

Privacy Notice for HSBC Bank Middle East Limited

How we use personal information (Global Banking & Markets)

Before we begin

This Privacy Notice outlines how particular members of the HSBC Group, as data controllers, use the personal information of individuals connected to institutional and corporate clients of HSBC Global Banking & Markets in the Dubai International Financial Centre ("DIFC") ("Client(s)") in the context of the banking relationship between us and those Clients.

Wherever we use the term "Connected Person", this means individual(s) connected to a Client and could be any guarantor, a director, officer or employee of a company, partners or members of a partnership, any substantial owner, controlling person, or beneficial owner, trustee, settlor or protector of a trust, account holder or authorised signatory of a designated account, recipient of a designated payment, a Client's attorney or representative, agent or nominee, individuals who are clients of a Client, or any other persons with whom a Client has a relationship relevant to their relationship to the HSBC Group.

This Privacy Notice is applicable to Connected Persons of Clients of HSBC Bank Middle East Limited and its branch offices ("we", "our" or "us").

This Privacy Notice explains what information we collect, how we will use that information, who we will share it with, the circumstances when we will share it and the steps we will take to make sure it stays private and secure. We may provide Connected Persons with separate or further information about how we collect and use information for particular products or services, in which case that information will also apply. This Privacy Notice does not apply to any other relationships a Connected Person may have with the HSBC Group, for example as a retail customer.

Clients must direct any individuals whose personal data we may collect and process, including Connected Persons, to this Privacy Notice and make sure they are aware, prior to providing their Personal Data to us or our obtaining their Personal Data, that we are using their Personal Data as described.

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What Data we collect

Any personal information allowing the identification of individuals, such as Connected Persons, is "Personal Data". We only collect Personal Data in line with relevant regulations and law. We may collect it from a range of sources. Some of it will come directly from Clients or Connected Persons, or we may generate some of it or obtain it from publicly available sources.

Personal Data may include:

- ◆ personal details, e.g. name, previous names, gender, date and place of birth, photo ID, passport information, government-issued ID number, national ID card and nationality;
- ◆ contact details, e.g. address, email address, landline and mobile numbers;
- ◆ information we use to identify and authenticate individuals acting on behalf of Clients (e.g. their signature);

Personal Data we collect or generate may include:

- ◆ information included in Client documentation (e.g. a record of instructions);

- ◆ records about executed transactions (e.g. payment order), payment information including full beneficiary name, address and details of the underlying transaction;
- ◆ marketing and sales information;
- ◆ cookies and similar technologies we use to recognise individuals, remember them or their preferences and tailor the content we provide – our cookie policy contains more details;
- ◆ customer due diligence and ongoing/renewal of due diligence, financial crime risk management rating, external intelligence reports, screening alerts;
- ◆ investigations data, e.g. due diligence checks, sanctions and anti-money laundering checks, external intelligence reports, content related to relevant exchanges of information between and among Clients and Connected Persons, us and other organisations or individuals, including emails, voicemail, live chat;
- ◆ records of correspondence and other communications between us and Clients and Connected Persons;
- ◆ information relating to complaints, including disputes/litigation (including legal strategy, document production, deposition and court transcripts);
- ◆ information that we need to support our regulatory obligations, e.g. transaction details, any suspicious and unusual activity and information about Connected Persons.

Information we collect from other sources may include:

- ◆ information Clients have asked us to collect for them, e.g. about transactions, accounts or holdings with other companies;
- ◆ information from third party providers, e.g. information that helps us to combat fraud;
- ◆ information relating to companies connected to Clients such as affiliates, their activity and business.

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How we will use Personal Data

Purposes:

Personal Data may be processed, used and stored by us and/or by third parties for the following purposes, which are carried out in order for us to enter into or perform a contract we have with our Client, to comply with a legal obligation, or for the purposes of pursuing our legitimate interests or those of a third party with whom we may share your information, or those of our Client:

- a. the provision of services, for example, to approve, manage, administer or effect any transactions that a Client may request or authorise, account/product underwriting, research, statistical analysis, testing and benchmarking our peer group
- b. allowing us to undertake data analytics to gather insights on our Client's business;
- c. the compliance with our legal obligations;
- d. the meeting of Compliance Obligations;
- e. the conducting of compliance activity including without limitation Financial Crime Risk Management Activity and other risk management activities;
- f. the enforcement or defence of our rights or those of a member of the HSBC Group;
- g. the pursuit of our legitimate business interest(s) such as to ensure compliance with our internal operational requirements or those of the HSBC Group (including credit and risk management, system or data base development, enhancement and planning, insurance, audit and administrative purposes);
- h. the maintenance of HSBC or other members of the HSBC Group's overall relationship with Clients, telling Clients and Connected Persons about our products, or carrying out market research; or
- i. in connection with any transfer, disposal, merger, acquisition or reorganisation of HSBC.

Automated Decision Making

We may use automated systems to help us assess credit, financial crime or fraud risk associated with the provision of products and services.

