

## **The Notice**

### **HSBC Group Notice to Service Providers and Professional Advisers (including Potential Service Providers and Professional Advisers Relating to the Personal Data Protection Act 2010 (the "PDPA"))**

1. It is necessary for service providers and/or professional advisers (including their partners, employees, directors, officers, agents and contractors) to provide HSBC and/or HSBC Group with data about themselves in connection with their appointment or prospective appointment for the provision of services or instruction to act for and advise HSBC, as the case may be.

**HSBC** means all the entities listed in paragraph 10.

**HSBC Group** for these purposes means HSBC Holdings plc, its affiliates, subsidiaries, associated entities and any of their branches and offices (together or individually) and “**member of the HSBC Group**” has the same meaning.

2. The Personal Data in relation to you may include information on your name (including former name), address, contact details and your copies and other details of identity documents, education background, business occupation, business / professional / credit profile, referees, your copies and other details of identity documents, medical condition, commission or alleged commission of any offence or proceedings for any offence committed or alleged to have been committed including past misconduct, the disposal of such proceedings or the sentence of any court in such proceedings.
3. Please be aware that failure to supply such data will result in HSBC or HSBC Group being unable to continue with your appointment or prospective appointment for the provision of services or instruction to act for and advise HSBC.
4. Following your appointment or our instruction for you to act as service providers and/ or professional advisers, data about you may continue to be collected from you during the provision of services as service providers and/or professional advisers with HSBC or HSBC Group and from other sources such as third party background checks (including Worldcheck, Credit Bureau Malaysia or any other registered credit reporting agency or any regulatory authorities). Data may also be generated or combined with other information available to HSBC or any member of the HSBC Group.
5. The purposes for which data relating to service providers and/or professional advisers may be used are as follows:-
  - i. Considering applications and processing prospective appointments for the provision of services or instruction to act for and advise HSBC including pre-appointment checks, screening and vetting;
  - ii. Any purposes and/or ancillary purposes relating to the provision of the services;
  - iii. performance review;

- iv. monitoring compliance with internal rules and policies of HSBC and/or HSBC Group;
- v. for fraud or crime prevention and investigation, data analytics and audit and in order that services may be processed by HSBC;
- vi. for investigating, reporting, preventing or otherwise in relation to breach of banking secrecy/confidential information, fraud, money laundering, terrorist financing and criminal activities generally;
- vii. meeting the obligations, requirements or arrangements, whether compulsory or voluntary, of HSBC and any member of the HSBC Group to comply with, or in connection with:
  - a. any law, regulation, judgment, court order, voluntary code, sanctions regime, within or outside Malaysia existing currently and in the future (“**Laws**”);
  - b. any guidelines, guidance or requests given or issued by any legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of financial services providers within or outside Malaysia existing currently and in the future and any international guidance, internal policies or procedures;
  - c. any present or future contractual or other commitment with local or foreign legal, regulatory, judicial, administrative, public or law enforcement body, or governmental, tax, revenue, monetary, securities or futures exchange, court, central bank or other authorities, or self-regulatory or industry bodies or associations of financial service providers or any of their agents with jurisdiction over all or any part of the HSBC Group (together the “**Authorities**” and each an “**Authority**”) that is assumed by, imposed on or applicable to HSBC or any member of the HSBC Group; or
  - d. any agreement or treaty between Authorities;
- viii. complying with any obligations, requirements, policies, procedures, measures or arrangements for sharing data and information within the HSBC Group and/or any other use of data and information in accordance with any programmes for compliance with sanctions or prevention or detection of money laundering, terrorist financing or other unlawful activities;
- ix. conducting any action to meet obligations of HSBC or any member of the HSBC Group to comply with Laws or international guidance or regulatory requests relating to or in connection with the detection, investigation and prevention of money laundering, terrorist financing, bribery, corruption, tax evasion, fraud, evasion of economic or trade sanctions and/or any acts or attempts to circumvent or violate any Laws relating to these matters;
- x. meeting any obligations of HSBC or any member of the HSBC Group to comply with any demand or request from the Authorities;

