

# Bank of America 美国银行

Global Banking and Global Markets Privacy Notice – Mainland China  
全球银行业务和市场部 隐私通知 - 中国

Last updated Jan 2024  
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## Global Banking and Global Markets Privacy Notice – Mainland China

This **Privacy Notice** explains how Bank of America Corporation branches, affiliates and subsidiaries established in China, listed in Appendix 1, (each a “**BofA China Entity**” “**we**” or “**us**”), collect, use and disclose personal data online and offline in connection with the services we provide to our corporate and institutional clients (“**Clients**”) (such services hereinafter referred as “**Services**”). We refer to Clients and/or the individuals whose Personal Data (as defined below) we process (“**Data Subjects**”), such as individuals who work for or are otherwise engaged by, or interact with, Clients, their affiliates or other third parties in connection with the Services, including Client’s legal representative, shareholders, directors and personnel, as “**you**” in this Privacy Notice (“**Privacy Notice**” or “**Notice**”). This Notice also explains how we collect, store, use, process, transmit, share, disclose and protect personal data from registrants for events that we host. See relevant sections on event management and execution.

This Privacy Notice is in addition to other privacy notices related to other services BofA China Entities provide to Clients and individuals. Where this Privacy Notice is translated into Chinese, conflicts between the English version and the Chinese version will be resolved in favor of the Chinese version.

### PERSONAL DATA

BofA China Entity collects Personal Data that is directly relevant to its business, required to meet its legal obligations, or that is otherwise permissible to collect under applicable laws and regulations. Listed in Appendix 2 of this Notice are the scenarios where we collect Personal Data and the specific categories of Personal Data that we collect in such scenarios, and in Appendix 3 of this Notice are the purposes for which we use the data that we collect, except where restricted by applicable law. In the course of providing certain Services, we receive Personal Data from you,

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本**隐私通知**解释了美国银行(Bank of America Corporation)列于附录1的中国分行、附属机构和子公司(各称为“**美国银行中国实体**”或“**我们**”)如何就我们向企业和机构客户(“**客户**”)提供的服务(“**服务**”)而在线上 and 线下收集、使用和披露个人信息。在本隐私通知(“**隐私通知**”或“**通知**”)中,我们将客户及/或个人信息(定义见下文)由我们处理的个人(“**数据主体**”)称为“**您**”,例如为客户、其附属机构或与服务相关的其他第三方工作、受其雇佣或与其互动的个人,包括客户的法定代表人、股东、董事和员工。本通知还解释了我们如何收集、存储、使用、加工、传输、共享、披露和保护我们举办的活动的注册人的个人信息。请参见活动管理和执行的相关部分。

本隐私通知是对美国银行中国实体向客户和个人提供的其它服务有关的其他隐私通知的补充。如果本隐私通知被翻译为中文,且英文版本和中文版本之间有任何冲突,概以中文版本为准。

### 个人信息

美国银行中国实体收集与其业务直接相关的个人信息、履行其法定义务所需的个人信息或其他适用的法律法规允许收集的个人信息。本通知的附录2中列出了我们收集个人信息的场景以及该等场景中我们收集的具体个人信息的类别,本通知的附录3中列出了我们对收集资料的使用目的,受适用法律限制的情况除外。在提供某些服务的过程中,我们从您、第三方、您的客户代表或公共来源获得个人信息。

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third parties, your client representatives, or from public sources.

We collect, store, use, process, transmit, share and disclose Personal Data based on the following legal grounds: (i) where it is necessary for us to perform our statutory obligations, (ii) where it is necessary for us to protect the life, health and property safety of you or other persons, (iii) where we process within a reasonable scope the Personal Data that is publicly disclosed in accordance with the law, (iv) where necessary, with the explicit (and where applicable, written or separate) consent or authorization of the individual or the guardian of such individual (as the case may be) about whom we process Personal Data, or on other grounds permitted by law.

If we do not receive the information that we request, we may not be able to provide the requested Services.

Unless otherwise indicated, subject to applicable laws, it is mandatory for BofA China Entity to collect, use, store, transmit, transfer, share, disclose and otherwise process Personal Data to achieve the purposes listed in Appendix 3.

**Client must ensure that relevant Data Subjects are provided with a copy of or a link to this Notice, notified by Client of the scope of and purposes for which we will collect and process their Personal Data and how it will be collected and processed as described in this Notice and are notified of any subsequent updates to this Notice which may be issued from time to time. Whenever Client or Client's corporate representative provide us with Personal Data about a Data Subject, Client warrants that it has notified the relevant Data Subjects and obtained any necessary consents (including, where required under applicable law, separate or written consent as well as any renewed consents where required following an update to this Notice) or is otherwise entitled to provide this information to us and for it to be processed by us as described in this Notice and that, to the best of Client's knowledge,**

我们基于以下合法性基础收集、存储、使用、加工、传输、共享和披露个人信息：(i) 为履行法定职责或者法定义务所必需；(ii) 为保护您或其他人的生命健康和财产安全所必需；(iii) 在合理的范围内处理已合法公开的个人信息；或(iv) 必要时，征得我们所处理的个人信息所涉及的个人或者其监护人(视情况而定)的明确同意或授权(并且在适用的情况下，该等同意或者授权应当为书面及单独的)，或具有法律允许的其他合法性基础。

如果我们未收到我们所要求提供的信息，我们可能无法提供所请求的服务。

除非另有说明，否则根据适用法律，美国银行中国实体必须收集、使用、存储、传输、传送、共享、披露和以其他方式处理个人信息，以实现附录3中列出的目的。

客户必须确保向相关数据主体提供本通知的复印件或链接，向其告知我们将收集并处理其个人信息的范围和目的以及本通知所述的收集并处理其个人信息的方式，并向其告知我们可能不时发出的关于本通知的任何后续更新。无论何时客户或客户的公司代表向我们提供关于数据主体的个人信息，客户保证其已通知相关数据主体并取得任何必要的同意(包括根据适用法律的要求所取得的单独或书面同意，以及在本通知更新后所要求的任何更新的同意)，或通过其他方式使得客户有权向我们提供该等信息并由我们根据本通知所述的内容对该等信息进行处理，且据客户所知，个人信息是正确的且最新的。客户有责任确保提供给我们的个人信息是准确的，并在发生任何变更时通知我们。如果相关数据主体的同意是不真实或具有误导性的，或者如果客户未能通知相关数据主体并获

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the Personal Data is correct and current. It is Client's responsibility to ensure that the Personal Data provided to us is accurate and to inform us of any change. If the consents of relevant Data Subjects are unauthentic or misleading, or if Clients fail to notify the relevant Data Subject and obtain any necessary renewed consents, Clients shall be liable for any claim, prosecution, compensation demand or similar complaint raised by any third party (including any Data Subject) against BofA China entities, including without limitation any legal fees and litigation costs incurred by BofA China entities.

