

关于个人金融信息保护的函
Letter regarding
Protection of Personal Financial Information

尊敬的先生/女士/客户：

Dear Sir / Madam / Client,

感谢贵方选择渣打银行（中国）有限公司（“我行”）。我行一贯尊重贵方及/或资料当事人与个人金融信息¹有关的隐私，承诺按照法律法规要求对贵方及/或资料当事人的个人金融信息保密。但是，基于我行业务经营与管理的必要需求，我行不时需要获取、使用并将贵方及/或资料当事人的个人金融信息披露予第三方²用于特定原因及用途³。

We are grateful for your choice of Standard Chartered Bank (China) Limited (the “Bank”). The Bank respects your and/or the Information Owner’s privacy related to the Personal Financial Information,⁴ and undertakes to keep the Personal Financial Information confidential in accordance with relevant laws and regulations. However, due to the necessary demands of the Bank’s business operation and management, the Bank may need from time to time to obtain, use and disclose to any third party your and/or the Information Owner’s Personal Financial Information⁵ for specific reasons and purposes.⁶

本函目的为根据监管机构要求，寻求贵方或贵方代表资料当事人就我行有关个人金融信息的收集、保存、使用、对外披露等行为的授权。请贵方仔细阅读下述条款和条件（包括但不限于该授权或同意所适用的向第三方提供个人金融信息的范围和具体情形以及贵方或贵方代表资料当事人做出该授权或同意的可能后果），以确保充分理解。如有疑问，贵方及/或资料当事人可要求我行就任何条款作出进一步的说明和解释，如果必要，也可以向独立咨询方寻求意见。如无疑义，请在签署栏处签署，以示知晓且正式授权。

As required by regulatory authority, the Bank hereby issues this Letter to seek your authorization on behalf of yourself or the Information Owner regarding collection, storage, use and external disclosure of the Personal Financial Information. Please carefully read the following terms and conditions (including but not limited to the permitted scope and circumstances of disclosure of personal financial information to any third party and possible consequences of this Authorization or consent made by you or on behalf of the Information Owner) and ensure you have fully understood them. If you have any queries, you and/or the Information Owner may request the Bank to make further illustration and explanation for any terms, and if necessary, you and/or the Information Owner may also seek independent consultants’ opinions. If you have no doubt, please undersign to confirm your understanding and duly authorization.

¹ 参见定义 1。

² 参见定义 2。

³ 参见说明 3。

⁴ See Definition 1.

⁵ See Definition 2.

⁶ See Description 3.

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定义及说明

Definitions and Descriptions

1. 个人金融信息是指，我行因应贵方或与贵方有关联的我行客户的要求开展银行业务（后一情形例如，我行客户申请贷款由贵方提供担保），而被贵方告知的或者我行合法获取的贵方的及/或与贵方（对企业而言）有关的自然人（例如法定代表人、股东、董事等，以下称为“资料当事人”）的信息，例如，个人身份信息、财产信息、账户信息、信用信息、金融交易信息以及根据规定的其他个人金融信息等。

Personal Financial Information refers to your own information and/or (where you are a company) the information of other natural persons related to you (such as the legal representative, shareholders, directors etc. , hereinafter referred to as “**Information Owner**”), which is informed by you or legally obtained by the Bank in the process of offering banking services as requested by you or our client who is connected to you (e.g., you are a personal guarantor for the loan the Bank provides to the client), including the identity information, wealth information, account information, credit information, financial trading information and other personal financial information in accordance with relevant regulations and rules.

2. 第三方是指：

A third party refers to:

2.1 为完成相关业务所必需的位于任何管辖区的我行集团成员和代表，即无论其是否与我行位于同一国家或地区（与我行一并称“被许可方”）；

Any Bank Member and representatives in any jurisdiction in relation to processing relevant transactions, regardless whether it is located in the same jurisdiction of the Bank (together with the Bank, the “**Permitted Parties**”);

2.2 对被许可方承担保密义务的被许可方的专业顾问、保险公司、保险经纪人和服务提供商；

Any professional adviser, insurer or insurance broker or service provider of the Permitted Parties who is under a duty of confidentiality to the Permitted Parties;

2.3 与贵方及/或资料当事人和我行（包括任何分支机构）任何协议下我行的权利和/或义务相关的实际或潜在的参与者或次级参与者、或者受让人或替代人（或他们的代理人或顾问）；

Any actual or potential assignee, novatee, transferee, participant or sub-participant in relation to any of the Bank’s (including any branch) rights and/or obligations under any agreement between you and/or the Information Owner with the Bank (or any agent or adviser of any of the foregoing);

2.4 被许可方的信用评级机构，或直接或间接对被许可方提供信用保护的第三方；

Any rating agency or direct or indirect provider of credit protection to any of the Permitted Parties;

2.5 对被许可方具有管辖权的任何法律或任何政府、准政府或具有规范、监管职权的部门、有权机构、或审理机构；

As required by any law or any government, quasi-government, administrative, regulatory or supervisory body or authority, or tribunal with jurisdiction over any of the Permitted Parties; or

2.6 贵方及/或资料当事人同意的可对其披露的其他第三方。

Any other third party to whom you and/or the Information Owner has agreed to disclose.

