

## Privacy Statement for Clients

### Introduction

China Construction Bank Toronto Branch (“**CCBTO**”) is a branch of China Construction Bank (“**CCB**”), an authorized foreign bank permitted to carry on business in Canada. **CCBTO** is committed to keeping Personal Information accurate, confidential, secure and private. Please read this Customer Privacy Statement carefully to understand your and CCBTO’s rights and responsibilities with respect to the collection, use and disclosure of Personal Information. This Statement is based on the Canadian federal *Personal Information Protection and Electronic Documents Act* (“**PIPEDA**”).

### Scope and Nature of Privacy Policy

This document explains how CCBTO collects, uses, discloses and protects the privacy of Personal Information in its possession or control regarding its customers or individuals associated with its customers. It does not apply to information about CCBTO’s current, former or prospective Officers, Employees and Agents.

This Statement **does not apply** to information about businesses that carry on business as corporations, partnerships or other legal entities. However, CCBTO does protect the confidentiality of such information in accordance with applicable law and CCBTO’s own internal policies.

This Statement, however, **does apply** to Personal Information supplied by entity customers as part of the customer on-boarding process, including individual identification information and verification data taken from directors, authorized signatories, and/or ultimate beneficial owners of the customer who are individuals, or individuals associated with such individuals. In some cases, information is collected on other business interests of the individuals that own the customer. This document applies to that information as well as to information collected about individual owners of sole proprietorships and individual loan guarantors.

“**Personal Information**” is information about an identifiable individual. It includes any factual or subjective information, other than certain information excluded by law. Personal Information may include but is not limited to the individual’s name, mailing address, telephone number, email address, age, gender, marital status, health status, financial status, Social Insurance Number, credit card information and credit history. It includes information that individuals have provided to CCBTO or that was collected by CCBTO from other sources with their consent.

The following sets out the ten principles of privacy, to which CCBTO is committed to adhering in order to protect the privacy and confidentiality of Personal Information.

### **1. Accountability**

*CCBTO is responsible for personal information under its control and has designated an individual who is accountable for the organization's compliance with privacy law requirements and the principles in this Statement.*

CCBTO has appointed its Chief Compliance Officer as its Chief Privacy Officer (CPO). Our Chief Privacy Officer is responsible for program governance, which includes policy and procedure development, training, communication, dispute resolution, and reporting to branch management. The CPO, along with Senior Management and all employees are accountable and responsible for the protection of personal information collected, used, or disclosed by CCBTO.

In the event of a breach of personal information, the CPO will assist in the risk assessment of the incident and will advise whether or not any notification or reporting is required per applicable regulations or regulatory guidelines.

### **2. Identifying the Purposes for Collecting Personal Information**

*We will identify to you the purposes for which personal information is collected at or before the time the personal information is collected.*

Personal Information is collected by CCBTO when a customer, an individual associated with a customer or a third party provides it to us. This Personal Information is used by CCBTO to provide customers with requested products and services, manage and/or establish banking relationships, better serve customer needs, verify the identity of customers and individuals associated with our customers, evaluate creditworthiness, meet processing requirements, protect against fraud, detect and deter money laundering and terrorist financing, manage risk, and to meet applicable legal and regulatory requirements.

### **3. Obtaining Consent**

*CCBTO will collection, use, or disclose personal information with your consent and knowledge, except where prohibited or authorized by law.*

When a customer applies for a new product or service, CCBTO will ask for consent to collect, use or disclose Personal Information prior to providing the product or service. An individual may also be requested from time to time to consent to the collection, use and disclosure of Personal Information for purposes that have not been previously identified. Consent will be obtained at or before the time that Personal Information is collected or used with the purpose and nature

explained. Consent may also be implied (for example, when an individual provides information necessary for a service he or she has requested).

An individual may withdraw consent at any time, provided this is not prohibited by law, by a contractual arrangement, or relate to a credit facility after credit has been granted. Withdrawing consent may affect CCBTO's ability to continue to provide products or services.

There may be times when the Branch must disclose personal information about an individual, without the individual's consent or knowledge where required or authorized by law, e.g., to comply with a court order or to meet legal or regulatory requirements.

#### **4. Limiting Collection**

*We will limit the collection of personal information to what is necessary for the purposes identified and will collect only through fair and lawful means.*

Only information which is necessary for the aforementioned purposes will be collected. CCBTO will not deceive or coerce any individual into providing personal information and will not collect information in contravention of any law or regulation. We may collect personal information from publicly available sources for "know your customers" purposes and to satisfy legal and regulatory requirements.

We have recorded telephone lines which support our Treasury activities. This helps protect our customers by providing a record of the conversation and it also helps us monitor the accuracy, security and quality of the service we offer.

CCBTB does not collect any personal information from visitors browsing our website. We may use video surveillance in and around our premises for the safety of customers and employees, and protect against theft, vandalism and fraud.

#### **5. Limiting Use, Disclosure and Retention**

*CCBTO will not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or required by law. We will retain personal information only as long as necessary for the fulfillment of disclosed purposes and to meet regulatory requirements.*

The Branch will not use personal information for any purpose other than those for which it was collected and will retain personal information in accordance with criteria set forth in our internal policy.