#### Collection, Storage, Use, Processing, Transmission, Sharing and Disclosure of Personal Data

We and our agents, affiliates and service providers collect Personal Data in a variety of ways, including:

- Through the Services: We may collect Personal Data through providing the Services.
- Other than through the Services: We may collect Personal Data about you other than through the Services, such as when you meet us ahead of transactions, request pitches or proposals from us, or participate in a transaction or contractual arrangement, are referred to in a working party list provided by you or third parties, or in information obtained from deal-related data rooms.
- From Other Sources: We may receive Personal Data from other sources, such as public databases, employers, the entity we provide the Services to and from other third parties.
- Event management and execution: You provide Personal Data through the event registration process.

Keeping Personal Data secure is one of our most important responsibilities. We maintain physical, technical, electronic, procedural and organisational safeguards and security measures to protect personal data against accidental, unlawful, or unauthorised destruction, loss, alteration, disclosure, or access, regardless of where it is processed. Appropriate

得任何必要的更新同意，客户应对任何第三方(包括任何数据主体)针对美国银行中国实体提出的任何权利主张、起诉、赔偿要求或类似投诉承担责任，包括但不限于美国银行中国实体发生的任何法律服务费用和诉讼费用。

#### 个人信息的收集、存储、使用、加工、传输、共享和披露

我们和我们的代理、附属机构和服务提供商以各种方式收集个人信息，包括：

- 通过服务：我们可能通过提供服务收集个人信息。
- 服务以外的方式：我们可能通过服务以外的方式收集有关您的个人信息，例如您在交易之前与我们会面、请求我们投标或提案或参与交易或合同安排、您或第三方提供的工作组名单或交易相关数据室获得的信息中提到您时。
- 其他来源：我们可能会从其他来源获得个人信息，例如公共数据库、雇主、我们向其提供服务的实体或其他第三方。
- 活动管理和执行：您在活动注册流程中提供个人信息。

保护个人信息的安全是我们最重要的职责之一。我们实施物理、技术、电子、程序和组织保障措施及安全措施，以保护个人信息免遭意外、非法或未获授权的破坏、丢失、更改、披露或查阅，无论相关信息在何处被处理。适当的员工被授权为合法和指定业务之目的查阅个人信息。我们的

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employees are authorised to access personal data for legitimate and specified business purposes. Our employees are bound by a code of ethics and other internal policies that require confidential treatment of personal data and are subject to disciplinary action if they fail to follow such requirements.

To the extent permitted by applicable local law and as appropriate to achieve the purposes described in this Notice, Personal Data may be used or disclosed as described in Appendix 3.

BofA China Entity may also use and disclose Personal Data as we believe to be necessary or appropriate after, if required and where applicable, approval from the competent Chinese authorities has been obtained: (a) to comply with applicable law including treaties or agreements with or between foreign or domestic governments (including in relation to tax reporting laws), which may include laws outside the country/territory you are located in, to respond to requests from public and government authorities, which may include authorities outside your country/territory, to cooperate with law enforcement, governmental, regulatory, securities exchange or other similar agencies or authorities including tax authorities to which we or our affiliates are subject or submit, in each case of any country/territory worldwide, or for other legal reasons, who may transfer the Personal Data to equivalent agencies or authorities in other countries/territories; (b) to central banks, regulators, trade data repositories, or approved reporting mechanisms which may be outside your country/territory; (c) to courts, litigation counterparties and others, pursuant to subpoena or other court order or process or otherwise as reasonably necessary, including in the context of litigation, arbitration and similar proceedings to enforce our terms and conditions, and as reasonably necessary to prepare for or conduct any litigation, arbitration and/or similar proceedings; and (d) to protect our rights, privacy, safety or property, and/or

员工受道德准则及其他内部政策约束，要求对个人信息保密，若未能遵守该等要求，则员工将会受到纪律处分。

在当地适用法律所允许且为实现本通知中所述目的的适当范围内，可按附录3中所述的方式使用或披露个人信息。

美国银行中国实体也可能(如果需要且在适用的情况下)在获得中国主管机关的批准之后，在我们认为必要或适当的情况下使用和披露个人信息：(a)为遵守适用的法律，包括与外国或国内政府签订或外国或国内政府之间签订的条约或协议(包括与税务申报法律相关)，其中可能包括您所在国家/地区以外的法律，以回应公共和政府机关的要求(该等公共和政府机关可能处于您所在国家/地区以外)，以与执法、政府、监管、证券交易所或其他类似机构或机关(包括我们或我们的附属机构缴税或纳税的税务机关)合作，在各情况下均涵盖全球任何一个国家/地区，或出于其他法律原因，此等机关可能将个人信息传输至其他国家/地区的同等机构或机关；(b)向可能位于您所在国家/地区之外的中央银行、监管机构、交易数据库或经批准的报告机制披露；(c)根据传票或其他法院命令或程序或在合理需要的其他情况下向法院、诉讼对手方及其他人披露，包括在为执行我们的条款和条件而采取的诉讼、仲裁和类似程序中作出的披露，以及在准备或进行任何诉讼、仲裁及/或类似程序过程中作出合理必要的披露；(d)为保护我们及/或我们的附属机构、您或其他人的权利、隐私、安全或财产。

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that of our affiliates, you or others.

In addition, we may transfer Personal Data to a third party or to third parties in the event of merger, division, dissolution or declaration of bankruptcy, or local incorporation of local bank. In the aforesaid circumstances, where permitted by applicable laws and regulations, we will send you appropriate notice to you to inform you of the name and contact information of the recipient and ensure that your personal data will be protected in a way that is consistent with this Notice. In case the recipient changes the purpose and method of processing, we will require the relevant data recipient to obtain your separate consent.

