

Privacy notice for business customers

HSBC takes your privacy seriously

Who does this notice concern?

To run our business, HSBC processes information relating to individuals (“**personal data**”), including **our existing, future and former business customers and their related person (“you”)**.

Where the terms “you” or “your” are used, this refers to you, your business or anyone who may carry out your banking, factoring or insurance transactions or transactions concerning financial instruments with our departments and any other person at your company (in particular agents and authorised signatories, partners, contacts, applicants or holders of life insurance or endowment policies or their representatives, etc.).

The term “**related person**” refers to any natural person related to your business, in particular directors, guarantors, legal representatives, partners, owners, beneficial owners, payment recipients or any other person in connection with HSBC.

Furthermore, where the terms “**HSBC**”, “**we**” or “**our**” are used, this includes all HSBC entities in France and other HSBC Group companies. The HSBC Group refers to all companies owned and/or controlled directly or indirectly by HSBC Holdings Plc, within the meaning of Article L. 233-3 of the French Commercial Code.

As part of our commitment to protecting your personal data, we aim to provide you and any related persons with transparent information about:

- What data we collect, why and how we use and store it;
- The legal basis for processing your personal data; and
- Your rights to use of your personal data and how you can exercise these rights.

What does this notice cover?

This notice concerns all personal data processed by HSBC Group entities in France acting as data controllers within the framework of products and services provided to business customers.

It covers all forms of use (“**processing**”) of personal data for which the data controller is HSBC Continental Europe (including HSBC Private Banking), HSBC Assurance Vie (France), HSBC Assurance Vie (France), HSBC Factoring (France) or HSBC REIM. If you have a relationship with other HSBC entities, you will be sent specific information if necessary.

Some links on our websites may redirect you to websites that do not belong to HSBC. These websites have their own data protection policies or notices, which may differ from ours. It is your responsibility to familiarise yourself with these policies or notices.

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IV. How do we protect your personal data?

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I. What types of data do we collect?

For potential customers with whom we have not yet been in contact, we can collect (insofar as authorised by applicable law):

- Information for identification purposes (such as name, address, gender, nationality), contact details (such as telephone number, email address) and family information (such as marital status);
- Information relating to your professional background (such as positions held or professional networks) and information relating to your business and your financial history.

For former and current customers or prospective customers at a pre-contractual stage, we collect the following information (insofar as authorised by applicable law):

- information relating to your identity and that of related persons, such as your name, gender, date and place of birth, information stated on your ID documents;
- your contact details and those of related persons, such as your postal address, email address, telephone numbers;
- information provided by you by filling in forms or in your communications with us, either by telephone, face-to-face, by email or by any other means of online communication or in response to questionnaires or customer satisfaction surveys;
- information about our business relationship, your transactions and instructions (including information about accounts or assets you hold with other financial institutions), your means of communicating with us, your ability to repay loans, your credit rating, your transaction history, transactions carried out on your accounts, complaints;
- information we use for identification and authentication purposes, such as your specimen signature, biometric information such as your voice or any other information we may receive from external sources to confirm your identity;
- geographical location data (branches you frequent or ATMs you use);
- any information contained in customer documentation or in any forms completed as a prospective customer;
- any information of a commercial nature, such as details of products or services you use;
- information collected by cookies. We use cookies and similar technologies on our websites and in emails to recognise you, remember your preferences and offer you content that may be of interest to you;
- information about your risk rating, such as your credit risk score or your transactional behaviour;
- date in relation to our internal investigations, in particular controls relating to checks prior to entering into a business relationship or throughout our business relationship, controls relating to the application of regulations concerning sanctions, freezing of assets and prevention money laundering and terrorist financing, and any information relating to controls performed on our means of communication;
- recordings of all correspondences and communications between us, including telephone calls, emails, instant messaging, communications via social media and all other types of exchanges and communications;
- any information we require to respond to our legal and regulatory obligations, in particular data relating to your financial transactions, information needed to detect any suspicious or unusual activity concerning you or people with whom you have a relationship.
- communications information (e.g. information contained in emails, third-party information, information from chats, instant messaging, media information, legal disputes or minutes of meetings);
- information that you have asked us to collect for you (information about accounts or assets you hold with other financial institutions).