Marketing and market research

We may use Personal Data for marketing purposes. We may send Connected Persons marketing messages in different ways (e.g. post, email, online and mobile banking or secure e-messages) with information about our products and services. We will ask for permission if required. If anyone whose Personal Data we hold asks us not to send them marketing materials, it may take us a short period of time to update our systems and records to reflect that request, during which time they may continue to receive marketing messages.

We may use Personal Data for market research and to identify trends. Market research agencies acting on our behalf may get in touch by post, telephone, email or other methods of communication to invite individuals to take part in research. Any responses provided whilst participating in market research will be reported back to us anonymously unless permission to share those details are given.

Tracking or recording what Connected Persons say or do

We may record and keep track of conversations anyone acting on behalf of our Clients, including Connected Persons, have with us – including phone calls, face-to-face meetings, letters, emails, live chats, video chats and any other kinds of messaging. We use these recordings to check instructions, assess, analyse and improve our service, train our people, manage risk or to prevent and detect fraud and other crimes. We may capture telephone numbers that we are called from and information about the devices or software used.

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Who we might share Personal Data with

We may share Personal Data for the above purposes with the following data recipients:

- a. other HSBC Group companies and any sub-contractors, agents or service providers who work for or provide services to us or other HSBC Group companies (including their employees, sub-contractors, directors and officers);
- b. anyone acting on a Client's behalf, payment recipients, beneficiaries, account nominees, intermediary, correspondent and agent banks clearing houses, clearing or settlement systems, market counterparties, and any companies in which Clients have an interest in securities;
- c. any party to a transaction acquiring interest in or assuming risk in or in connection with services;
- d. other financial institutions, and/or credit reference agencies for the purposes of obtaining or providing credit reference and/or checks;
- e. any 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 a Client;
- f. law enforcement, government, courts, dispute resolution bodies, Tax Authorities, our regulators, auditors and any party appointed or requested by our regulators to carry out investigations or audits of our activities;
- g. other companies who do marketing or market research for us;
- h. other parties involved in any disputed transactions;
- i. fraud prevention agencies, who'll also use it to detect and prevent fraud and other financial crime and to verify identity;
- j. anyone who provides instructions or operates any of a Client's accounts on their behalf;
- k. anybody else that we've been instructed to share Personal Data with by a Client or anybody else who provides instructions or operates any of the Client's accounts on their behalf;

I. any member of HSBC Group in connection with or arising from any reporting obligations to any competent Authorities of suspicious transactions by or involving a Client or Connected Persons or other third connected parties.

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Transferring Personal Data overseas

Personal Data may be transferred to and stored in locations outside the DIFC, including in countries that may not have the same level of protection. When we do this, we'll ensure it has an adequate level of protection and that the transfer is lawful. We may need to transfer Personal Data in this way to perform our contract with a Client, to fulfil a legal obligation, to protect the public interest and/or for legitimate business interests.

In some countries the law might compel us to share certain information, e.g. with Tax Authorities. Even in these cases, we will only share information with people who have the right to see it.

Where we transfer your personal information outside the DIFC, we will ensure that it is protected by us in a manner that is consistent with how your information will be protected by us in the DIFC. We will always do this in a way that is permissible under applicable laws and regulations.

When your Personal Data is disclosed to third parties domiciled in jurisdictions which do not have an appropriate level of data protection, we will ensure that all transfers of your Personal Data are subject to appropriate measures or safeguards (such as contractual commitments to protect your information in the form of the DIFC Standard Contractual Clauses or other precautions or justifications) so that your Personal Data continues to receive appropriate protection.

More details of the protection given to Personal Data when it is transferred outside the DIFC can be obtained by contacting us.

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Sharing Aggregated or Anonymised Information

We may share aggregated or anonymised information outside of the HSBC Group with partners such as research groups, universities or advertisers. For example, we may share such information publicly to show trends about the general use of our services. However, it will not be possible for individuals to be individually identified from this information.

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How long we will keep Personal Data

We keep Personal Data in line with our data retention policy. This enables us to comply with legal and regulatory requirements or use it where we need to for our legitimate purposes such as account management account and dealing with any disputes or concerns that may arise. For example, we'll normally keep core banking data for a period of seven years from the end of our relationship with a Client. We may need to retain Personal Data 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 Personal Data information for this period of time, we may destroy, delete or anonymise it more promptly.

There may be occasions where for technical reasons we are unable to delete your personal data. Where this is the case, we will apply appropriate technical and organisational security measures to keep your personal data secure, anonymised, securely encrypted, or archived in a manner that it is put beyond further use. We are continually working towards technical solutions to permanently delete the information, when available.