## Sensitive Personal Information

There may be instances in which the Personal Data that you provide to us or that we collect is considered sensitive personal information under applicable laws (e.g. information of biometrics, specific identity or financial accounts). We process sensitive personal information if and to the extent permitted or required by applicable law (e.g. so that we can fulfil our verification obligations during onboarding of our services). We will seek to protect such information using strict security measures further described below and hence, Data Subjects' sensitive personal information should only be processed in accordance with the applicable laws. Please refer to Appendix 2 for the scope of sensitive personal information we collect and the details of how we process it.

**Please note that Personal Data we collect in order to meet our legal and regulatory obligations related to the prevention of money laundering and terrorist financing is processed only for those purposes, unless otherwise permitted or agreed.**

## ONLINE INFORMATION

**How do we collect personal information online through cookies and similar tracking technologies?**

We collect information about you through your

此外，我们可能在发生合并、分立、解散、被宣告破产或设立本地注册的银行的情况下向一个或多个第三方传输个人信息。在前述情况下，根据适用法律法规，我们会向您发送适当的通知以告知您接收方的名称和联系方式，并确保您的个人信息将以符合本通知的方式进行保护。如果接收方变更处理目的和方式的，我们将要求相关数据接收方获得您的单独同意。

## 敏感个人信息

在某些情况下，您向我们提供的或我们收集的个人信息根据适用法律被视为敏感个人信息(例如生物识别信息、特定身份信息或金融账户信息)。我们会在适用法律允许或要求的范围内处理敏感个人信息(例如，以便我们能够在服务上线期间内履行验证义务)。我们将使用下文进一步描述的严格安全措施保护该等信息，因此，数据主体的敏感个人信息仅应根据适用法律进行处理。请参阅附录2了解我们收集敏感个人信息的范围以及我们处理这些信息的详情。

**请注意，除非另行允许或同意，我们为履行与防止洗钱和恐怖主义融资有关的法律和监管义务而收集的个人信息仅出于此等目的而处理。**

## 网络信息

**我们如何通过cookie和类似的跟踪技术在线收集个人信息？**

我们使用cookie和类似跟踪技术，通过您的计算

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computer, smartphone, tablet or other mobile device by the use of cookies and similar tracking technologies.

The type of information we collect from and about you online will depend on how you interact with us and may include: (not all of these may apply to your environment)

- Unique device identifiers (for example, Media Access Control (MAC) and Internet Protocol (IP) addresses);
- Browser type, version, language, and display/screen settings;
- Information about how you use and interact with our sites and mobile apps (for example, page visited or links clicked);
- Survey responses and similar information which reveals views and preferences, but which does not reveal a person's specific identity;
- Responses to advertisements on the sites and mobile apps where we advertise;
- Log information such as your search and voice to text queries in the mobile app;
- Search engine referrals; and
- **Geolocation information** (being sensitive personal information)

#### How do we use the information collected online?

We collect this information through cookies and other tracking technologies for the following reasons:

- Because it is necessary to ensure the site works as intended, such as performing authentication within a secured site. Without this information, some services you have asked for cannot be provided; for example, without cookies or similar tracking technology, you will not be able to access a secured area within this site that requires authentication to assist in detecting and preventing fraud, identity theft and other risks to you or Bank of America.

机、智能手机、平板电脑或其他移动设备收集有关您的信息。

我们在线收集的关于您的信息类型将取决于您与我们互动方式，可能包括：(并非所有这些方式都可能适用于您的情况)

- 唯一的设备标识符(例如，媒体访问控制(MAC)和互联网协议(IP)地址)；
- 浏览器类型、版本、语言和显示/屏幕设置；
- 关于您如何使用我们的网站和移动应用程序并与其互动的信息(例如，访问的页面或点击的链接)；
- 显示观点和偏好但未显示个人特定身份的调查回复和类似信息；
- 对我们投放广告的网站和移动应用程序上的广告的反应；
- 记录信息，如您在移动应用程序中的搜索和语音转文本查询；
- 搜索引擎推荐；及
- **地理位置信息**(属于敏感个人信息)。

#### 我们如何使用在线收集的信息？

我们基于以下原因通过cookie 和其他跟踪技术收集信息：

- 因为有必要确保站点按预期运行，例如在受保护的站点内进行身份验证。如果没有这些信息，您要求的某些服务将无法提供；例如，如果没有cookie或类似的跟踪技术，您将无法访问本网站内需要身份验证以协助检测和防止欺诈、身份盗用和您或美国银行面临的其他风险的安全区域。
- 记住您所做的选择(例如您的用户名、语言或地区)并提供性能更强的、更个性化的功

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- To remember choices you make (such as your user name, language or region) and provide enhanced, more personal features. These cookies can be used to remember changes you have made to text size, fonts and other parts of web pages that you may have customized. They may also be used to provide services you have asked for such as watching a video or commenting on a blog.
- To improve how a website works and includes collecting information about how visitors use a website, for instance which pages visitors go to most often, or if they get error messages from web pages. This information can also be used to make collective inferences based on choices and browsing behavior for marketing and advertising research.
- To deliver advertisements that may be relevant to you and your interests. These are also used to limit the number of times you see an advertisement as well as help measure the effectiveness of the advertising campaign. These are usually placed by advertising networks with the website operator's permission. These remember that you have visited a website and this information may be shared with other organizations such as advertisers.
- To provide you with information you request such as the location of an office nearest to your location.

## Uses and Disclosures of Other Non-personal Information

We may use and disclose other non-personal information for any purpose, except where we are required to do otherwise under applicable laws and regulations. In some instances, we may combine other non-personal information with Personal Data. If we do, we will treat the combined information as Personal Data as long as it is combined.

能。这些cookies 可用于记住您对文本大小、字体和您可能自定义的网页其他部分所做的更改。它们还可用于提供您要求的服务，例如观看视频或在博客上发表评论。

- 改进网站的运行方式，包括收集有关访问者如何使用网站的信息，例如访问者最常访问哪些页面，或者他们是否收到网页的错误消息。此信息还可用于根据选择和浏览行为进行的总体推断，以营销和广告研究为目的。
- 投放可能与您和您的兴趣相关的广告。这些还用于限制您看到广告的次数并帮助衡量广告活动的效果。这些广告通常由广告网络在网站运营商的许可下投放。这些广告会记录您访问过某个网站，并且这些信息可能会被分享给与其他组织(例如广告商)。
- 向您提供您要求的信息，例如离您所在地最近的办事处的位置。

## 其他非个人信息的使用和披露

除适用法律法规另有规定外，我们可出于任何目的的使用和披露其他信息。在某些情况下，我们可能会将其他非个人信息与个人信息合并。如果我们这样做，我们会将合并之后的信息视为个人信息。

有关Cookie和跟踪技术的更多详细信息，包括如何管理cookie，请参阅我们的[Cookie政策](#)。

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See our [Cookie Policy](#) for additional details about cookies and tracking technologies including how you can manage cookies.

