statement>

Appendix – How we process your information

We'll use your information for purposes including:

- ▶ **To deliver our products and services:** administer your accounts, or process your transactions. We'll do this in order to perform our contract with you;
- ▶ **Banking operations support:** we'll use your information to enable the provision and function of our banking services in line with regulation, laws and customer rights and interests, e.g. complaints management and exit management. The lawful reasons for processing these are legitimate interest, legal obligation and in order to perform our contract with you;
- ▶ **To prevent and detect crime including, e.g. fraud, terrorist financing and money laundering:** this will include monitoring, mitigation and risk management, carrying out customer due diligence, name screening, transaction screening and customer risk identification. We do this to comply with our legal obligations and because it's in our legitimate interest. We may share your information with relevant agencies, law enforcement and other third parties where the law allows us to for the purpose of preventing or detecting crime. Additionally we and other financial institutions may take steps to help prevent financial crime and manage risk. We'll do this because we have a legitimate interest, a legal obligation to prevent or detect crime or it's in the public interest. We may be required to use your information to do this, even if you've asked us to stop using your information. That could include (among other things):
 - ▶ screening, intercepting and investigating any payments, instructions or communications you send or receive (including drawdown requests and application forms);
 - ▶ investigating who you're paying or who's paying you, e.g. checks on payments into and out of your account and other parties related to those payments;
 - ▶ passing information to relevant agencies if we think you've given us false or inaccurate information, or we suspect criminal activity;
 - ▶ combining the information we have about you with information from other HSBC companies to help us better understand any potential risk;
 - ▶ checking whether the people or organisations you're paying or receiving payments from are who they say they are, and aren't subject to any sanctions
- ▶ **Risk management:** we'll use your information to measure, detect and prevent the likelihood of financial, reputational, legal, compliance or customer risk. This includes credit risk, traded risk, operational risk and insurance risk (e.g. for underwriting or claims management purposes). We'll do this because we have a legitimate interest in ensuring that we carry out a proper risk assessment prior to providing credit, insurance or other finance;
- ▶ **Online Banking, Mobile Apps and other online product platforms:** we'll use your information to allow us to provide you with access to HSBC online platforms and mobile apps. The platform may allow you to directly or indirectly communicate with us through mobile apps, such as using Online Banking, or applying for products and services online. The lawful basis for using your information for this purpose is to perform our contract with you or that processing for this purpose is in our legitimate interest;
- ▶ **Product and service improvement:** we'll analyse your information to identify possible service and product improvements. Where we provide you with aggregated information services, we'll use your information to understand how you use these products which may include your transactional information from other financial institutions to help improve our products and services. The lawful basis for processing your information for this purpose is our legitimate interest. We do this to improve our products and services to best meet the need of our customers;
- ▶ **Data analytics for tailored services:** we'll analyse your information to identify relevant opportunities to promote products and services to existing or prospective customers. This may include reviewing historical customer transactional behaviour, comparison of customer activity or it may include an analysis of your transactional information from other financial institutions. We do this to help us provide you with products and services we think will be of most relevance to you. The lawful basis for using your information in this way is our legitimate interest;
- ▶ **Marketing:** we may use your information to provide you with information about HSBC products and services, and also products and services from our partners and other relevant third parties. The lawful basis for this is our legitimate interest. We may need your consent to communicate by certain channels and we'll always make sure we get this where we need to. You can change your mind on how you receive marketing messages or choose to stop receiving them at any time. To make that change, contact us in the usual way;
- ▶ **Protecting our legal rights:** we may need to use your information to protect our legal rights, e.g. in the case of defending or protecting legal rights and interests (e.g. collecting money owed, enforcing or protecting our security or defending rights of intellectual property); court action; managing complaints or disputes; in the event of a restructuring of companies or other mergers or acquisition. This may be in connection with action taken against you or other persons, e.g. joint borrowers or persons who give a guarantee or other security for your obligations to us. We'd do this on the basis that it's in our legitimate interest.

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HSBC International Trustee Limited, which is incorporated in the British Virgin Islands, has a Jersey branch through which it is regulated by the Jersey Financial Services Commission to conduct trust company and insurance mediation business.

HSBC Trustee (Guernsey) Limited, which is incorporated in Guernsey, is regulated by the Guernsey Financial Services Commission