

BMO Privacy Code – Hong Kong

Our Commitment to You

BMO Financial Group appreciates the opportunity to help you meet your financial needs. From the day Bank of Montreal was founded in 1817, earning and keeping your trust has been at the very core of our business. We are committed to respecting and protecting your Personal Data. It is important for you to understand what Personal Data we will collect, how we will use it and who may see it.

Scope

Our Notice to Data Subjects applies to BMO Financial Group operations that take place in and Personal Data which is collected in Hong Kong. It sets out information about the collection, use, retention and disclosure of Personal Data in compliance with the requirements of Hong Kong Personal Data (Privacy) Ordinance. Please familiarize yourself with this Notice and check it from time to time for updates.

NOTICE TO DATA SUBJECTS relating to the Personal Data (Privacy) Ordinance (Chapter 486 of the Laws of Hong Kong)

- a. From time to time, it is necessary for customers to supply Bank of Montreal Hong Kong Branch, as the case may be (“**BMO**”, such expression shall include its assignees, transferees and successors) with personal data (“**Data**”) in connection banking and financial services provided by BMO, including the opening or continuation of accounts, the establishment or continuation of banking or trade related facilities or the provision of sales and financial product distribution and other client related services. The Data that we collect include those of the directors, shareholders, officers, authorized persons and managers of our corporate customers, or sureties and persons providing security or guarantee for banking or trade related facilities (collectively “**Data Subjects**”).
- b. Failure to supply such Data may result in BMO being unable to open or continue accounts or establish or continue services or facilities.
- c. Data are also collected from Data Subjects in the ordinary course of the continuation of banking or financial services relationship with BMO, for example, when Data Subjects write cheques, deposit money or provide personal information in connection with banking or investment accounts.
- d. Data relating to a Data Subject may be used for the following purposes (whether within or outside Hong Kong):—
 - i. the processing of applications for banking or financial services or other services and facilities;
 - ii. the daily operation of banking and financial services and facilities, including performance of such function as may be deemed necessary by BMO as part of its enterprise function which may include but shall not be limited to the centralization and/or outsourcing of functions outside of Hong Kong (as the case may be) for meeting operational, administrative and risk management requirements of BMO or otherwise;

- iii. ensuring the ongoing creditworthiness of Data Subjects and conducting credit checks and audits generally;
 - iv. designing financial services or related products;
 - v. marketing services, products and other subjects;
 - vi. the enforcement of obligations of Data Subjects including, without limitation, the collection of amounts outstanding from Data Subjects and from providers of guarantees, security or other credit support for the obligations of Data Subjects;
 - vii. making disclosure pursuant to the requirements of any law or regulation of Hong Kong or elsewhere binding on or applying to BMO, its holding company, any of its offices, units or branches or any subsidiaries or affiliates of Bank of Montreal (whether in Hong Kong or elsewhere) (each, a "**BMO Financial Group Member**") or under and for the purposes of any application, direction, request, requirement, guideline or other similar document (whether or not having the force of law) issued by any competent regulatory or other authority of Hong Kong or elsewhere with which BMO Financial Group Member(s) is(are) expected to comply;
 - viii. enabling BMO Financial Group Members to comply with obligations, commitments or arrangements undertaken by BMO Financial Group Members with, local or foreign bodies and authorities, whether legal, regulatory, governmental, tax, law enforcement, self-regulatory, industry or others, including but not limited to obligations or arrangements relating to information sharing and exchange for tax purposes, compliance with reporting requirements, sanctions, or prevention or detection of money laundering, terrorist financing or other unlawful activities;
 - ix. enabling an actual or proposed assignee, transferee or successor of BMO or of all or part of its business, assets and/or shares or an actual or proposed participant or sub-participant of BMO's rights in respect of the Data Subject, to evaluate the transaction intended to be the subject of the assignment, transfer, succession, participation or sub-participation; and
 - x. other purposes directly or indirectly relating to any of the above.
- e. Data held by BMO relating to a Data Subject will be kept confidential but BMO may provide such information to the following parties (whether within or outside Hong Kong) for the purposes set out in paragraph d.:—
- i. any agent, contractor or third party service provider who provides services to BMO in connection with the operation of its business or the banking and financial services that it provides to its customers;
 - ii. any other BMO Financial Group Member;
 - iii. any actual or proposed assignee, transferee or successor of BMO or of all or part of its business, assets and/or shares or any actual or proposed participant or sub-participant of BMO's rights in respect of the Data Subject;
 - iv. government departments or other appropriate governmental or regulatory authorities within or outside of Hong Kong; and
 - v. any person to whom a BMO Financial Group Member is under an obligation to make disclosure under the requirements of any law or regulation of Hong Kong or elsewhere binding on or applying to the BMO Financial Group Member or under and for the purposes of any application, direction, request, requirement, guideline or other similar document (whether or not having the force of law)

issued by any competent regulatory or other authorities of Hong Kong or elsewhere with which the BMO Financial Group Member is expected to comply.

- f. Pursuant to the applicable Privacy Legislation, any individual has the following rights:–
- i. the right to check whether BMO holds Data about him or her and of access to such Data;
 - ii. the right to require that BMO correct any Data relating to him or her which is inaccurate;
 - iii. the right to ascertain BMO's policies and practices in relation to Data and to be informed of the kind of Data held by BMO; and
 - iv. the right to obtain a copy of the Data.
- g. Data of a Data Subject may be used, processed, stored, disclosed or transferred in and to any country or territory as BMO or any person who has obtained such data from BMO (as referred to in paragraph e. above) considers appropriate. Such data may also be disclosed in accordance with the local practices and the laws or regulations in such country or territory. Disclosure or transfer made pursuant to this Notice may be made to recipients in a jurisdiction other than that of the disclosing party or a jurisdiction that may not necessarily provide an equivalent level of protection for Data as the Data Subject's home jurisdiction.
- h. Unless written notice to the contrary is provided to BMO, a Data Subject will be deemed to have acknowledged and consented to such collection, use, processing, storage, disclosure or transfer of personal data as described in paragraphs d., e. and g. above. A Data Subject may revoke this consent by written notice to BMO. Each customer acknowledges that BMO may be unable to open, continue or establish accounts or banking facilities or establish or continue services without the consent. By providing BMO with such Data of the Data Subject, the customer: (a) is deemed to have given such consent and acceptance on behalf of the Data Subject; and (b) warrants and represents to BMO that such persons have given the customer the power to give such consent and acceptance on their behalf.
- i. In accordance with the applicable Privacy Legislation, BMO is entitled to charge a reasonable fee for the processing of any request for access to Data.
- j. Requests for access to, or correction of, Data or for information regarding policies and practices and kinds of Data should be sent in writing to:–

Bank of Montreal, Hong Kong Branch
The Data Protection Officer
Suites 2806-2809
Level 28, Three Pacific Place
1 Queen's Road East
Hong Kong
Telephone: (852) 3716 0888 Fax: (852) 2810
Email: DLHKCompliance@bmo.com

k. The contents of this Notice shall apply to all Data Subjects and form part of any contract for services that the customers have or may enter into with BMO from time to time. If there is any inconsistency or discrepancy between this Notice and the relevant contract, this Notice shall prevail insofar as it relates to the protection of the Data Subjects' personal data.

l. Nothing in this Notice shall limit the rights of Data Subjects under the Personal Data (Privacy) Ordinance.