### THIRD PARTY SERVICES

This Privacy Notice does not comment or provide advice on, and we are not responsible for, the privacy information or other practices of any third parties, including any third party operating any website or service to which the Services link. The inclusion of a link on the Services does not imply endorsement of the linked site or service by us or by our affiliates.

### SECURITY

We seek to use reasonable organizational, technical and administrative measures to protect Personal Data within our organization. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us in accordance with the “Contacting Us” section below.

### CHOICES AND ACCESS

#### Receiving electronic communications from us

If you no longer want to receive marketing-related emails from us on a going-forward basis, you may opt-out by following the instructions in the relevant electronic communication.

We will try to comply with your request(s) as soon as reasonably practicable. Please note that if you opt-out of receiving marketing-related emails from us, we may still send you important administrative and Service or transaction-related messages, which you cannot opt out of.

#### How individuals can access, copy, change or suppress their Personal Data

Data Subjects may have certain rights under local data protection laws, including (but not limited to): the right to request access to their personal data or the right to object to, withdraw consent or authorization

### 第三方服务

本隐私通知并不针对任何第三方(包括运营本服务所链接之任何网站或服务的任何第三方)的隐私信息或其他实务发表评论或提供建议, 我们也不对此承担任何责任。在服务中加入链接并不意味着我们或我们的附属机构认可链接的网站或服务。

### 安全

我们致力于采取合理的组织、技术和管理措施以保护本组织内部的个人信息。遗憾的是, 任何数据传输或存储系统都无法保证100%的安全。如果您有理由认为您与我们的互动不再安全, 请立即按照下文“联系我们”章节通知我们。

### 选择和访问

#### 接收我们的电子通讯

如果您不想再收到我们的营销相关电子邮件, 您可以按照相关电子通讯中的说明退订。

我们会在合理可行的范围内尽快满足您的请求。请注意, 如果您选择不接收我们发送的营销相关电子邮件, 我们仍可能会向您发送重要的管理和服务或交易相关消息, 该等信息您无法选择退订。

#### 个人如何查阅、复制、更改或禁止处理其个人信息

根据当地数据保护法律, 数据主体可能享有某些权利, 包括(但不限于): 根据本通知所述请求查阅其个人信息的权利或反对、撤销同意或授权、



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to, restrict, or request discontinuance of collection, use, disclosure, and other processing of their personal data as described in this Notice. If a Data Subject would like to request to review, copy, correct, update, suppress, restrict or delete Personal Data that Client or the Data Subject has previously provided to us, if the Data Subject would like to request to receive an electronic copy of their Personal Data (to the extent this right to data portability is provided to the Data Subject by applicable law), or the Data Subject would like to request that we explain the rules under which we process their Personal Data, the Data Subject (or Client on their behalf with evidence of authority to do so) may contact us by emailing: [individualrightsrequests@bofa.com](mailto:individualrightsrequests@bofa.com). We will respond to your request consistent with applicable law.

In any request, please make clear what Personal Data the Data Subject would like to review, copy or have changed, whether the Data Subject would like to have the Personal Data suppressed from our database or otherwise let us know what limitations the Data Subject would like to put on our use of the Personal Data. For each Data Subject's protection, we may only implement requests with respect to the Personal Data associated with the particular email address that you use to send us your request, and we may need to verify your identity before implementing your request. We will try to comply with any request as soon as reasonably practicable.

Unless you withdraw the consent given to us for processing your Personal Data as described in this Notice in writing (directly or via the relevant Client), that consent shall continue to be effective and legally binding. Withdrawal of a consent shall not affect the lawfulness of any processing up to that point.

Please note that we may need to retain certain information for recordkeeping purposes and/or to complete any transactions that Client began prior to a Data Subject requesting a change or deletion to the extent permitted and/or required by applicable laws

限制或请求中止收集、使用、披露和以其他方式处理其个人信息的权利。如果数据主体要求查阅、复制、更正、更新、禁止处理、限制或删除客户或数据主体之前向我们提供的个人信息，或者数据主体想请求接收数据主体个人信息的电子副本(前提是适用法律规定数据主体有权享有可携带个人信息的权利)，或数据主体请求我们解释我们处理其个人信息所依据的规则，数据主体(或代表其的客户，并有相关授权证明)可以通过电子邮件与我们联系：[individualrightsrequests@bofa.com](mailto:individualrightsrequests@bofa.com)。我们将根据适用法律回复您的请求。

在任何请求中，请明确地说明数据主体希望查阅、复制或更改哪些个人信息，是否希望从我们的数据库删除数据主体的个人信息，或者告知数据主体希望对我们使用个人信息施加哪些限制。为了保护数据主体的利益，我们仅会针对与您用于向我们发送请求的特定电子邮件地址关联的个人信息执行请求，并且我们可能需要在执行您的请求之前核实您的身份。我们会尝试在合理可行的范围内尽快满足您的请求。

除非您以书面形式(直接或通过相关客户)撤销本通知所述的对我们处理您的个人信息的同意，否则该同意应继续有效并具有法律约束力。撤销同意不应影响在此之前进行的任何处理的合法性。

请注意，在适用法律法规允许及/或要求的范围内，我们可能需要保留某些信息以用于记录保留目的及/或完成客户在数据主体请求更改或删除个人信息之前开始的任何交易。我们的数据库和其他记录里也有可能残留信息，这些信息在适用

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and regulations. There may also be residual information that will remain within our databases and other records, which will not be removed to the extent permitted and/or required by applicable laws and regulations.

### RETENTION PERIOD

We will retain Personal Data for as long as needed or permitted in light of the purpose(s) for which it was obtained and in any case will not exceed the maximum period permitted by applicable laws and regulations. The criteria used to determine our retention periods include: (i) the length of time we have an ongoing relationship with Client and provide the Services; (ii) whether there is a legal obligation to which we are subject; and (iii) whether retention is advisable in light of our legal position (such as in regard to applicable statutes of limitations, litigation or regulatory investigations).