The data we collect or hold in relation to you have been collected directly from you or other persons such as Related Parties. Other data may have been collected in accordance with applicable regulations in the past or by other HSBC Group companies. We may also collect information about you during your exchanges with us, for example, when you visit our websites or use our mobile applications, when you call us or when you visit one of our branches.

Some information may even come from publicly available sources (such as registers of creditors, the press and websites) or from external companies (such as credit reference agencies). We may also collect data by combining sets of data (for example, location data if you have a mobile application, provided that geolocation is activated).

We may also collect information about you during your exchanges with us, for example, when you visit our websites or use our mobile applications, when you call us or when you visit one of our branches.

Some information may even come from publicly available sources (such as registers of creditors, the press and websites) or from external companies (such as credit reference agencies). We may also collect data by combining sets of data (for example, location data if you have a mobile application, provided that geolocation is activated).

To find out how we use cookies and other tracking technologies in connection with HSBC websites, you can also read our notice on use of websites and cookies here: our cookies policy.

II. Why do we use your data?

- Entering into a business relationship with you, to check your identity and assess your request (including the need for security if you are requesting a loan). To carry out legal checks and other regulatory compliance checks (for example, to comply with anti-money laundering regulations and prevent fraud);
- Managing our business relationship with you, including (unless you refuse) offering you our products, contracts and services or carrying out market research, or providing you with products and services. We use your data in order to provide you with products and services and handle your transactions. This includes entering into, managing and executing any contracts between HSBC and you;
- Helping you within the framework of banking transactions, facilitating and ensuring assistance with banking transactions (in particular IT support);
- Prospecting and business development, and/or protecting and promoting the HSBC brand name and taking measures to improve our products and services and our use of technology, including testing and upgrading systems and processes, and carrying out market research to understand how to improve our existing products and services or learn more about other products and services we can provide;
- Analysing the results of our marketing activities to measure the efficacy and relevance of our campaigns;
- Compliance and risk management and/or preventing crime, detection and investigations.

For example:

- Performing legal and regulatory compliance checks as part of the process for entering into a business relationship, including in order to comply with anti-money laundering and fraud prevention regulations;
 - Respecting our regulatory and compliance obligations (for example, financial sector laws, prevention of money laundering and tax laws), including as regards recording and surveillance of communications, application of a risk classification to current business relationships, disclosures to the tax authorities, financial services regulatory bodies and other regulatory, legal and government organisations, or within the framework of legal proceedings or enquiries or crime prevention;
 - Receiving and handling complaints, requests or reports from you or third parties at dedicated units within HSBC or the HSBC group;
 - Responding to any actual or potential proceedings, requests or enquiries by a public or legal authority and defending our rights and respecting our legal, regulatory or tax obligations;
 - Preventing and detecting crime, including fraud or criminal activity, abusive use of our products or services, as well as the security of our IT systems, architecture and networks;
- Managing the security and continuation of our activities: we take measures to help us to continue our activities and ensure the security of the data we hold, including physical safety measures such as safety measures to protect our staff and premises (including video surveillance and monitoring of any inappropriate behaviour);
 - Managing our internal operating requirements with regard to credit and risk management, IT systems or product development and planning, insurance policies, SCPI fund units or audit;
 - Allowing for a transfer, merger or sale to a potential buyer, assignee, partner or seller and advising them within the framework of a potential transfer, merger or sale of all or some of HSBC's operations or assets, or any associated rights or interests, or to acquire or merge with a company.

III. What is the legal basis for our use of your personal data?

- Execution of a contract or commitment under which you and/or we have made an undertaking;
- Respecting a legal or regulatory obligation;
- Protecting the public interest, such as preventing or detecting fraud or financial crime;
- Protecting our legitimate interests;
- Consent where required by law.

IV. How do we protect your personal data?

We implement technical and organisational measures to protect your data, in particular encryption, anonymisation and the adoption of physical security procedures.

We require our staff and all third parties working for HSBC to comply with strict standards in terms of security and protecting information, including contractual obligations requiring them to protect all data and apply strict measures with regard to transferring data.

