

## Privacy Notice for Annual General Meeting and Corporate Communications

Hong Kong Exchanges and Clearing Limited and its affiliated companies (together "HKEX", "we", "our" or "us") are committed to protecting all Personal Data under our custody, control, or possession. "Personal Data" is any information that relates to an identifiable individual or can be used to identify an individual – sometimes the individual is referred to as a "Data Subject" or consumer.

This Privacy Notice for Annual General Meeting and Corporate Communications ("Notice") applies to the Personal Data we collect and further process from Data Subjects who actively participate in our Annual General Meeting ("AGM") and to the maintenance of the database which facilitates issuance of corporate communications to our shareholders.

Where you are watching the webcast of the AGM through the HKEX Group website ([www.hkexgroup.com](http://www.hkexgroup.com)), whether as a shareholder or otherwise, please also refer to the [Privacy Notice](#) on our Website.

If the correct and complete Personal Data is not submitted to HKEX then your participation in the AGM cannot be permitted, we may not be able to ascertain your preference in receiving future corporate communications and/or, we may be unable to process requests from Data Subjects relating to their rights under the applicable data protection laws. In addition, HKEX may be unable to perform certain regulatory functions if we are not provided with the requested Personal Data.

### What Personal Data do we collect and how do we collect it?

#### Information directly submitted by or collected from you:

- Identity data such as name, identification document number, and position in a company
- Contact data such as phone number, residential / correspondence address, email address, and contact preferences (including preferences on language and medium)
- Communications data such as transcripts from any active participation in the meeting
- Regulatory filing and disclosure data such as a declaration made by the nominated candidate in respect of the information required to be disclosed pursuant to Rule 13.51(2)(h) to (w) of the Listing Rules or an appropriate negative statement, and a statement made by the nominated candidate as to whether the independence criteria set out under Rule 3.13 of the Listing Rules is satisfied

#### Information collected automatically from a device or system:

- Visual data such as videos and photographs
- Aural data such as audio recordings

#### Information collected from third parties:

- When information has been provided to us by a shareholder in their nomination of a candidate for election to the HKEX Board:
  - Identity data such as current and former name, alias, age, and current employment
  - Contact data such as phone number, residential address, and email address
  - Regulatory filing and disclosure data such as: age; education; work experience; any position in HKEX Group; any directorships in any listed companies in the preceding three years; length or proposed length of service with HKEX; any relationship with any Directors, senior management, substantial Shareholders or controlling Shareholders of HKEX; any shareholding with HKEX; any cross-directorships or have any significant links with other HKEX Directors through involvements in other companies or bodies; other major appointments; and any appropriate negative statement
- When information is retrieved from publicly available sources such as: (i) print and digital media; (ii) promotional material relating to you as the Data Subject; (iii) websites of organisations with which you as the Data Subject are connected; and (iv) government, regulator, or industry registries
- When we have engaged any third party to enable the delivery of our products or services

For Data Subjects in Mainland China:

- to verify your identity and comply with regulatory requirements, we may process your name, identity document number or other personally identifiable number, signature, current and previous employment background, and shareholding in HKEX
- to communicate with you, we may process your name, phone number, email address, and contact preference
- to register you for attendance at the AGM, we may process your name, company name, email address and phone number
- to maintain our corporate records and comply with regulatory requirements, we may stream and/or publish audio and visual recordings of and transcripts from your active participation at our AGM
- to provide regulatory publication and disclosure of interest services, we may process and publish your name, age, work experience, education background, current and previous employment background, and shareholding in HKEX
- to prepare our publication material, we may process and publish the photographs of you

For Data Subjects who are California residents:

To the extent the California Consumer Privacy Act and the California Privacy Rights Act apply, the types of Personal Data we collect (and have collected in the past 12 months) includes the categories listed below, as defined by California state law:

Category	Source	Purpose of Processing
<b>Personal identifiers</b> such as your name, postal address, email address, and passport number*	Collected directly from you or our service providers	For corporate record keeping security management, to prevent illegal activities and to administer your relationship with us, including to provide you with services / benefits and to meet our legal obligations
<b>Information About You</b> including your name, signature, address, telephone number, passport number*, and education		
<b>Professional or employment-related information</b>		To administer your relationship with us, including to meet our legal obligations and to efficiently manage our business
<b>Legally protected characteristics</b> including marital / familial status, age, sex, national origin, and gender identity / expression		To corporate record keeping, administer your relationship with us, including to provide you with services / benefits, to meet our legal obligations, and to comply with our diversity and inclusion objectives
<b>Recordings</b> such as audio, electronic and visual recordings		Collected from recordings of the AGM and through internal and external CCTVs

Personal Data marked with an asterisk \* indicates Sensitive Personal Data, as further discussed immediately below.