### USE OF SERVICES BY MINORS

The Services are not directed to individuals under the age of eighteen (18), and we do not knowingly collect Personal Data from individuals under 18.

Individuals may submit personal Data about their minor children or legal wards in relation to attendance at or participation in an event. Individual parents or guardians must have the legal authority to disclose such Personal Data to us and make decisions related to processing of such Personal Data in connection with the event. This Personal data of minors will only be used for event registration and participation purposes.

### JURISDICTION AND CROSS-BORDER TRANSFER

To the extent permitted by applicable laws and regulations or otherwise allowed by regulators, Personal Data may be stored and processed in any country/territory where we have facilities or in which we engage service providers, including the United States. In certain circumstances, subject to applicable laws, courts, law enforcement agencies, regulatory

法律法规所允许及/或要求的范围内不会被删除。

### 保留期

我们将根据获取个人信息的目的在需要或允许的范围内保留个人信息，但在任何情况下均不会超过适用法律法规允许的最长期限。用于确定保留期限的标准包括：(i) 我们与客户维持关系及提供服务的时间长度；(ii) 我们是否受限于任何法律义务；(iii) 根据我们的法律立场(例如适用的诉讼时效、诉讼或监管调查等)，保留个人信息是否合适。

### 未成年人的服务使用

本服务不向未满18岁的个人提供，并且我们不会在知情的情况下收集未满18岁个人的个人信息。

个人可以提交有关其未成年子女或法定被监护人出席或参与某项活动的个人信息。个人的父母或监护人必须具有合法授权以向我们披露此类个人信息并就与活动相关的个人信息的处理做出决定。未成年人的个人信息将仅用于活动注册和参与目的。

### 管辖和跨境传输

在适用法律法规允许的范围内或在监管机构另行允许的范围内，个人信息可以在我们拥有设施或我们聘用服务提供商的任何国家/地区存储和处理，包括美国。在某些情况下，在遵守适用法律的前提下，该等其他国家/地区的法院、执法机构、监管机构或安全机构可能有权查阅个人信

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agencies or security authorities in those other countries/territories may be entitled to access Personal Data.

Where local data protection law requires it we have put in place adequate measures, such as data transfer agreements. Where permitted by applicable laws and regulations or otherwise allowed by regulators, transfers may also be made pursuant to contracts in your interest or at your request.

Please see Appendix 4 for a list of the organizations to whom we transfer Personal Data outside of China, their contact details and details on what, how and why such organizations process Personal Data and how Data Subjects can exercise applicable data privacy rights in respect of those organizations.

#### RECORDING OF COMMUNICATIONS

When individuals communicate with BofA China Entities, to the extent permitted or required by applicable laws and regulations, telephone conversations and electronic communications, including emails, text messages and instant messages, may be recorded and/or monitored for evidentiary, compliance, quality assurance and governance purposes.

#### UPDATES TO THIS PRIVACY NOTICE

We may change this Privacy Notice, including the list of BofA China Entities, from time to time. The “LAST UPDATED” legend at the top of this Privacy Notice indicates when this Privacy Notice was last revised. Any changes will become effective when we post the revised Privacy Notice on our webpage. If we make material changes to it, we will notify Client of the new Privacy Notice via email or other means and may ask for consent of Data Subjects (directly or via relevant Client where applicable) to these changes where required by law. We encourage Clients and Data Subjects to review our Privacy Notice from time to time.

#### CONTACTING US

息。

在当地数据保护法律要求的情况下，我们已经实施了适当的措施，例如数据传输协议。在适用法律和法规允许的情况下或监管机构另行准许的情况下，也可以根据符合您利益的合约或根据您的请求进行个人信息传输。

请查看附录4了解我们将个人信息传输到中国境外的机构名单、其联系方式以及该等机构处理个人信息的内容、方式和原因以及数据主体如何行使其与该等机构相关的适用数据隐私权的详情。

#### 通讯记录

当个人与美国银行中国实体进行沟通时，在适用法律法规允许或要求的范围内，可出于证据、合规、质量保证和治理目的对电话通话和电子通信(包括电子邮件、短信和即时消息)进行记录及/或监控。

#### 本隐私通知的更新

我们可能会不时变更本隐私通知，包括美国银行中国实体名单。本隐私通知顶部的“最后更新”字样表明本隐私通知的上次修订时间。任何变更将在我们的网页上发布经修订的隐私通知时生效。如果我们对隐私通知进行重大修改，我们将通过电子邮件或其他方式通知客户新的隐私通知，并可能在法律要求的情况下要求数据主体(直接或通过相关客户(如适用)同意这些修改。我们鼓励客户和数据主体不时查看我们的隐私通知。

#### 联系我们

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The BofA China Entity who provides the Services in connection with which Personal Data has been provided is the company responsible for collection, storage, use, processing, transmission, sharing and disclosure of personal data under this Privacy Notice.

If you do not know which BofA China Entity is responsible for those Services or you have any questions about this Privacy Notice, please contact us at [connect.dpo@bofa.com](mailto:connect.dpo@bofa.com).

**To help us to manage your query, please include your full name and the name of the BofA China Entity you understand is processing the relevant personal data and/or any reference number that was made available by a BofA China Entity to you.**

与所提交个人信息相关的提供服务的美国银行中国实体负责根据本隐私通知收集、存储、使用、加工、传输、共享和披露您的个人信息。

如果您不知道哪个美国银行中国实体对这些服务负责，或您对本隐私通知有任何疑问，请发送电子邮件至[connect.dpo@bofa.com](mailto:connect.dpo@bofa.com)联系我们。

为了帮助我们处理您的疑问，请提供您的全名，以及据您理解正在处理相关个人信息的美国银行中国实体的名称，及/或美国银行中国实体向您提供的任何参考编号。

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**Consent of the Notice**

Please sign below and return to us a copy of this Notice to confirm and commit that:

- You have understood all the terms of this Privacy Notice, and agreed to our processing of Personal Data in accordance with the purposes and methods set out in the Privacy Notice;
- You have delivered to relevant Data Subjects a link to or a copy of the Privacy Notice or otherwise appropriately informed relevant Data Subjects of the content of the Privacy Notice, and agreed to communicate any updates to the Privacy Notice to relevant Data Subjects without undue delay after becoming aware of them;
- To the extent that the Data Subjects are fully informed, you have obtained the lawful and valid consent, where required, separate consent of the Data Subjects for disclosing their Personal Data (including their sensitive personal information) to BofA China Entity and for BofA China Entity to disclose the Data Subject's Personal Data to third parties outside China (as detailed in Section titled "Jurisdiction and Cross-Border Transfer" of this Notice) and you have retained the relevant evidence of such consent obtained.