V. What are your rights and how do you exercise them?

You have the following rights to your personal data:

- the right to information, when we use automated decision-making systems, for example if you want to take out a product or service, when applying for a loan or during checks to prevent fraud risk. You have the right to obtain specific information about how a decision is made, request human intervention and dispute any decisions made on this basis;
- the right to access and obtain information about the data we hold about you and how this data is used;
- the right to amend or correct your data;
- under certain circumstances, the right to object to your personal data being used (please note that we may continue to use your personal data if we have a legitimate reason to do so);
- the right to withdraw your consent at any time.

For example, you can withdraw your consent to using your data for commercial purposes at any time: it may take a few days for your request to be taken into account and for our systems to be updated. During this time, you may receive messages relating to marketing campaigns that have already been launched. To ask us to stop sending marketing messages or using your data for marketing purposes, including in order to adapt our content or advertising to your profile when you use one of our websites, please refer to "More details about your data or when talking to your customer advisor";

- under certain circumstances, the right to receive data in electronic form and/or ask us to pass on this information to a third party when this is technically possible (please note that this right only applies to data that you have provided to us);
- the right to ask us to delete your data under certain circumstances (please note that we may have to keep your data due to legal or regulatory requirements or for legitimate reasons);
- the right to ask us to limit use of your data, under certain circumstances (please note that we may continue to use your personal data if we have a legitimate reason to do so).

It may be the case that you have expressed a desire for your data not to be used but we are nevertheless required to use it for various reasons. In this case, we will continue to use your data if (i) the law requires us to do so, (ii) we need to fulfil a contractual obligation, (iii) it is in the public interest to do so, or (iv) we have a legitimate interest to do so.

You can exercise your rights by contacting us at the following address:

- either directly via your secure messaging system;
- or by writing to the HSBC entity of which you are a customer, at the following addresses:

HSBC Continental Europe (including HSBC Private Banking)
Direction Expérience Client HSBC en France - HSBC Continental Europe
38, avenue Kléber - 75116 Paris

HSBC REIM (France) - Gestion des Associés
Immeuble Coeur Défense - 110, esplanade du Général de Gaulle 92400 Courbevoie

HSBC Assurances Vie (France) - Immeuble Cœur Défense
110, esplanade du Général de Gaulle - 92400 Courbevoie

In the specific case of health-related data:

CBP - CS 20008 - 44967 Nantes Cedex 9

- or by contacting our personal data protection officer directly by email at the following address: dataprotection@hsbc.fr or by post:

HSBC Data Protection Officer in France
HSBC Continental Europe
38, avenue Kléber
75116 Paris

You can find more information about your rights on the CNIL website: <https://www.cnil.fr/>.

You also have the right to submit a complaint to the Commission Nationale de l'Informatique et des Libertés (please click here or send an email to the following address: CNIL - 3 Place de Fontenoy - TSA 80715 - 75334 Paris - Cedex 07).

VI. How long do we keep your personal data?

We will keep your data for as long as you use our services and platforms (such as our website or mobile applications). We may also keep your data even if you decide to no longer use our services or platforms, in particular in order to comply with applicable legislation, defend our interests or exercise our rights. We will not keep your data for longer than is necessary and, when it is no longer needed, we will destroy it safely in accordance with our internal policy or make it totally anonymous.

Some data may also be kept for an additional duration in order to manage complaints and/or disputes, as well as to meet our legal or regulatory obligations or to respond to requests from authorities.

Accounting data may be kept for a period of ten (10) years in accordance with applicable legislation.

VII. Whom might we share your personal data with and why?

We may share your personal data for the following reasons:

- to provide you with products or services that you have requested, for example opening an account, responding to an application request or executing your instructions;
- to respect a legal or regulatory obligation (e.g. helping to detect fraud or tax evasion, preventing financial crime);
- to respond to a request for regulatory reports, manage a dispute or defend our rights;
- to act on the basis of a legitimate interest, for example to manage an operating risk or assess the relevance or efficacy of our marketing campaigns for our products or services;
- to act in accordance with your consent, as granted in advance.