其中，我行集团成员是指 Standard Chartered PLC、其子公司、其控股公司、其控股公司的子公司以及前述各方的总部、分支机构。控股公司是指以该个体作为子公司的公司。子公司是指被另一个公司直接或间接控制的，或被直接或间接拥有超过 50% 发行股本的公司，也包括该等子公司的子公司。为此处目的，控制是指某一实体（直接或者间接不论是通过股权、投票权、合同或其他方式）有权任命和/或撤销另一实体的管理机构的大多数成员或以其他方式进行控制或者有权操控该实体的管理与政策。

To the above, the **Bank Member** refers to Standard Chartered PLC or any of its Subsidiaries or its Holding Company or any other Subsidiaries of that Holding Company and including head offices and branches of the foregoing. The **Holding Company** means, in relation to a company, a company in respect of which such company is a Subsidiary. The **Subsidiary** means, in relation to a company, any other company which is **Controlled**, directly or indirectly, by such company, or more than half the issued share capital of which is beneficially owned, directly or indirectly, by such company, or which is a Subsidiary of another Subsidiary of such company. For the purpose hereof, **Control** means where one entity (either directly or indirectly and whether by share capital, voting power, contract or otherwise) has the power to appoint and/or remove the majority of the members of the governing body of another entity or otherwise controls or has the power to control the affairs and policies of another entity and such entity is taken to be **Controlled** by the first entity.

3 我行获取、使用以及披露贵方及/或资料当事人的个人金融信息的原因与用途，可能为如下的任何一项或者多项：

The reason and purpose of the Bank's obtaining, use and disclosure of your and/or the Information Owner's Personal Financial Information may be one or more than one of the followings:

- 3.1 评估贵方及/或资料当事人的资信状况、处理贷款、融资或其他银行服务的申请；

To evaluate your and/or the Information Owner's credit status, to process loan, financing request or other banking services;

- 3.2 确保我行能够提供和维持银行服务的日常运作，如关联公司向我行提供的信息存储或其他外包服务，第三方清收公司、印刷品承包商等；

To ensure the Bank can provide and maintain regular banking services, e.g., the information storage or other outsourcing services provided by any Related Company to the Bank, debt collection agency or printing vendor etc.;

- 3.3 定期的信用核查和后续贷后管理；

To ensure regular credit check and post-loan management;

- 3.4 协助其他机构进行信用核查及追讨债务；

To assist other institutions to conduct credit checks and collect debts;

- 3.5 确保贵方及/或资料当事人的资信状况良好的调查；

To ensure ongoing credit worthiness of you and/or the Information Owner;

- 3.6 设计或改进金融产品、财务服务或相关产品；

To design or improve financial products, financial services or related products;

- 3.7 推广金融产品、财务服务或相关产品，包括但不限于以传单、电话、短信、传真、邮件等方式向贵方及/或资料当事人进行推广；

To market financial products, financial services or related products, including but not limited to the marketing to you and/or the Information Owner via brochure, telephone calls, short message, fax and email;

- 3.8 确定贵方及/或资料当事人与我行彼此间的债权债务状况；

- To determine your and/or the Information Owner's amount of indebtedness owed to or by the Bank;
- 3.9 债务清收、追讨，包括但不限于行使债权人权利、担保权利等；
- To collect and liquidate debts, including without limitation the enforcement of creditor's rights or security interests;
- 3.10 为履行任何对我行有约束力的法律规定或任何对我行有管辖权的监管机构的要求而进行披露。为避免疑问，如位于中国境外的国家或地区的被许可方，根据对其有约束力的法律法规或对其有管辖权的位于中国境外的监管部门或有权机构而进行的任何个人金融信息的披露，需事先征得中国境内本地监管机构的同意；
- To disclose according to the laws binding on the Bank or otherwise as required by any regulatory authority to which the Bank is subject; For avoidance of doubt, prior consent of regulatory authority of China is required if any Permitted Parties located outside of China discloses any personal financial information where required by laws and regulations or any regulatory or supervisory authority located outside of China with jurisdiction over any Permitted Parties.
- 3.11 基于银行财务管理的需要，为在二级市场上进行资产的组合和转让，向我行权利义务的实际的或潜在的受让人、参与人或附属参与人及其代理人、顾问等进行披露，以评估有关转让、参与或附属参与的交易；
- To disclose to the actual or potential assignee, or participant or sub-participant in relation to any of the Bank's rights and/or obligations and their agents and consultants so that they can evaluate the intended assignment, participation or sub-participation, to facilitate the Bank to re-allocate and transfer its asset in the secondary market for a financial management purpose;
- 3.12 我行所属集团或关联公司由于是上市公司或者特许机构，为满足根据适用法规或交易所规则从会计、审计、财务、税收以及监管等方面不时整合信息、数据的要求而进行的披露；
- To disclose so that relevant information and data can be consolidated from the perspectives of accounting, audit, financial, tax and compliance in accordance with applicable laws or exchange rules as the Bank's group or any related company is a listed company or an institution particularly chartered;
- 3.13 作为银行服务不可分割的一部分，向所使用的提供枢纽处理或外包处理的服务提供商披露；
- To disclose to service providers who offers hubbing processing and other outsourcing services to the Bank which is an integral part of banking services;
- 3.14 基于分散风险、评估风险的需要，向保险公司、专业顾问、审计机构的披露；
- To disclose to insurance companies, professional consultants and audit agencies for risk diversification or assessment purposes;
- 3.15 基于相关金融产品的内在设计，例如资产证券化的安排，向评级机构、保险机构、信用保护机构的披露；
- To disclose to rating agencies, insurance institutions and credit protection providers which is necessitated by the inherent design of relevant financial products;
- 3.16 基于防范欺诈风险等风险防控的需要，向合作的服务机构的披露；
- To disclose to any service providers in cooperation with the Bank for the purpose of prevention of fraud risks, risk controls etc.
- 3.17 与上述有关的用途；及贵方及/或资料当事人同意的其他披露用途。
- To disclose for other purposes relating to the above and as agreed with you and/or Information Owner.

(本文件以中英文书就，如有冲突，以中文为准。)

(This document is drafted in both Chinese and English, and the Chinese version shall prevail in case of any inconsistency.)