As consented, (signature / chop): \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**对本通知的同意**

请在下方签署并交还本通知的副本，以确认并承诺：

- 您已理解本隐私通知的所有条款，并同意我们根据本隐私通知所载目的和方式处理您的个人信息；
- 您已向数据主体提供本隐私通知的链接或副本，或以其他方式告知数据主体本隐私通知所载内容，并且您同意在知悉本隐私通知的任何更新后无不当延迟地向数据主体进行传达；
- 在数据主体充分知情的情况下，您已就向美国银行中国实体披露其个人信息（包括其敏感个人信息）及美国银行中国实体向境外第三方披露数据主体的个人信息（详见本通知“管辖和跨境传输”章节）取得数据主体合法有效的同意，包括根据要求取得其单独同意，并且您已保留了所获得的该等同意的证明资料。

兹同意(签字/盖章): \_\_\_\_\_

姓名: \_\_\_\_\_

日期: \_\_\_\_\_

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**Appendix 1 - BofA China Entities<sup>1</sup>****附录 1 - 美国银行中国实体**

<p>美国银行有限公司上海分行 (Bank of America, N.A., Shanghai Branch)</p>	<p>上海市浦东新区世纪大道8号上海国金中心办公楼二期49层4901、4915-16室、53层、55层，邮编200120 (4901, 4915-16, 53rd and 55th Floor, International Finance Center, Tower 2, 8 Century Avenue, Pudong New District, Shanghai 200120, P.R. China)</p>
<p>美国银行有限公司北京分行 (Bank of America, N.A., Beijing Branch)</p>	<p>北京市朝阳区建国门外大街1号院1号楼国贸大厦35层04-21室，邮编100004 (Units 04-21, Level 35, China World Tower Building 1, No. 1, Jianguomenwai Avenue Chaoyang District, Beijing 100004, P.R. China)</p>
<p>美国银行有限公司广州分行 (Bank of America, N.A., Guangzhou Branch)</p>	<p>广东省广州市天河区珠江西路5号广州国际金融中心4楼01-A，邮编510623 (Room 401-A, Guangzhou IFC, No. 5 Zhujiang Road West, Guangzhou 510623, P.R. China)</p>

<sup>1</sup> Note that the list may be updated from time to time

请注意，本名单可能会不时更新。

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## Appendix 2 - The Categories of Personal Data We May Collect, Use, Disclose or Transfer

“Personal Data” is information that relates to an identified or identifiable individual and is recorded by electronic or other means. During the provision of our services, we may collect and process Personal Data in various scenarios based on specific purposes.

We have listed in this Appendix Personal Data that may be collected and processed based on different scenarios. However, it is important to note that we do not necessarily collect all the information listed in this Appendix 2 for every Client. Our collection and processing of Personal Data are limited to what is necessary for the specific purpose of providing services to our Clients. Among the following types of Personal Data, the ones underlined in bold are sensitive personal information.

**For provision of financial products and services and performance of a business contract with Clients, we may collect:**

- Personal identity information, including name, address, phone number, **ID number**, email address, date of birth, ID expiry date, **photocopy of identity documents (ID cards and/or passports)**. We collect ID number and photocopy of identity documents (ID cards and/or passports) for identity verification and to ensure security of account and transaction. If you do not provide such data, we may be unable to deliver relevant services or unable to ensure the security of accounts and transactions;
- **Personal account information, including account number , account bank name**. We collect account number and account bank name for provision of financial products and services and performance of a business contract with Clients. If you do not provide such data, we may be unable to deliver relevant services or unable to perform our business contract with Client;

## 附录2 - 我们可能收集、使用、披露或传输的个人信息的类别

“个人信息”指与已识别个人或可识别个人相关的并以电子或其他方式储存的信息。在提供我们的服务过程中，我们可能根据具体目的，在各种场景下收集和处理个人信息。

我们在本附录中列出了不同场景中可能收集和处理的个人信息。然而，需要注意的是我们并不一定会向每个客户收集本附录 2 中列出的所有信息。我们对个人信息的收集和处理仅限于为向客户提供服务的特定目的所必需。在以下个人信息类型中，以粗体下划线标出的是敏感个人信息。

**为提供金融产品和服务以及履行与客户的商业合同，我们可能收集：**

- 个人身份信息，包括个人姓名、地址、电话号码、**身份证号码**、电子邮件地址、出生日期、身份证件有效期、**身份证件复印件（身份证和/或护照）**。我们收集身份证号码和身份证件复印件（身份证和/或护照）的目的是进行身份验证和保障账户及交易安全。如果您不提供该等信息，我们可能无法向您提供相关服务或无法确保账户和交易安全；
- **个人账户信息，包括账号、账户银行名称**。我们收集账号、账户银行名称的目的是提供金融产品和服务、完成与客户的商业合同。如果您不提供该等信息，我们可能无法向您提供相关服务或无法履行与客户的商业合同；
- 就业相关信息(工资信息、股票期权、持股、养老金、商业合同和简历)。

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- Employment related information (salary information, stock options, shareholdings, pension, business contact details, and CVs).

**For compliance with legal and regulatory obligations, we may collect:**

- Personal identity information, including name, address, phone number, **ID number**, email address, date of birth, ID expiry date, **photocopy of identity documents (ID cards and/or passports)**. We collect ID number and photocopy of identity documents (ID cards and/or passports) for identity verification in accordance with legal and regulatory requirements. If you do not provide such data, we may be unable to verify your identity or unable to fulfill legal and regulatory obligations;
- **Personal account information, including account number, account bank name and source of fund**. We collect this information for compliance with legal and regulatory obligations. If you do not provide such data, we may be unable to deliver relevant services or unable to fulfill legal and regulatory obligations which may further impact our ability to provide you with financial products and services or fulfill contractual obligations with Clients;
- Telephonic or electronic recordings;
- Other personal information acquired and retained in the process of establishing business relationships with customers, which will be set out in writing and explicitly consented by relevant customer for such acquisition and retention.

