

## 附件 2

# **Agricultural Bank of China Limited**

## **Privacy Policy (for Corporate Customers)**

**Issued on: [8,26], 2019**

**Effective on: [8,26], 2019**

### **Preamble**

Agricultural Bank of China Limited (registered at No. 69 Jian Guo Men Nei Street, Dongcheng District, Beijing, hereinafter “**we**”, “**us**” or “**our**”) fully understands the significance of personal information to you and to the data subjects (hereinafter “**you**” or “**your**” and “**data subjects**”), and will use our best efforts to protect the personal information of data subjects. We are committed to maintaining your trust in us and will adhere to the following principles to protect the personal information of data subjects: the principle of consistency of powers and responsibilities, the principle of clear purpose, the principle of informed consent, the principle of minimum necessity, the principle of ensuring security, the principle of subject participation, and the principle of openness and transparency. In addition, we undertake that we will adopt appropriate security measures to protect the personal information of data subjects in accordance with the mature safety standards in the industry.

This Privacy Policy (for Corporate Customers) is our general provisions on privacy that are applicable to all our products and services to legal person customers in a unified manner. With respect to the specific product (or service), we will explicitly inform you of the purposes, methods and scope of our collection and use of the personal information of data subjects through corresponding product (or service) agreement, authorization or other document, and ensure that your authorization or consent is obtained. Please circulate these documents and this Privacy Policy (for Corporate Customers) and ensure that the authorization or consent of data subjects is

obtained. Such documents, together with this Privacy Policy (for Corporate Customers), constitute the entire privacy policy governing our products and services to legal person customers. In case of any inconsistency between these documents and this Privacy Policy (for Corporate Customers), the corresponding product (or service) agreement or authorization shall prevail.

The “data subjects” referred to herein includes not only individuals operating or conducting business on behalf of legal person customers, such as operating personnel and traders, but also individuals who are related to but do not directly participate in the operation or conducting of business for legal person customers, such as directors, supervisors, senior officers, controlling shareholders or actual controllers of a corporate customer, and legal representative or person-in-charge of a corporate customer or a legal person customer of any other type.

**Both you and the data subjects shall carefully read this Privacy Policy and make sure that you and the data subjects have fully known and understood the meaning of this Privacy Policy (in particular those sections in bold) and the corresponding legal consequences. This Privacy Policy is drafted in Chinese and English; if the Chinese version and the English version are inconsistent, the Chinese version shall prevail.**

## **Overview**

This Privacy Policy will help you understand the followings:

- 1 How we collect and use the personal information of data subjects
- 2 How we use Cookie and the like
- 3 How we store and protect the personal information of data subjects
- 4 How we provide the personal information of data subjects to external parties
- 5 How data subjects access and manage their personal information
- 6 How we process personal information of minors
- 7 How we update this Privacy Policy
- 8 How to contact us

## **A. How we collect and use the personal information of data subjects**

“**Personal information**” means all information recorded electronically or otherwise that can be used to identify a natural person or reflect his/her activities, whether on its own or in combination with other information, including name, date of birth, ID number, personal biometric information, contact details, address, account information and financial conditions. **Sensitive personal information includes but is not limited to ID number, credit information, property information and biometric information.**

### **I. Purposes of our collection of personal information**

We collect the personal information of data subjects with the aim of providing you with quality products (or services) in accordance with laws and regulations, as such personal information is based on the relevant legal obligations we are required to perform and is necessary for the performance of the contract between you and us. Specifically, our purposes may include:

1. To identify and validate the identity of you and the data subjects, so as to review and approve, manage, process, execute or realize the transactions requested or authorized by you and the data subjects, in order to provide you with products or services or to conduct business for you.