To leverage support within the Bank and to meet processing and legal/regulatory requirements, information is shared within the Bank (including our Head Office in China and affiliates elsewhere) and with contractors and service providers as necessary for purposes described above. Through

contractual means, we require these parties to have privacy practices similar to ours. That notwithstanding, information may be stored, accessed or disclosed outside of Canada and subject to the laws of foreign jurisdictions.

Under the laws of these other jurisdictions, in certain circumstances, foreign courts, law enforcement agencies, or regulatory agencies may be entitled to access an individual's Personal Information without notice to the individual.

Please note that Personal Information may be released to Canadian or foreign law enforcement and regulatory authorities where it is required under Canadian law or when required to satisfy regulatory requirements.

CCBTO may act as an agent for other lenders in a syndicated transaction, and as a result may collect, use and disclose Personal Information on behalf of itself and the other lenders for the purposes of meeting regulatory (e.g., verifying identity) and contractual requirements. CCBTO may share all of the Personal Information it collects in connection with the foregoing with all of the lenders to the syndicated transaction.

CCBTO has policies in place that govern the retention of customer Personal Information and will retain only for as long as it fulfills the intended purposes or as legally required.

## **6. Accuracy**

*We will keep Personal information as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.*

The Branch will use commercially reasonable efforts to update the personal information it holds about an individual to prevent inaccurate personal information being used or disclosed, and to avoid making wrong or unfair decisions about the individual. Customers are encouraged to contact their banking Relationship Managers to update their personal information.

If a customer has questions about the accuracy of Personal Information collected by CCBTO, the customer may request access to the information to verify and update it.

## **7. Safeguards**

*CCBTO protects Personal information by employing security safeguards appropriate to the sensitivity of the personal information.*

The Branch takes responsibility to protect the security and privacy of Personal Information and takes reasonable measures to assure the reliability of the data it collects. CCBTO has physical, logical and procedural safeguards in place, including information and physical security policies to

protect personal information from loss, theft and unauthorized access, use, disclosure, copying, modification or disposal.

## 8. Openness

*CCBTO has adopted a privacy policy and prepared this Privacy Statement. Customers are welcome to enquire about our policies and practices relating to the management of personal information.*

The Branch will make readily available to customers specific information about its policies and procedures relating to the management of Personal Information up request. Customers can request specific information about CCBTO policies and procedures by contacting the Branch's Chief Privacy Officer at the email address at the end of this document.

## 9. Individual Access

*Upon request and subject to any regulatory and legal restrictions, CCBTO will inform an individual of the existence, use, and disclosure of his/her personal information. We will provide access to the personal information if requested and amend/update as appropriate where omission or error is found.*

Upon written request, an individual may review, verify, update or change their personal information or request access about the existence, use and disclosure of their personal information on file with CCBTO. There will be no fee for verifying or updating your personal information. However, there may be a reasonable nominal fee if you request copies of records. CCBTO will advise you of any fees in advance and obtain your acceptance of the charge before processing your request.

The Branch will respond to requests about personal information within 30 days unless meeting the time limit would unreasonably interfere with CCBTOs activities or is impracticable. If an extension is required, the Branch will notify the individual and explain the reasons for the extension and their rights under the privacy legislation, including the right to complain to the Privacy Commissioner.

There may be limited and specific circumstances when the Branch cannot allow an individual access to certain records, which may contain personal information about the individual. For example:

- The records may contain information about other individuals, or other parties to whom the Branch owes a duty of confidentiality under law and the information cannot be severed;
- The personal information may be subject to solicitor-client or litigation privilege;
- The personal information would reveal information that is the confidential commercial information of the Branch; and
- The personal information cannot be disclosed for legal or regulatory reasons.

If these circumstances are encountered, the reasons for withholding access will be explained to the individual along with the contact information for the Branch's Chief Privacy Officer who can answer the individual's questions concerning the refusal. The individual can challenge this refusal by using the complaint mechanisms outlined in Principle 10 below.

## 10. Challenging Compliance

*An individual may challenge CCBTO's compliance with privacy requirements and the above principles to the Branch's Chief Privacy Officer.*

CCBTO's Chief Privacy Officer is accountable for the Branch's compliance with privacy requirements and will investigate any concerns or complaints to recommend action and implement any appropriate corrective or remedial actions as applicable and warranted.

Privacy complaints and inquiries should be directed to the Chief Privacy Officer using the email address [TorontoCompliance@ca.ccb.com](mailto:TorontoCompliance@ca.ccb.com) or by mail to:

Chief Privacy Officer  
China Construction Bank Toronto Branch  
181 Bay Street, Suite 3650  
Toronto, Ontario, Canada  
M5J 2T3

The **Office of the Privacy Commissioner of Canada** investigates privacy issues under the *Personal Information Protection and Electronic Documents Act*. Individuals may, if their privacy complaints are not resolved to their satisfaction, address their concerns in writing to:

Office of the Privacy Commissioner of Canada  
30 Victoria Street, Gatineau, Quebec K1A 1H3  
1-800-282-1376 1-819-994-5444  
<https://priv.gc.ca>