**For transaction risk control and management, we may collect:**

- **Personal account information, including account number, the time when an account is opened, bank at which an account is opened, account balance, transactions made through**

**为了履行法律和监管的义务，我们可能收集：**

- 个人身份信息，包括个人姓名、地址、电话号码、**身份证号码**、电子邮件地址、出生日期、身份证有效期、**身份证件复印件（身份证和/或护照）**。我们收集身份证号码和身份证件复印件（身份证和/或护照）的目的是按照法律和监管的要求验证您的身份。如果您不提供该等数据，我们可能无法验证您的身份或无法履行法律和监管的义务；
- **个人账户信息，包括账号、账户银行名称和资金来源**。我们收集该等信息的目的是履行法律和监管的义务。如果您不提供该等数据，我们可能无法履行法律和监管的义务，从而可能会进一步影响我们向您提供金融产品和服务或履行与客户的合同；
- 电话或电子录音；
- 在与客户建立业务关系的过程中获取、留存的其他个人信息，该等个人信息将以书面形式列明并经相关客户明确同意获取和保留。

**为了交易风险控制和管理，我们可能收集：**

- **个人账户信息，包括账号、账户开立时间、开户行、账户余额、账户交易情况和资金来源**。我们收集账号、账户开立时间、开户行、账户余额、账户交易情况和资金来源的目的是进行账号安全与交易安全管理。



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**the accounts and source of fund.** We collect account number, the time when an account is opened, bank at which an account is opened, account balance, transactions made through the accounts and source of fund for management of account security and transaction security. If you do not provide such data, we may be unable to ensure security of account or the transaction.

**For management and execution of events (virtual or in-person),** we may collect:

- Personal identity information, including name, address, phone number, **ID number**, email address, date of birth, ID expiry date, **photocopy of identity documents (ID cards and/or passports)**; or nationality and or citizenship data. We collect ID number and photocopy of identity documents (ID cards and/or passports) for identify verification. If you do not provide such data, we may not be able to verify identity of the individual and the individual may not be able to participate relevant events;
- Attendance data (such as events attended);
- Videos and recordings containing personal images;
- Dietary requirements;
- Special assistance needs (hearing, sight or physical impairment);
- Travel details;
- Spouse/partner name;
- **Name and age of child/children** (collected through parents or guardians attending events). We collect this information to organize relevant events. If you do not provide such data, such child/children will be unable to participate in our events; and
- Speaker biographies.

如果您不提供该等数据，我们可能无法确保您的账号或交易安全。

**为了管理和举行活动（线上或线下），**我们可能收集：

- 个人身份信息，包括个人姓名、地址、电话号码、**身份证号码**、电子邮件地址、出生日期、身份证有效期、**身份证件复印件（身份证和/或护照）**；国籍或公民身份信息。我们收集身份证号码、身份证件复印件（身份证和/或护照）的目的是进行身份验证。如您不提供该等数据，我们可能无法验证个人的身份，个人可能无法参与相关活动；
- 活动参与数据（例如参与的活动）；
- 包含个人图像的视频或录像；
- 饮食需求；
- 特殊援助需求(听力、视力或身体障碍)；
- 出行详情；
- 配偶/伴侣姓名；
- **儿童的姓名和年龄**(通过参加活动的父母或监护人收集)。我们收集这些信息用于组织相关活动。如果您不提供该等数据，该等儿童将无法参加我们的活动；
- 演讲者简介。

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## Appendix 3 – Uses and Disclosures of Personal Data

We and our service providers may use Personal Data for our legitimate business interests and/or to meet our legal and regulatory obligations, including the following:

- to validate authorized signatories when concluding agreements and transactions;
- to contact nominated individuals in connection with existing transactions and contractual agreements;
- to respond to enquiries and fulfill requests from Clients and/or relevant third parties who require information as a necessary part of the provision of the Services, and to administer account(s) and manage our relationships;
- to inform Clients about products or services which we believe may be of interest, including tailored ads, marketing proposals or offers;
- to verify an individual's identity and/or location (or the identity or location of Client's representative or agent) in order to allow access to client accounts, or conduct online transactions;
- to protect the security of accounts and Personal Data;
- for information and relationship management purposes, and business purposes, including data analysis, audits, developing and improving products and services, identifying usage trends and determining the effectiveness of promotional campaigns, and enhancing, improving or modifying our Services;
- for risk management, compliance with our legal and regulatory obligations and for fraud detection, prevention and investigation, including "know your customer", anti-money laundering, conflict and other necessary onboarding and ongoing client checks, due

## 附录3 - 个人信息的使用和披露

我们和我们的服务提供商可能将个人信息用于我们的合法业务利益及/或履行我们的法律和监管义务，包括：

- 在签订协议和执行交易时核实授权签字人的身份；
- 就现有交易和合同协议联系指定人员；
- 回应查询及满足客户和/或相关第三方的请求，作为提供服务、管理账户及维护关系的必要部分；
- 告知客户我们认为其可能感兴趣的产品或服务，包括定制广告、营销建议或优惠；
- 核实个人的身份及/或位置(或客户代表或代理的身份或位置)，以允许访问客户账户或进行在线交易；
- 保护账户和个人信息的安全；
- 用于信息和关系管理以及业务目的，包括数据分析、审计、开发和改进产品和服务，发掘使用趋势和确定促销活动的有效性，以及增强、改进或修改我们的服务；
- 用于风险管理、遵守我们的法律和监管义务以及欺诈监测、预防和调查，包括“了解你的客户”、反洗钱、利益冲突和其他必要的客户初始审查或持续审查、尽职调查和验证要求、信用审查、信用风险分析、遵守制裁程序或规则，以及税务报告；
- 遵守法律法规(包括任何法律或监管指引、行为规范或意见)，以及遵守其他法律程序和执法要求(包括基于或反映法律或监管指引、行为规范或意见的任何内部政策)；
- 提供服务及履行与服务相关的义务或与履行指示相关的其它义务；
- 向客户发送管理信息，例如我们的条款、条件和政策的变更；及
- 在活动管理和执行方面，为了确保所有参加

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diligence and verification requirements, credit checks, credit risk analysis, compliance with sanctions procedures or rules, and tax reporting;

- to comply with laws and regulations (including any legal or regulatory guidance, codes or opinions), and to comply with other legal process and law enforcement requirements (including any internal policy based on or reflecting legal or regulatory guidance, codes or opinions);
- to provide, and perform our obligations with respect to, the Services or otherwise in connection with fulfilling instructions;
- to send administrative information to Clients, such as changes to our terms, conditions and policies; and
- for event management and execution to ensure that all participants have a safe and enjoyable experience, to provide notifications concerning the event, provide analysis to improve our events and develop new events, determine their overall effectiveness, enhance products and services, and to operate and expand our business activities.