Your data may be sent to, hosted in or consulted from a country/territory outside the European Union where data protection legislation is not the same as in France or the European Union. When data relating to you is sent to a country/territory outside the European Union, we shall always ensure that it is protected. To do this, we submit all transfers of your data to appropriate and relevant protection measures (such as encryption and contractual undertakings, including signing standard contractual clauses approved by the EU).

You can obtain more information about how we transfer your personal data outside the European Union by contacting us directly: see "More details about your data".

We may transfer or disclose your data to:

- other HSBC Group companies;
- subcontractors, agents or service providers working for us or other HSBC Group companies (including their employees, directors and managers);
- joint account holders, persons carrying out bank transactions for you, your beneficiaries, intermediary, correspondent and depositary banks, clearing houses, any market operators or counterparties, stock exchanges or any company in which you hold financial instruments through us (such as shares or bonds);
- other financial institutions, tax authorities, professional associations, credit reference agencies and debt collection agencies;
- fund managers providing asset management services and any distributors and brokers who put you in contact with us or deal with us on your behalf;
- any person, company or other with an interest or assuming a risk with regard to or within the framework of products and services we provide to you;
- any company (new or potential) of the HSBC group (for example, if we carry out a restructuring or acquire other companies or merge with other companies) or any company acquiring all or part of an HSBC group company;
- statutory auditors, regulators, TRACFIN, Banque de France (if registered with the Fichier Central des Chèques – FCC - or the Fichier National des Incidents de Remboursement des Crédits aux Particuliers – FICP), Caisse des Dépôts et Consignations, independent administrative authorities or dispute resolution organisations and in order to comply with their requests;
- companies carrying our market research for us;
- any other person involved in the event of a dispute with regard to a transaction;
- the French government, legal or administrative authorities/jurisdictions.

Find out more about your data

If you want to find out more about the information given in this Privacy Notice or to contact our Data Protection Officer you can write to us at the following addresses:

HSBC Data Protection Officer in France

HSBC Continental Europe

38, avenue Kléber

75116 Paris

You can exercise your rights by writing to the following addresses:

HSBC Continental Europe (including HSBC Private Banking and HSBC Factoring France)

HSBC Customer Experience Department in France - HSBC Continental Europe - 38, avenue Kléber - 75116 Paris

HSBC REIM (France) - Gestion des Associés - Immeuble Cœur Défense - 110, esplanade du Général de Gaulle 92400 Courbevoie

HSBC Assurances Vie (France) - Immeuble Cœur Défense - 110, esplanade du Général de Gaulle - 92400 Courbevoie

This Privacy Notice may be amended and the most recent applicable version can be found at the following address:

<https://www.hsbc.fr/protection-des-donnees/>

Appendix 1: Entities covered by this Notice

France	HSBC Continental Europe, (France),or
France	HSBC Assurance Vie
France	HSBC Factoring
France	HSBC REIM

Appendix 2: Retention period

The table below gives a description of how long we will keep your personal data and the legal basis for doing so.

Purposes for which personal data is used	Legal basis for implementation	Maximum retention period (unless stated otherwise)
Entering into a business relationship and management of business relationship, i.e. providing products and services, processing transactions and executing your instructions	Legitimate interest Legal obligation Contract execution	10 years from the end of any contractual relationship or processing of an instruction/transaction This retention period may be extended if required by an authority or to defend a right or interest
Assistance within the framework of bank transactions	Legitimate interest Legal obligation Contract execution	10 years from the end of any contractual relationship or processing of an instruction/transaction This retention period may be extended if required by an authority or to defend a right or interest
Compliance with legislation and regulations	Legitimate interest Legal obligation Public interest	Maximum of 7 years for certain telephone calls 10 years from the end of any contractual relationship This retention period may be extended if required by an authority or to defend a right or interest. 30 years for data relating to searches for deceased persons or insurance products
Crime prevention and detection	Legitimate interest Legal obligation Public interest	5 years or a maximum of 20 years depending on the case, from the date the offence is observed (prevention of money laundering, fraud, court or administrative requests)
Security and continuation of our activities	Legitimate interest Legal obligation	3 months for video surveillance images 10 years for inappropriate behaviour from the end of any contractual relationship This retention period may be extended if required by an authority or to defend a right or interest
Risk management and compliance	Legitimate interest Legal obligation	10 years from the end of any contractual relationship, legal dispute or the end of a legal or regulatory requirement
Improving our products and services	Legitimate interest	3 years from when the data is collected
Prospecting and business development and/or protecting and promoting the HSBC brand	Legitimate interest Consent	Duration related to consent given by the person concerned 3 years for natural persons who are not customers Cookies for 13 years from when the data is collected
Analysing the results of our marketing activities	Legitimate interest	For the entire duration of the contractual relationship
Managing our internal operating requirements with regard to credit and risk management, Protecting our rights	Legitimate interest	Duration related to any disputes or administrative or court proceedings
Allowing for a transfer, merger or spinoff	Legitimate interest	Duration relating to the proposed transaction