You authorize us to continuously collect and use the information of data subjects during our provision of financial services to you. Once your services are canceled, we will cease to collect the personal information of data subjects, but continue to use the personal information of data subjects previously collected for business materials filing, audit, assistance with regulators in investigation and other purposes;

2. To perform our responsibility for compliance, including to satisfy the regulatory compliance, tax compliance and other mandatory regulatory requirements;
3. To report to the relevant authorities in accordance with the domestic and international laws and regulations or regulatory requirements (including but not limited to on money laundering, financing of terrorism, bribery, corruption, tax evasion and fraud);
4. To conduct credit investigation, and to verify, access or provide credit information;

5. To invite you to participate in customer survey in relation to our products or services.

**We may use the personal information of data subjects collected by us to send notice of marketing events, commercial electronic information and advertisement to you and the data subjects. If you and the data subjects do not wish to receive such information, you and the data subjects may unsubscribe such information sent by us through various channels by following our instructions for unsubscription.**

**If we intend to use the personal information of data subjects for other purposes not specified in this Privacy Policy, we will seek your additional consent before such use in accordance with laws, regulations and national standards.**

## II. Methods of our collection of personal information

1. We collect the personal information voluntarily provided to us by you during our provision of financial services to you;
2. We collect the personal information generated during our provision of financial services to you which are related to such services;
3. Subject to your authorization or consent, we collect the personal information necessary for our provision of services from individuals, legal persons and other organizations that lawfully possess the relevant personal information, for example:

Collect personal credit information and activity information of data subjects from credit agencies, credit management companies, credit rating agencies and similar agencies permitted by laws and regulatory authorities;

Collect the necessary personal information in connection with services from government authorities, judicial authorities and public institutions (for example, the People's Bank of China, the Ministry of Public Security and the National Internet Finance Association of China), such as personal information that may be involved in your registration information, industrial and commercial information, tax information and litigation information.

## III. Personal information collected by us

The personal information we collect may include information in hard copy, electronic form (including but not limited to information collected through our ATMs, web portal, corporate financial service platforms (including e-bank and mobile bank), customer service center and other APPs, e-mails, SMS, telephone bank and other channels) or otherwise.

**We will collect certain types of the personal information below, depending on the needs for the specific product or service. We may be unable to provide the services you request or to perform our obligations owed to you, if you fail to provide such necessary personal information as informed by us:**

- 1. Personal identity information, including name and type, number and validity term of identity certificate or document;**
- 2. Personal biometric information, such as signature, handwriting, likeness and fingerprint;**
- 3. Other personal information obtained and stored in establishing and maintaining business or other relationship with individuals, such as the time of service use, the information on location (including both geographic location and IP address) collected for indicating nearby branches or collecting distribution statistics of our users, log of visit, use, clicking and operation of URL/software/application, audio and video recording, call history, telephone conversation, device identifier, device identification code, hardware model, hardware serial number and operating system version.**

**If you provide the personal information of data subjects to us or request us to share the personal information of data subjects with third parties, you shall confirm that the relevant data subjects understand and agree with our use of their personal information.**

#### **IV. Exceptions to our collection and use of personal information of data subjects with consent**

**In accordance with relevant laws and regulations and national standards, we may collect and use the personal information of data subjects without your consent under the following exceptional circumstances:**

1. **National or public security, major public interest or otherwise is directly involved;**
2. **Criminal investigation, prosecution, trial, enforcement or otherwise is directly involved;**
3. **Such collection and use are for the purpose of protecting the life, property or other major lawful rights and interests of data subjects or others, and it is difficult to obtain the consent from you and the data subjects;**
4. **The personal information collected by us is disclosed voluntarily by the personal information data subject to the public;**
5. **The personal information is collected from information disclosed through lawful channels, such as lawful news reports and information disclosure by government;**
6. **Such collection and use are under other circumstances provided for by laws and regulations.**

## **B. How we use Cookie and the like**

### **I. Cookie**

In order to ensure the normal operation of the websites, we will store small data files named Cookie on your computers or mobile devices, which usually contains identifiers, site name and certain numbers and characters. Cookies enable the website to verify the information input by customers (e.g., verification code sent to cellphone), to avoid sending information repeatedly to customers (e.g., verification code), and to analyze the number of visitors and the general usage of the website. You may manage or delete Cookies based on your preference. You may remove all the Cookies stored on your computer, and most web browsers have the function of blocking Cookies. However, if you choose to do so, you need to modify your settings each time you visit our websites. The “Help” section in the toolbar of most web browsers will introduce how to prevent your web browsers from accepting new Cookies, how to have your browser notify you when you receive a new Cookie, or how to disable Cookies altogether. In addition, you may deactivate or delete the similar data used by browser add-ons (e.g., Flash Cookie) by modifying the settings of browser add-ons or by accessing the provider’s webpage. **However, under certain circumstances, such acts may affect your secured access to our websites and use of our services.**

## II. Web beacons and pixel tags

In addition to Cookies, we will adopt web beacons, pixel tags and other similar technologies to our websites. For example, our emails to you may contain the URL linking to our website contents. If you click such URL, we will track your click to better understand your preferences for products or services so as to improve our customer services. Generally, web beacons are transparent images embedded in websites or emails. The pixel tags in an email will enable us to learn whether such email is read. You may unsubscribe at any time if you prefer not to be tracked in this way.