### Sensitive Personal Data

Some Personal Data that we process is classified as “**Sensitive Personal Data**” under applicable data protection laws. What is considered Sensitive Personal Data varies by jurisdiction. If we are required to process Sensitive Personal Data, we will only do so in accordance with applicable law, and with your consent to the extent required under applicable data protection laws.

Our processing of Sensitive Personal Data in certain jurisdictions for the purposes of the AGM requires specific disclosure:

#### Mainland China

- To verify your identity to register the physical attendance at the AGM of yourself as the registered shareholder/proxy/corporate representative, we may process your specific identity information in the form of identification documents
- To verify your identity for the purposes of processing your Data Subject Requests, we may process your specific identity information in the form of identification documents
- To provide regulatory disclosure of interest under applicable law, we may process the Chinese character code on your Hong Kong identity card
- To communicate with you, we may process your residential address

You need to carefully consider whether your Sensitive Personal Data should be disclosed to us. However, it is necessary for you to provide us with such Sensitive Personal Data, so that we can facilitate or provide certain services to you. If you do not provide us with your separate consent, we may not be able to enable the corresponding activities.

#### California

We do not use or disclose Sensitive Personal Data we collect for purposes other than those generally permitted under California law, including as needed to facilitate the AGM. We will collect government issued identity document information (such as passport information) directly from you in order to verify that you are a registered shareholder/proxy/corporate representative should you seek to attend the AGM in person.

#### Why do we use the Personal Data and how do we use it?

The “**Legal Basis**” is what data protection laws set out as the lawful reasons for processing Personal Data, such as a legitimate interest to operate our business so long as it does not materially and adversely impact your interests, rights, and freedoms.

Legal Basis	Purpose
Legitimate Interests	<ul style="list-style-type: none"> <li>▪ Identity and contact data to maintain our correspondence databases for administrative purposes</li> <li>▪ Identity data to verify registration for the AGM and of any proxy/corporate representative</li> <li>▪ Identity and contact data to inform you or any proxy/corporate representative of logistics to the AGM for which either party(ies) is already registered</li> <li>▪ Identity and visual data to maintain safety and security at our premises</li> <li>▪ Visual data to record in-person events and webcasts</li> <li>▪ Information such as identity data to protect HKEX, its staff and assets in any actual or potential dispute</li> <li>▪ Information such as identity data in connection with an acquisition / reorganisation within the HKEX Group</li> <li>▪ Information such as financial and technical data to administer our relationship with our third party service providers (as summarised in this Notice)</li> </ul>
Consent	<p><b>Separate consent</b></p> <ul style="list-style-type: none"> <li>▪ Required if you are a Data Subject in Mainland China and we need to process your Sensitive Personal Data or share your Personal Data with a third party, publicly disclose it, or transfer it outside Mainland China</li> </ul>
Legal or Regulatory Obligations	<ul style="list-style-type: none"> <li>▪ Discharge the functions of HKEX and any company of which HKEX is the recognised exchange controller</li> <li>▪ Comply with a court order, subpoena or other legal process</li> <li>▪ Comply with a request by a government authority, law enforcement agency or similar body</li> <li>▪ Comply with laws applicable to us including domestic data protection laws</li> </ul>

## **Do we disclose Personal Data to third parties or transfer it to another jurisdiction?**

HKEX discloses Personal Data to third party organisations and partners that enable us to hold the AGM, or comply with applicable laws. These third party Personal Data recipients and specific transfer purposes are set out below:

- Our vendors who provide AGM administrative support to us
- Our vendors who facilitate the voting process
- Our vendor who maintains shareholder records
- Our vendors who provide audio-visual and media publication support
- Our professional service providers such as legal advisors, tax consultants, and accountants

To fulfil our legal obligations, we may also share your Personal Data with courts, regulatory authorities, government and law enforcement agencies, and other public authorities.