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Rights of individuals

Individuals whose Personal Data we process, including Connected Persons, have a number of rights in relation to their Personal Data. These rights include:

- ◆ the right to access Personal Data we hold about them and to obtain information about how we process it;
- ◆ in some circumstances, the right to withdraw their consent to our processing of their Personal Data. In this case, we may continue to process Personal Data if we have another legitimate reason for doing so; and your withdrawal of consent will not affect the lawfulness of processing taken place previously;
- ◆ the right to request that we rectify their Personal Data if it's inaccurate or incomplete;
- ◆ in some circumstances, the right to request that we erase their Personal Data. We may continue to retain Personal Data if we're entitled or required to retain it;
- ◆ the right to object to, and to request that we restrict, our processing of their Personal Data in some circumstances. Again, there may be situations where we may be entitled or required to continue processing and / or to refuse that request. However, we will not use your information for direct marketing purposes if you ask us not to do so;
- ◆ in some circumstances, the right to receive your Personal Data electronically and/or request that we transmit your Personal Data to a third party where this is technically feasible. This right only applies to information which you have provided to us
- ◆ the right to lodge a complaint with the DIFC Commissioner of Data Protection (details of which are provided below) if you think that any of your rights have been infringed by us.

You can find out more information about your rights by contacting the DIFC Commissioner of Data Protection, or by visiting the website at www.difc.ae/laws-regulations/data-protection.

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Consequences of Processing

If we, or a fraud prevention agency, determine that a fraud or money laundering risk is posed, we may refuse to provide the services and credit requested or we may stop providing existing products and services to a Client or Connected Persons. 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.

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What we expect from Clients

Clients should ensure that any Personal Data they provide to us is accurate and up-to-date, and direct relevant individuals to this Privacy Notice and make sure they understand how we use their information as described in it prior to providing their Personal Data to us, or our obtaining their Personal Data from other sources. They should also draw their attention to the section on their rights.

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How we keep Personal Data secure

We use internal technical and organisational measures to keep Personal Data safe and secure which may include encryption, and other forms of security measures. 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.

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More details about us

For the purposes of this Privacy Notice, HSBC Bank Middle East Limited (the "Bank") is the data controller. The Bank is an authorised firm regulated by the Dubai Financial Services Authority. It is based at Level 1, Building No 8, Gate Village, DIFC, P.O. Box 30444, Dubai, United Arab Emirates. The Bank is a subsidiary of HSBC Holdings PLC whose address is 8 Canada Square, London E14 5HQ, United Kingdom.

Individuals may request further information on any of the information above, or contact our Data Protection Officer. The Data Protection Officer may be contacted via your RM

You can find out more information about your rights by contacting the DIFC Commissioner of Data Protection, or by visiting the website at www.difc.ae/laws-regulations/data-protection.

Also, you can contact the Office of the DIFC Commissioner of Data Protection at:

Dubai International Financial Service Authority

Level 14, The Gate

PO Box 74777, Dubai, UAE

Tel: +971 4 362 2223

Email: commissioner@dp.difc.ae

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Definitions

"Authorities" includes any judicial, administrative, public or regulatory body, any government, public or government agency, instrumentality or authority, any Tax Authority, securities or futures exchange, court, central bank or law enforcement body, or any of their agents, with jurisdiction over any part of the HSBC Group.

"Compliance Obligations" means obligations of the HSBC Group to comply with: (a) Laws, or international guidance and internal policies or procedures, (b) any demand and/or requests from Authorities or reporting, regulatory trade reporting, disclosure or other obligations under Laws, and (c) Laws requiring HSBC to verify the identity of our customers and/or Connected Persons.

"Financial Crime Risk Management Activity" means any action that HSBC, and members of the HSBC Group, are required, and may take as they consider appropriate in their sole and absolute discretion, to meet Compliance Obligations in connection with the direction, investigation and prevention of Financial Crime, including but not limited to: (a) screening, intercepting and investigating any instruction, communication, drawdown request, application for Services, or any payment sent to or by a Client or on their behalf, (b) investigating the source of or intended recipient of funds, (c) combining Personal Data with other related information in the possession of the HSBC Group, and/or (d) making further enquiries as to the status of a person or entity, whether they are subject to a sanction regime, or confirming a Client's or Connected Person's identity and status.

"Financial Crime" means money laundering, terrorist financing, bribery, corruption, tax evasion, fraud, evasion of economic or trade sanctions, and/or violations, or acts or attempts to circumvent or violate any Laws relating to these matters.

"Laws" means any applicable local or foreign statute, law, regulation, ordinance, rule, judgment, decree, voluntary code, directive, sanctions regime, court order, agreement between any member of the HSBC Group and an Authority, or agreement or treaty between Authorities and applicable to HSBC or a member of the HSBC Group.

"Services" includes, without limitation, (a) the opening, maintaining and closing of bank accounts, (b) providing Clients with credit facilities and other banking or investment products and services (including, for example, securities dealing, investment advisory, broker, agency, custodian, clearing or technology procuring services), processing applications, ancillary credit assessment and product eligibility assessment, and (c) the maintenance of HSBC's overall relationship with Clients, including promoting financial services or related products to Clients, market research, insurance, audit and administrative purposes.

"Tax Authorities" means domestic or foreign tax, revenue, fiscal or monetary authorities.

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