

# Privacy Notice

## How is your personal information collected, stored, and processed?

### Before we begin

This notice (Privacy Notice) applies to personal information held by HSBC Epargne Entreprise, as data controller. It explains how we'll use that information, who we'll share it with and what steps we'll take to make sure it stays private and secure. It applies even if the custody account agreement ends.

This Privacy Notice covers all personal data processing for which HSBC Epargne Entreprise is responsible. If you are in contact with other entities in the HSBC Group, you will be sent specific information if that is necessary.

Some of the links on our websites lead to other non-HSBC Epargne Entreprise websites with their own privacy notices or policies, which may be different to this notice. You'll need to make sure you're happy with their privacy notices when using those other sites.

Wherever we've said "you" or "your," this means you, any authorised person on your account or anyone who processes transactions with us for you.

Likewise, when we say "HSBC Group," this means all of the companies held and/or controlled directly or indirectly by HSBC Holdings PLC, as such control is measured per Article L. 233-3 of the French Commercial Code.

### What information we collect

The information collected and hold about you may come from various sources. Some of it will come directly from you, or your company, while other information may have been collected under applicable regulations in the past. We may also collect information about you when you interact with us, e.g. when you visit our websites or mobile channels, or when you call us.

We might also get some of it from publicly available sources (e.g. media and websites) or from external companies (e.g. the French National Register of Natural Persons). We are also likely to collect information by grouping data sets (e.g. location information if you have a mobile app, as long as geolocation is activated).

- ◆ The information you provide to us may include:
  - personal details such as your name, gender, date and place of birth, and information featured on your identification papers;
  - your contact details such as your address, email address, landline and mobile numbers;
  - information you provide to us by filling out forms or contacting us either by phone, email or any other means of online communication, or by responding to questionnaires or satisfaction surveys.
- ◆ The information we collect or generate may be about:
  - information on your transactions and instructions, the communications channels you use with us, your transaction histories, the transactions on your account, or your claims;
  - information we use to identify and authenticate you, e.g. your account number;

- any information contained in customer documents (account statements, etc.)
  - marketing and sales information, e.g. details of the services you receive and your preferences;
  - information collected through cookies. We use cookies and similar technologies we use to recognise you, remember your preferences and tailor the content we provide to you.
  - Our [cookie policy](#) contains more details about how we use cookies.
  - investigations data, e.g. sanctions, freezing of assets, anti-money laundering and terrorist financing checks, and any information about checks on our means of communication;
  - records of correspondence and other communications between us, including phone calls, emails, instant messaging, social media communications, or any other type of exchange and communication;
  - information that we need to support our regulatory obligations, e.g. information about transaction details, detection of any suspicious and unusual activity and information about parties connected to you or these activities.
- ◆ Information we collect from other sources, e.g.:
- communications information (e.g. information contained in emails, third-party information, chat information, instant messages, media information, litigations, and transcriptions or minutes);
  - mailing addresses, more generally the contact information of persons we are looking for regarding inactive accounts (Eckert Law);
  - information from your business (social security number, HR number, your employment contract, tax residence, etc.);
  - information on your accounts or assets held with other financial institutions.

## How we'll use your information

We will not use your personal information for any reason other than managing your employee savings scheme, unless you have given us your consent. Sometimes, even if you have told us that you do not want your information used, we may still be obligated to use it for various reasons. In such cases, we may continue to use your information if we have a lawful reason for using it. These reasons include where we:

- protecting our legitimate interests;
- carrying out an agreement we have with you;
- complying with a legal obligation;
- protecting the public interest, e.g. for the purpose of preventing or detecting crime.

We collect and process information about you for various reasons, including:

- delivering our products and services, e.g. responding to a subscription request;
- carrying out your instructions;
- performing market research;
- understanding how you use your accounts and services;
- improving the quality of our products, contracts, and services, and ensuring that our communications campaigns are effective;
- keeping a record of our exchanges with you (by phone, email, or any other means of communication);
- preventing or detecting crime including fraud and financial crime;
- ensuring the continuity of our services;
- corresponding with our attorneys, consultants, or any other party (subcontractors, suppliers, shippers, partners, or other interested third parties);

- managing our internal operating requirements in terms of risk management, information systems / product development and planning, or auditing;
- responding to a request for regulatory reports, managing a dispute, or act in defence of our rights;
- ensuring compliance with our legal, regulatory, or tax requirements (e.g. help to detect fraud or tax evasion or prevent a financial offence).

[For more details, see Appendix [1: How we'll use your information](#)]

### **Automating decisions**

Automated systems may be used to support decision-making, e.g. to carry out fraud, money laundering or terrorist financing checks. We may use such technology to identify the level of risk involved in customer or account activity, e.g. for fraud or financial crime reasons, or to identify if someone else is using your account without your permission.

You are entitled to obtaining details about decisions are made. You are also entitled to requesting human intervention and to challenge those decisions. More details can be found in the "Your rights" section below.