Further details about these third parties may be provided upon request to the address in the “Contact Us” section below. We shall endeavour to provide such information to the extent we are required to do so under applicable data protection laws.

Where required under applicable data protection laws, HKEX will only disclose Personal Data to third parties with your prior consent. In certain jurisdictions, HKEX may also be required to take additional measures prior to giving effect to such transfers (e.g. carrying out privacy impact assessments prior to the transfer).

HKEX may process Personal Data outside of the Data Subject's home jurisdiction, including sharing the Personal Data with third parties. HKEX shall use reasonable endeavours to ensure that the laws and regulations of the destination jurisdiction shall offer the same or comparable level of protection for Personal Data. Where this is not the case, we shall ensure that appropriate safeguards are in place at the time of the transfer by implementing standard contractual clauses or other data transfer mechanism approved by the authorities of the relevant jurisdiction. Where required under applicable data protection laws, we shall also carry out additional measures for the offshore transfer such as carrying out a privacy impact assessment.

The regions where the Personal Data may be hosted or transferred to will vary from time to time, but typically include Hong Kong, the UK, US, European Union (“EU”), Switzerland, Singapore, Japan, India, and Mainland China.

Further details on the processing locations and our measures for safeguarding international transfers (including adequacy decisions) may be provided upon request to the address in the “Contact Us” section below.

## **How long do we keep the Personal Data?**

Personal Data is retained in accordance with our internal policies, including our Group Record Retention Policy, and applicable law.

Your Personal Data will be retained by us for as long as is necessary to fulfil the purposes required for the processing. HKEX will also refer to the following factors when determining or confirming the appropriate retention period of Personal Data:

- the original purpose of collection
- the termination of any contract involving the Data Subject's Personal Data
- the limitation period as defined in the applicable law
- the existence of any legal or regulatory investigations or legal proceedings
- specific laws or regulations setting out HKEX's functions, obligations, and responsibilities
- retention period set out in non-statutory guidelines issued by our regulators or international bodies
- the sensitivity of the Personal Data and the degree of risk from the associated processing activity

For Data Subjects in Mainland China, we usually retain the Personal Data for not more than three years from the last activity or interaction with us. Further details of our Personal Data retention period may be obtained upon request to the address in the “Contact Us” section below.

Where any Personal Data is no longer necessary for the purposes for which it is collected, we shall cease the processing of that Personal Data as soon as reasonably practicable (although copies may be retained as necessary for archival purposes, for use in any actual or potential dispute, or for compliance with applicable laws), and take reasonable measures to destroy the relevant Personal Data.

### How do we keep your Personal Data secure?

We will take all practicable and reasonable steps to promote the security of the Personal Data we process in a manner consistent with applicable data protection laws and established international security standards. This includes physical, technical and administrative safeguards, to help prevent unauthorised access, collection, use, disclosure, copying, modification, disposal or similar risks, and the loss of any storage medium or device on which the Personal Data is stored, and to maintain the general security of the data.

### Rights over the Personal Data

As a summary, the following Data Subject rights may be exercised to the extent provided under applicable data protection laws:

- confirm whether we hold the Data Subject’s Personal Data and the type of Personal Data held by us
- access a copy of the Personal Data held by us
- delete your Personal Data held by us
- correct or supplement your Personal Data where it is found to be inaccurate
- restrict the processing performed on your Personal Data
- withdraw consent to the processing of your Personal Data in certain situations (e.g. processing carried out on the basis of our legitimate interests)
- transfer the Personal Data to another party in a machine readable format

In certain jurisdictions, Data Subjects may also be provided with additional rights.