## III. Do Not Track

A number of web browsers have the function of Do Not Track, which can send the Do Not Track request to websites. Currently, major organizations developing Internet standards have not yet established relevant policies to specify how websites shall respond to such requests. However, if you enable Do Not Track on your browser, we will respect your choice in terms of all our websites.

## C. How we store and protect the personal information of data subjects

### I. Our storage of the personal information of data subjects

The personal information we collect and generate within the People's Republic of China will be stored therein. **However, subject to your authorization or consent, the personal information of data subjects may be transferred outside the People's Republic of China for the purpose of processing cross-border business, in which case we will comply with the relevant laws, regulations and regulatory rules and take effective measures to protect such personal information.**

We will limit the maximum retention periods of personal information of data subjects and of relevant logs to the extent required by laws and regulations and as necessary for the purpose of this Privacy Policy only.

### II. Security measures we adopt to protect the personal information of data subjects

We have adopted security measures in compliance with the industry standards to protect the personal information provided by data subjects, and to prevent your data

from unauthorized access, public disclosure, use, modification, damage or loss. For example, we will use encryption techniques to ensure the confidentiality of the data, use trusted protection mechanism to protect the data from malicious attacks, deploy access control mechanism to ensure the personal information is accessible only to authorized personnel, and hold training sessions on security and privacy protection to enhance our employees' awareness of the importance of personal information protection.

We will use our best endeavors to ensure the security of your personal information. **Meanwhile, please properly keep the account login name, identity information and other identification elements (including password and USB-KEY certificate) of you and data subjects. We will identify the data subject with the login name and other identification elements of you and the data subject when you use our services. You and data subjects may suffer from losses and adverse legal consequences in the case of leakage of such information. If you and data subjects become aware that the account login name and/or other identification elements might be or have been leaked, please contact us immediately so that we may take corresponding measures in a timely manner to avoid or mitigate the relevant losses.**

In the case of any personal information security incident, we will take effective remedial measures in accordance with the laws and regulations. We will notify you **or the data subject** of such incident through email, correspondence, telephone and/or push notification in a timely manner. If it is difficult to notify every data subject, we will publish announcement in a reasonable and effective manner. In addition, we will proactively report the handling of personal information security incident according to the requirements of regulatory authorities.

#### **D. How we provide the personal information of data subjects to external parties**

##### **I. Sharing**

We will not share the personal information of data subjects with other companies, organizations or individuals, except under the following circumstances:

1. Sharing with authorization or consent: We will share such information with other parties with your authorization or consent;



2. We may share such information in accordance with laws, regulations or regulatory rules; and
3. We will share some of such information with other authorized partners such as the following persons for the purpose of this Privacy Policy, for example, with the payee, beneficiary, broker, correspondent bank, securities exchange or securities company acting on your behalf, with other financial institutions, industry associations, bank card associations, credit rating agencies, credit investigation agencies or information service providers, or with third-party debt collector or non-performing asset transferee where there is overdue loan under your account opened with third-party asset management company providing asset management services to you or where the business under your account opened with us is disposed by us as non-performing assets.

**We will only share the personal information of data subjects for lawful, proper, necessary and specific purposes. We will conclude confidentiality agreement with stringent terms with the companies, organizations and individuals with whom we share personal information to require them to treat such information in accordance with our instruction, this Privacy Policy and other relevant confidentiality and security measures.**

## II. Transfer

We will not transfer the personal information of data subjects to other companies, organizations or individuals, unless under the following circumstances:

1. **We have obtained your authorization or consent;**
2. **It is required by laws, regulations, or mandatory administrative or judicial requirements; and**
3. **The transfer of personal information is involved in an asset transfer, acquisition or merger, and we have notified you of it and required the new company or organization in possession of such information to continue to be bound by this Privacy Policy. If the purpose of use of the personal information is changed, we will require such company or organization to obtain your new consent.**

## III. Public disclosure

We will disclose the personal information of data subjects to the public only under the following circumstances:

1. We have obtained your authorization or consent; and
2. We may disclose such information to the public in accordance with laws, regulations or regulatory rules.