### **Tracking or recording what you say or do**

We may record and keep track of conversations you have with us including phone calls (occasionally and at random, and only for service quality and employee training purposes), face-to-face meetings, letters, emails, live chats, video chats and any other kinds of communication. We may use these recordings to check your instructions to us, assess, analyse and improve our services, to train our people, to manage risk or to prevent and detect fraud and other crimes.

### **Compliance with laws and regulatory compliance obligations**

We use your personal information to meet our obligations, comply with any applicable law or regulation and, as needed, share your information with a regulator or competent authority, strictly adhering to applicable law. This may include using it to help detect or prevent crime (including terrorism financing and money laundering). We'll only do this on the basis that it's needed to comply with a legal obligation or it's in our legitimate interests.

### **Marketing and market research**

We may use your information to provide you with details about our products and services. If you give your consent, we may send you marketing messages by mail, email, telephone, text or secure messages containing information about our own or third-party products and services.

You can change your mind on how you receive marketing messages or choose to stop receiving them at any time. If you ask us not to send you marketing messages, it may take us a short period of time to update our systems and records to reflect your request. You might keep on receiving marketing messages during this period. To ask us to stop sending you marketing messages or using your information for marketing purposes, including adapting our content or advertising to your profile when you use one of our websites, please refer to the "More details about your information" section. You can also withdraw your consent to these marketing activities or operations by clicking on the link provided for that purpose in the messages.

Market research agencies acting on our behalf may get in touch with you by mail, telephone, email or other methods of communication to invite you to take part in research. You can withdraw your consent to the use of your information for market research at any time. If you do, your information will no longer be used for that purpose.

## Who we might share your information with

We may share your information with others including:

- other HSBC Group companies and any sub-contractors, agents or service providers working for us or providing services to HSBC Epargne Entreprise or other HSBC Group companies (including their employees, sub-contractors, service providers, directors and officers);
- Your Business, which has set up the employee savings scheme of which you are the beneficiary;
- other financial institutions, tax authorities, trade associations, and debt recovery agents;
- any (new or potential) HSBC Group company (e.g. if we are restructuring, acquiring other companies or merging with other companies) or any company that is acquiring any or all of an HSBC Group company;
- regulators, the TRACFIN unit, the Caisse des Dépôts et Consignations, independent administrative authorities, or dispute-resolution authorities, to comply with their requests;
- companies carrying out business or market research for us;
- other parties involved in any disputes, including disputed transactions;
- the French government, or judicial or administrative authorities/jurisdictions;

## Sharing aggregated or anonymised information

We may share aggregated or anonymised information outside of HSBC Epargne Entreprise with partners such as research groups, universities or advertisers or related sites. You won't be able to be identified from this information, e.g. we may share information about general trends in the use of our services.

## How long we'll keep your information

We will keep your information as long as your account is "active" as defined in Article L. 312-19 of the French Monetary and Financial Code.

Information from so-called "inactive" accounts, as defined by that same article, is kept for 20 years after being filed with the Caisse des Dépôts et Consignations, or 27 years if the account holder was deceased when the information was transferred.

Information from "inactive" accounts with no assets, specifically due to a total takeover or a transfer to competitors, will be kept for 30 years from the beneficiary's last transaction or event or the last unavailable period (whichever is most recent).

We will not keep your information any longer than necessary and, once we no longer need it, it will either be destroyed in complete security, in line with our internal policy, or it will be completely anonymised.

## Transferring your information overseas

Your information may be transferred to, hosted in, or viewed from locations outside the European Union (EU) including countries that may not have the same level of protection for personal information as France or the EU. We may need to transfer your information in this way to carry out our contract with you, to fulfil a legal obligation, to protect the public interest and/or for our legitimate interests.

When we do this, we'll ensure it has an appropriate level of protection and that the transfer is lawful. To this end, we make sure that all transfers of your information are covered by appropriate and relevant protective measures (such as encryption and contractual commitments, which includes entry into typical EU-approved contractual clauses).

You can obtain more details about the protection given to your information when it's transferred outside the EU by contacting us using the details in the "More details about your information" section.

## Your rights

You have a number of rights regarding the information held about you. These rights include:

- the right to access information we hold about you and to obtain details about how we process it;
- in some circumstances, the right to withdraw your consent to our processing of your information, which you can do at any time. We may continue to process your information if we have another legitimate reason for doing so;
- in some circumstances, the right to receive information in electronic format and/or ask us to transmit that information to a third party if technically possible (please note that this right applies only to information that you have provided to us);
- the right to request that we rectify your information if it's inaccurate or incomplete;
- in some circumstances, the right to request that we erase your information. We may continue to retain your information if we're entitled or required to retain it;
- In some cases, the right to ask us to limit or to stop the processing of your information. Please note that your information may keep on being processed if there are legitimate grounds for doing so.

You can exercise your rights by contacting us using the details set out in the "More details about your information" section below.

You will find more information about your rights on the CNIL website: [www.cnil.fr/](http://www.cnil.fr/). You also have the right to file a claim with the French Data Protection Authority (Commission Nationale de l'Informatique et des Libertés - CNIL) (please [click here](#) or send an email to the following address: CNIL - 3 Place de Fontenoy - TSA 80715 - 75334 Paris - Cedex 07).