- xii. corporate due diligence exercise;
  - xiii. for any purpose required by law or regulation;
  - xiv. for the purpose of enforcing its legal rights and/or obtaining legal advice;
  - xv. to enforce or defend HSBC/ HSBC Group's rights under applicable laws; and
  - xvi. purposes relating thereto.
6. Data held by HSBC and/or HSBC Group relating to service providers and/ or professional advisers will be kept confidential but HSBC and/or HSBC Group may provide such information to the following parties, whether within or outside Malaysia, for the purposes set out in paragraph 5 above (who may also subsequently process, transfer and disclose such data for the purposes set out in paragraph 5):-
- i. any entity within the HSBC Group (including any officer, employee, agent or director);
  - ii. any agent, contractor, service provider, professional adviser or other third party who provides administrative, telecommunications, computer, human resources management or administration services (including but not limited to performance of pre-appointment or background checks) or any other services to HSBC and/or HSBC Group;
  - iii. any other person under a duty of confidentiality to HSBC and/or HSBC Group which has undertaken to keep such information confidential or any parties which are necessary in disputes or fraud investigation for the purposes of paragraph 5(v);
  - iv. persons seeking references with the consent of the service providers and/ or professional advisers concerned;
  - v. any person to whom HSBC and/or HSBC Group is under an obligation or required or expected to make disclosure for the purposes of any guidelines or regulations set out, or in connection with paragraph 5 (vii), (viii), (ix) & (x);
  - vi. any actual or proposed purchaser of all or part of the business of HSBC and/or HSBC Group or, in the case of any merger, acquisition or other public offering, the purchaser or subscriber for shares in the HSBC Group; and
  - vii. third parties in the form of directories of names and office telephone numbers, personal and contact details for administrative purposes and/or to meet regulatory requirements (including self-regulated organisations).
7. Insofar as service providers and/or professional advisers are also customers of HSBC Bank Malaysia Berhad and/or HSBC Amanah Malaysia Berhad, attention is drawn to the relevant bank's notice to its customers.
8. Under and in accordance with the terms of the PDPA any individual may:-
- i. check whether personal data about him/her is held and to access to such personal data;
  - ii. request correction of any personal data relating to him/her which is inaccurate;
  - iii. request clarification on HSBC's policies and practices in relation to personal data and to be informed of the kind of personal data held by HSBC.

9. In accordance with the terms of the PDPA, HSBC has the right to charge a fee for the processing of any data access request.
10. Your 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 to:-

**For HSBC Malaysia\***

Head of Procurement  
Level 20  
Menara IQ  
Lingkaran TRX  
55188 Tun Razak Exchange  
KUALA LUMPUR,  
MALAYSIA Email: [procurement.myh@hsbc.com.my](mailto:procurement.myh@hsbc.com.my)

**For HSBC Electronic Data Processing (Malaysia) Sdn. Bhd.**

The Compliance Office  
3500 Jalan Teknokrat 3  
63000 Cyberjaya Selangor  
Tel: +603 8315 2000 (ext 83144 & 84139)  
Email: [hdpmcompliance@hsbc.com.my](mailto:hdpmcompliance@hsbc.com.my)

\*HSBC Malaysia includes HSBC Bank Malaysia Berhad, HSBC Amanah Malaysia Berhad, HSBC (Malaysia) Trustee Berhad and The Hongkong & Shanghai Banking Corporation Ltd, Offshore Banking Unit Labuan, HSBC Corporate Advisory (Malaysia) Sdn Bhd

11. HSBC and/or HSBC Group reserve the right to amend this Notice at any time and by giving further notice to you via any mode HSBC and/or HSBC Group views suitable.
12. Nothing in this Notice shall limit the rights of service providers and/ or professional advisers under the PDPA.
13. Your continued provision of services to HSBC and/or HSBC Group is deemed consent for the Bank to collect, process and store the data in accordance with the above. Failure to consent to the collection, processing and storage of the data in accordance with the above may result in the inability of HSBC and/or HSBC Group to perform its obligations under legal and regulatory requirements in connection with, or to process any application for, your appointment or prospective appointment for the provision of services or otherwise to process any instruction to act for and/or to advise HSBC.
14. Where the service providers and/or professional advisers disclosed data of other individuals apart from themselves, the service providers and/or professional advisers warrant that they have obtained the consent of all such individuals to the provision of their data to HSBC and/or HSBC Group for the foregoing purposes and for disclosure to such

parties as stipulated above and the service providers and/or professional advisers undertake to extend a copy of this Notice to all such individuals from time to time.

15. If you are reading this as a partner or on behalf of a body corporate or business enterprise, the giving of this Notice addressed to the partnership or the unincorporated body of persons shall be deemed as notice given to all the partners or office-bearers (as the case may be) of such service providers and/or professional advisers whose data are collected and/or processed by the Bank for the purposes as stated herein. In this regard, the service providers and/or professional advisers warrants that the service providers and/or professional advisers have obtained the consent of all such individuals to the provision of their data to the Bank for the foregoing purposes and for disclosure to such parties as stipulated above and the service providers and/or professional advisers undertake to extend a copy of this Notice to all such individuals, which expression shall include all such existing and new partners or office-bearers (as the case may be) of the service providers and/or professional advisers from time to time.