Appendix 3: Use of data within the framework of the sale of HSBC Continental Europe's retail banking business in France to My Money Group

This appendix sets out details of the specific conditions pertaining to use of your data within the framework of the sale of HSBC Continental Europe's retail banking business in France ("the Takeover") to an entity forming part of My Money Group ("MMG"), of which you were informed as a customer of HSBC Continental Europe ("HBCE") in June 2021 and then by letter on 20 June 2022.

As we have mentioned, this transaction requires significant IT migration entailing a number of preliminary tests of your data in order to check the quality and ensure that they are correctly incorporated into future banking information systems.

What data are we providing?

Within the framework of the Takeover, we will be able to process and send MMG all personal data identified in the general section of this Privacy Notice.

As an exception, your social security number will not be used at any time.

How and why do we use your data?

Personal data will be used within the framework of the Takeover on the basis of the legitimate interests of HBCE and MMG.

This is in order to ensure that your data are migrated safely after the Takeover is completed and respond to legal and regulatory requirements with regard to detecting and preventing the risk of financial crime.

Your data will be used and shared within the framework of the Takeover in order to:

- (i) check MMG's ability to prevent any security incidents that would result in the alteration or loss of data, any service interruption, and any difficulties that could arise after the Takeover;
- (ii) identify issues with the quality of your data and enable HBCE and MMG to agree on corrective measures ahead of the Takeover;
- (iii) allow for regulatory requirements to be met with regard to KYC (Know Your Customer);
- (iv) allow for regulatory requirements to be met with regard to international financial sanctions and financial crime.

Whom might we share your data with?

Your data may be shared with MMG as well as partners that MMG works with for the purposes stated above, such as Arkea Banking Services (part of the Crédit Mutuel group) and Deloitte Conseil.

How long will we keep your data for?

Your data cannot be kept for longer than is strictly necessary for the purposes stated above.

After the tests have been performed, your data will no longer be available to MMG and its partners, until the Takeover is complete.

How do we ensure the security of your data?

HBCE, MMG and MMG's partners receiving your data are required to implement technical and organisational measures to protect your data, in particular encryption, anonymisation and the adoption of physical security procedures.

Before your data is sent, the security systems and processes of MMG and its partners receiving your data will be subject to an in-depth security review by our IT Security teams.

HBCE's Data Protection Officer (DPO) and IT Security teams will also oversee these tests and ensure that your data are protected.

Your rights

If you want to know more about how your data are used, particularly your rights, please read the general section of this Privacy Notice, which is fully applicable to the uses described in this Appendix.

As a reminder, you can also contact HSBC Continental Europe's Data Protection Officer in relation to the context of the uses concerned by this Appendix.

- by post:
HSBC Data Protection Officer in France
HSBC Continental Europe
38, Avenue Kléber
75116 Paris
- or by email:
dataprotection@hsbc.fr

HSBC Continental Europe

Société Anonyme au capital de 1 062 332 775 euros - SIREN 775 670 284 RCS Paris
Siège social : 38, avenue Kléber - 75116 Paris - Banque et intermédiaire en assurance immatriculé
auprès de l'ORIAS (Organisme pour le Registre des Intermédiaires en Assurance - orias.fr) sous le n° 07 005 894 - 07/2023