## What we need from you

You're responsible for making sure the information you give us is accurate and up to date, and you must tell us if anything changes as soon as possible. If you provide information for another person, you'll need to direct them to this notice.

## How we keep your information secure

We employ technical and organisational measures to protect your information, including encryption, anonymisation, and physical security procedures. We require our staff and any third parties working for the HSBC Group to follow strict security data protection standards, including obligations to protect any information and applying appropriate measures for the use and transfer of information.

## More details about your information

- ◆ If you'd like further information on anything we've said in this Privacy Notice, or to contact the HSBC Group Data Protection Officer in France, from 1<sup>st</sup> December 2020, contact us at:

**HSBC Continental Europe – Data Protection Officer**  
**38 avenue Kléber – 75116 Paris**

- ◆ If you wish to exercise your rights, you can write to the following address:

**HSBC Epargne Entreprise – Data Protection Manager**  
**TSA 20001**  
**93736 Bobigny Cedex 09**

This Privacy Notice may be updated from time to time and the most recent version can be found at:

<https://www.epargne-salariale-retraite.hsbc.fr/en/charte-de-protection-des-donnees>

## APPENDIX 1: HOW WE PROCESS YOUR INFORMATION

- 1. Supplying products and services, processing your transactions, and carrying out your instructions:** we use your information to deliver our products and services and process your transactions. This includes any conclusion, management, and fulfilment of all contracts between HSBC Epargne Entreprise and your business. The lawful reasons for processing these are legitimate interest, legal obligation and the fulfilment of your contract
- 2. Banking operations support:** we'll use your information to enable the provision and function of our banking services in line with regulation, laws and customer rights and interests. We use your information to supply administrative services and to evaluate the effectiveness of those services. The lawful reasons for processing these are legitimate interest, legal obligation and the fulfilment of your contract.
- 3. Compliance with laws and regulations:** we make sure to comply with all laws and regulations in force. This may include identifying the accounts of deceased persons. The lawful reasons for this are compliance with a legal requirement, the public interest, or our legitimate interest.
- 4. To prevent and detect crime:** we use your personal information to take measures to prevent offences and other violations, including fraud risk management. We do this to comply with our legal obligations and because it's in the public interest and/or our legitimate interest. We may share your information with relevant agencies, law enforcement and other third parties where the law allows us to for the purpose of preventing or detecting crime. Additionally, we and other financial institutions may take steps to help prevent financial crime and manage risk. We'll do this because we have a legitimate interest, a legal obligation to prevent or detect crime or it's in the public interest.  
We may be required to use your information to do this, even if you've asked us to stop using your information. That could include (among other things):
  - screening, intercepting and investigating any payments you send;
  - combining the information we have about you with information from other HSBC entities.
- 5. Ensuring the security and continuity of our business:** We take measures to facilitate the continuity of our business and ensure the security of the information we store (including physical security measures) in order to fulfil our legal, regulatory or contractual obligations and to define our internal risk strategy and put it in practice with respect to our legitimate interest. We also put security measures in place to protect our employees and our premises (specifically a video surveillance system and monitoring of any improper behaviour).
- 6. Risk management:** we'll use your information to measure, detect and prevent the likelihood of financial, reputational, legal, compliance or customer risk. This includes business and operational risks. Depending on the products and services you receive, your information may be used to detect any risk of market abuse. We also use your information to fulfil our legal obligations and if we have a legitimate interest in doing so.
- 7. Mobile app and other websites:** we'll use your information to allow us to provide you with access to HSBC Epargne Entreprise's websites or mobile app. These platforms may also allow you to communicate with HSBC Epargne Entreprise.  
The legal basis for such use of your personal information is contractual.

- 8. Product and service improvement:** we analyse your information to identify possible service and product improvements (to make them more effective and profitable).  
The lawful basis for such processing of your information is our legitimate interest.
- 9. Cookies:** When using the HSBC Epargne Entreprise website or online app, we will ask you to agree to the use of cookies. The legal basis for processing your information for this purpose is your consent.  
Please click on the following link to find out more about cookies: <https://www.epargne-salariale-retraite.hsbc.fr/en/gestion-des-cookies>
- 10. Marketing:** we'll use your information to provide you with information about HSBC Epargne Entreprise's products and services products and services, and also products and services from our partners and other relevant third parties. The lawful basis for this is our legitimate interest and/or your consent.  
Please see our section on [Marketing and market research](#) above to find out more about how we use information for marketing purposes and learn about your rights in this area.
- 11. Protecting our legal rights:** we may need to use your information to protect our rights, e.g. in the case of defending legal rights and interests (e.g. collecting money owed, enforcing or protecting our security or defending rights of intellectual property); court action; managing complaints or disputes; in the event of a restructuring of companies or other mergers or acquisition. In such cases, the use of your information would be grounded on our legitimate interest.

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