California	<ul style="list-style-type: none"> <li>▪ Request that we disclose to you Personal Data we have collected about you, the categories of sources from which we collected the information, the purposes of collecting the information, the categories of third parties with whom we have shared the information, the categories of Personal Data that we have shared with third parties for a business purpose and the categories of information sold and the categories of third parties information is sold to (if any)</li> </ul>
Mainland China	<ul style="list-style-type: none"> <li>▪ Explanation on the rules of processing the Personal Data</li> <li>▪ Extension of the Data Subject rights to a surviving next-of-kin where the applicable laws permit</li> <li>▪ Transfer of your Personal Data to your designated party, where the applicable laws permit</li> </ul>
United Kingdom and Europe	<ul style="list-style-type: none"> <li>▪ Right to object to processing. You have the right to object to processing to the extent we process your Personal Data because the processing is in our legitimate interests.</li> </ul>
Singapore	<ul style="list-style-type: none"> <li>▪ In certain circumstances, receive information about the ways in which the Personal Data has been or may have been used or disclosed by us in the year before the date of the request</li> </ul>

Where these rights apply, we shall use reasonable endeavours to fulfil the request or provide an explanation. Please note that under applicable data protection law, we are only obligated to respond to Personal Data requests from the same consumer up to two times in a 12-month period, and we may be limited in what Personal Data we can disclose which is also for the protection of your Personal Data.

We will endeavour to respond to you as soon as possible and, in any event, within the timeframe stipulated under the applicable data protection law. In the event of a potential delay, we will provide an explanation and the expected timeframe for delivery. Under applicable data protection law, we may also be required to charge a reasonable fee for the cost of processing the request.

Please note that we may need to seek confirmation of identity or clarification in order to fulfil the request. If you as the Data Subject would like to appoint an authorised agent to make a request on your behalf, we may require you to verify your identity with us directly before we provide any requested information to your authorised agent unless your authorised agent has power of attorney or acts as a conservator. Information collected for purposes of verifying your request will only be used for verification. For deletion requests, you will be required to submit a verifiable request for deletion and then confirm separately that you want Personal Data about you deleted.

If you would like to exercise your Data Subject rights, please contact the HKEX Group Data Protection Office via one of the channels under the “Contact Us” section below.

### **Contact our Share Registrar**

Should you later need to amend details provided in the proxy form that you have previously submitted for AGM or in the reply form/request form that you have submitted in relation to your choice of language or means of receiving Corporate Communications, please submit your request in writing to HK Privacy Officer of Hong Kong Registrars Limited at 17M Floor, Hopewell Centre, 183 Queen’s Road East, Wan Chai, Hong Kong.

### **Contact Us**

If you have any questions or comments relating to the content of this Notice, report any concerns about our Personal Data processing, or if you would like to exercise your Data Subject Rights, please contact us through the channels below:

By Post:  
Group Data Protection Officer  
GDPO Office  
Hong Kong Exchanges and Clearing Limited  
8/F., Two Exchange Square  
8 Connaught Place  
Central  
Hong Kong

UK Representative: 10 Finsbury Square, London, EC2A 1AJ, United Kingdom  
EU Representative: De Cuserstraat 91, 1081 CN Amsterdam, Postbus/PO Box 7902, 1008 AC  
Amsterdam, Netherlands

By email: [DataPrivacy@hkex.com.hk](mailto:DataPrivacy@hkex.com.hk)

Please include the following details in any request to exercise your Data Subject Rights:

*Identity of Data Subject*

- *Full Name*
- *Company Name*
- *Email Address*
- *Address of principal residence*
- *Identity particulars if acting on behalf of a Data Subject*
- *Contact details held on file or Document(s) to verify identity*

*Nature of the Request*

- *Product or Service to which the Data Subject has subscribed*
- *Specific Right*
  - *Purpose of the Request*
  - *Preferred communication channel and address\* for receiving the results of the request*
  - *Document(s) to support the rights request*

Any Data Subject who has contacted us to express concerns about the way we manage their Personal Data and is of the view that we have not addressed the matter satisfactorily, may also contact the relevant privacy regulator to resolve the matter or seek assistance.

The privacy regulator in the United Kingdom is the Information Commissioner, who may be contacted at <https://ico.org.uk/make-a-complaint/> or by post to: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, United Kingdom.

If you live outside of the UK, you may contact the relevant data privacy regulator in your country of residence.

Last Updated: March 2023