Personal Data may be disclosed to third parties in connection with the Services we are providing. The recipients of any such information will depend on the Services that are being provided. Subject to any restrictions around confidentiality we have expressly agreed with Client or other transaction parties, such disclosures may include disclosures:

- to branches, affiliates and subsidiaries of Bank of America Corporation for the purposes described in this Privacy Notice (“affiliates”);
- to our third-party service providers who provide services such as website hosting, data analysis, payment processing, order fulfillment, information technology and related infrastructure provision, customer service,

者有一个安全和愉快的体验，提供活动通知，提供分析以改进我们的活动并开发新的活动，评估活动的整体效果，改进产品和服务，开展和扩展我们的业务活动。

个人信息可能会在我们提供服务的过程中向第三方披露。任何此类信息的接收者将取决于所提供的服务。在遵守我们与客户或其他交易方明确协定的保密限制的前提下，此等披露的对象可能包括：

- 美国银行公司的分行、附属机构和子公司，以实现本隐私通知所述目的(“附属机构”);
- 我们的第三方服务提供商，比如提供如网站托管、数据分析、支付处理、订单履行、信息技术和相关基础设施、客户服务、电子邮件递送、审计和其他服务如营销和活动管理和执行的供应商(活动供应商、组织者、志愿

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email delivery, auditing and other services such as marketing and event management and execution (event vendors, organizers, volunteers, contractors, and sponsors);

- to third party experts and advisers (including external legal counsel, notaries, auditors and tax advisers);
- to payment, banking and communication infrastructure providers including SWIFT, financial institutions or intermediaries with which we may have dealings including correspondent banks, insurers, insurance brokers, central counterparties (CCPs), clearing houses, clearing and settlement systems, exchanges, trading platforms, regulated markets, credit institutions, financial brokers, other banks, sponsors, issuers, joint syndicate members, sub-underwriters, portfolio reconciliation service providers, margin service providers, middleware platforms, valuation agents, service agents and other service providers assisting on transactions;
- to third-party storage providers (including archive service providers, document repositories and deal sites which provide access to offering circulars and other marketing materials) and trade data repositories;
- to third-party distribution platforms and to operators of private or common carrier communication or transmission facilities, time sharing suppliers and mail or courier services;
- to other deal/transaction participants including issuers, borrowers, potential investors and syndicate members, advisers, other lenders, independent printers producing circulars, prospectuses and marketing and event materials and translation service providers;
- to counterparties, vendors and beneficiaries, and other entities connected with our client (including guarantors affiliates, underlying

者、承包商和赞助商);

- 第三方专家和顾问(包括外部法律顾问、公证人、审计师和税务顾问);
- 支付、银行和通信基础设施提供商, 包括 SWIFT、金融机构或与我们交易的中介机构, 包括代理银行、保险公司、保险经纪人、中央对手方(CCP)、结算机构、清算和结算系统、交易所、交易平台、受监管市场、信用机构、金融经纪人、其他银行、保荐人、发行人、联合集团成员、次级承销商、投资组合对账服务提供商、保证金服务提供商、中间件平台、估值代理、服务代理及协助交易的其他服务提供商;
- 第三方存储提供商(包括存档服务提供商、文档存储库以及提供发行通函和其他营销材料的交易网站)和交易数据存储库;
- 第三方传送平台以及私人或公共载波通信或传输设施、分时供应商和邮件或快递服务的运营商;
- 其他交易参与者, 包括发行人、借款人、潜在投资者和银团成员、顾问、其他贷款人、制作通函、招股说明书、营销材料和活动材料的独立印刷商以及翻译服务提供商;
- 交易对手、供应商和受益人以及与客户有关的其他实体(包括担保人附属机构、相关客户、债务人、投资者、基金、账户及/或任何其他关联当事方);
- 酒店、餐厅、线上活动平台、交通运输公司、差旅中介和公司安保; 及
- 与客户协定或适用法律要求或明确允许的其他人员。

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clients, obligors, investors, funds, accounts and/or other any principals connected);

- to hotels, restaurants, virtual event platforms, transportation companies, travel agencies and corporate security; and
- other persons as agreed with our client or as required or expressly permitted by applicable law.

Disclosures of Personal Data which we make to our third-party service providers, as described in this section, will be made subject to conditions of confidentiality and security as we may consider appropriate to the specific circumstances of each such disclosure.

我们向第三方服务提供商按照本节所述披露个人信息将受到我们认为就各个此类披露之具体情况所适当的保密和安全条件约束。

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**Appendix 4 – Organizations to whom we transfer Personal Data****附录 4 - 我们向其传输个人信息的组织**

Overseas Recipient				
Third Party Name 第三方名称	Contact Info 联系信息	Processing Purpose and Method 处理目的和方法	Personal Data 个人信息	Method and Procedure for the to Exercise Personal Information Rights 行使个人信息权利的方式和程序
Bank of America National Association 美国银行有限公司	individualrightsrequests@bofa.com	<p>Processing purposes include providing services of payment and collection transaction and conducting KYC and bank client onboarding. 处理目的包括提供支付和收款交易服务，以及进行“了解你的客户（KYC）”和银行客户注册。</p> <p>Processing method is to store Personal Data in relevant information systems, use for above purposes, delete after expiry of retention period. 处理方式包括在相应的信息系统中存储个人信息，将个人信息用于上述目的，在存储期限届满后删除个人信息。</p>	<p>Name, nationality, address, occupation, account number, account bank name (bank code), phone number, ID number, email address, date of birth, ID document type, ID document number, source of fund. 姓名、国籍、地址、职位、账号、账户银行名称（银行代码）、电话号码、身份证号码、电子邮件地址、出生日期、身份证件类型、身份证件号码、资金来源。</p>	<p>If you want to exercise your rights related to the protection of Personal Data to the overseas recipients, you can submit your requests through the contact information provided in the “Contacting Us” section in this Privacy Notice. 如您希望向境外接收方行使您的个人信息保护相关权利，您可以通过本隐私通知“联系我们”章节所载联系方式提交您的请求。</p>