#### **E. How data subjects access and manage their personal information**

In accordance with the relevant laws, regulations and regulatory rules of China, we guarantee that data subjects may exercise the following rights with respect to their personal information:

##### **I. Access their personal information**

Except as otherwise provided for in laws or regulations, data subjects have the right to access their personal information at our branches.

##### **II. Correct their personal information**

In the event that data subjects become aware of any incorrect input of their personal information, they have the right to request us to make correction at our branches or through online banking.

##### **III. Delete their personal information**

Data subjects may request us to delete their personal information at our branches under any of the following circumstances:

1. Our processing of personal information violates laws and regulations;
2. Our processing of personal information is in breach of our agreement with you.

##### **IV. Refuse our commercial advertisements**

Data subjects have the right to refuse or unsubscribe notice of marketing events, commercial electronic information and advertisement that we send based on their personal information by following our instructions.

##### **V. Respond to the requests from data subjects**

We will reply or respond to such requests from data subjects within thirty days. For

the purpose of security, data subjects may be required to submit their written requests through you, and you may be required to go through our verifications of your identity or authorization. Please understand that we may refuse certain requests that are submitted repeatedly in an unreasonable manner, in need of excessive technical means, at the risk of others' legitimate rights and interests, or excessively unrealistic.

**According to the relevant laws, regulations or regulatory rules, we will not be able to respond to the request of data subjects under the following circumstances:**

- 1 . National or public security, or major public interest is involved;**
- 2 . Criminal investigation, prosecution, trial, enforcement or otherwise is involved;**
- 3 . It could be proven with sufficient evidence that the data subject has malicious intentions or abuses his/her rights;**
- 4 . Our response to such request will result in our violation of relevant laws, regulations or regulatory rules;**
- 5 . Our response to such request will result in severe damage of legitimate rights and interests of you or other individuals or organizations;**
- 6 . Our trade secret is involved.**

#### **F. How we process personal information of minors**

Our products, websites and services to legal persons are mainly targeted at enterprises and institutions, and minors are not allowed to open any account for legal person with us. If it is found that the personal information of a minor has been collected in any business for legal persons without proof of parental consent, we will endeavor to delete the relevant information as soon as possible. Any person who is under the age of 16 (or the equivalent minimum age depending on the jurisdiction) is deemed as a minor by us.

#### **G. How we update this Policy**

In line with the changes of laws and regulations in China and the needs of our service operation, we will amend this Privacy Policy and the related rules from time to time.

The documents as amended will supersede all prior documents and take effect immediately after their publication through our corporate financial service platforms or other channels. You are required to pay attention from time to time to the changes of relevant contents in relevant announcements, notices, agreements and rules.

For material changes, we will provide additional notifications in a more prominent manner (including through notifications pushed by APP and sent by email/SMS).

**The “material changes” referred to herein include but is not limited to:**

- 1. Material change in our service modes, such as the purpose of processing personal information, the type of personal information we process and the way in which we use personal information;**
- 2. Change of the main subjects to which the sharing, transfer or disclosure of personal information is made;**
- 3. Material change of your rights relating to your participation of personal information processing or the way in which such rights may be exercised; and**
- 4. Change of our department responsible for the security of personal information processing or of its contact information or complaint channel.**

**You acknowledge and confirm that if you and the data subjects disagree with the updated documents, you and the data subjects will immediately cease the use of corresponding services and close the relevant accounts, and we will cease to collect the personal information of data subjects, and that you and the data subjects will be deemed to have accepted such updated documents if you continue to use the services. You are advised to inform us promptly whenever your contact information changes, so that you may receive our notifications in a timely manner.**

#### **H. How to contact us**

If you have any questions, comments or suggestions with respect to this Privacy Policy, please contact us via the following contact information:

Email: 95599@abchina.com

Customer service hotline: 95599

Normally, we will reply to your questions, comments or suggestions within thirty days upon receipt.

If you are dissatisfied with our reply, especially if our processing of personal information damages your lawful rights and interests, you also have the right to file a complaint to the organizations protecting consumers' rights and interests or to other authorities.