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# The Patti Wong & Associates Limited Privacy Policy

## 1 Privacy Policy

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### 1.1

This Privacy Policy ("Policy") applies to information held about our clients, investors, shareholders, borrowers, contacts, suppliers and other external parties ("you") and, where you are a corporation, any of your employees, officers, directors, agents, contractors or consultants ("Personnel") or other relevant individuals. "We", "our" or "us" means Patti Wong & Associates Limited, whose registered address in Hong Kong is Unit B, 17/F, United Centre, 95 Queensway, Admiralty, Hong Kong, together with the following affiliate Patti Wong Associates Holding Limited, whose registered address is 28 Esplanade, St Helier, Jersey JE4 2QP; which together are referred to in this Policy as the "Group". See section 8 below for the relevant contact details.

### 1.2 IN THIS POLICY:

"Data Protection Legislation" means all applicable legislation relating to privacy or data protection in force from time to time, including any statute or statutory provision which amends, extends, implements, consolidates or replaces the same, and in particular, to the extent applicable and without limitation, the EU General Data Protection Regulation 2016/679 ("GDPR"), the GDPR as it forms part of the domestic law of the United Kingdom by virtue of the European Union (Withdrawal) Act 2018 ("UK GDPR"), the Data Protection Act 2018 and Personal Data (Privacy) Ordinance (Chapter 486 of the laws of Hong Kong). Where we use the terms "data subject", "controller", "processor" and "process" (and its derivatives), such terms shall have the meanings given to them in the applicable Data Protection Legislation.

### 1.3 YOUR INFORMATION

- **1.3.1** We may collect and process information relating to you, your Personnel or other relevant individuals, in order to provide our services to you. We shall process any information we collect in accordance with Data Protection Legislation and the provisions of this Policy.
- **1.3.2** Before providing us with any information you are responsible for ensuring that your Personnel or other relevant individuals are aware of this Policy and the provisions of such Policy are clearly communicated to them.
- **1.3.3** The information we collect about you or from you includes certain personal data, which means information that relates to the individual from which it is practicable for the individual to be identified a natural person. Depending on your relationship with us, we may collect the following types of personal data:
  - (a) contact information, such as an individual's home or work address and contact details including email address and home/mobile numbers;
  - (b) date of birth, marital/civil partnership status, details of dependents and next of kin;
  - (c) employment status;
  - (d) information about an individual's professional qualifications;
  - (e) payment records, bank account details, tax details and national insurance number (if applicable);
  - (f) copies of your passport/identity card or any similar documents used to verify your identity and for other client due diligence checks;
  - (g) information recorded on any forms you submit, such as subscription forms, including investor category, tax residence, status and assets held for reporting purposes under FATCA, CRS and similar requirements;
  - (h) other information about an individual that you or the relevant individual disclose(s) to us when communicating with us;
  - (i) details of any complaints or concerns raised by you or a relevant individual;
  - (j) information we obtain from the goods and services we provide you with, which may include the way you use and manage any investments you have with us, such as the date, amount and currency of any payments which are made to or from our funds, any transactions you make and any art works you own;

- (k) information we collect when you, your Personnel or other relevant individuals communicate with us, or when you apply for our products or services, or at any other time you or they contact us; and
- (l) information we obtain from third parties, such as information that we obtain when verifying details supplied by you. This information obtained from other third party organisations or people may include other companies related to the Group, employers, clients, advisers, credit reference agencies, employers, fraud prevention and compliance check agencies or other similar organisations.

We may use cookies or similar tracking technologies ('Cookies') when you access this Website. By using this Website, you consent to us using Cookies as described in full in our Cookie Policy, which can be found [\[here\]](#).

- **1.3.4** We do not anticipate processing any special categories of personal data about you, your Personnel or other relevant individuals (such as information about racial or ethnic origin, criminal or alleged criminal offences or health and lifestyle).
- **1.3.5** If you fail to provide us with the information set out in 1.3.3 above, or you, your Personnel or other relevant individuals object to us processing such information (see section 4 for more information about your rights in relation to your information) the consequences are that we may be prevented from conducting business with you, or continuing to manage any investments or services you hold with us and we may be unable to provide our services to you.

#### 1.4 OUR USE OF YOUR INFORMATION

- **1.4.1** We may collect, record and use information about you, your Personnel and other relevant individuals, and the business you conduct with us in physical and electronic form and will hold, use and otherwise process the data in accordance with the Data Protection Legislation and as set out in this Policy. This may include sharing this information with third parties and transferring it abroad. More information about sharing and transferring such information is set out below.
- **1.4.2** We and other companies related to the Group may process any information we hold about you, your Personnel and other relevant individuals for a number of business purposes. Such uses of this information are set out below. You are responsible for ensuring that any Personnel and other relevant individuals are aware of such uses of their information:
  - (a) to provide any service to you or to administer and operate any investments, loans or client account(s) you may have with us;
  - (b) to monitor and analyse your dealings with or through us;
  - (c) to enable us to carry out statistical and other analysis and to meet our legal or regulatory obligations;
  - (d) for our reasonable commercial purposes (including quality control and administration, assisting us to develop new and improved products and services, and administering goods and services provided to us);
  - (e) to confirm your or their identity and carry out background checks, including as part of our checks in relation to anti-money laundering, compliance screening and to prevent or detect fraud and other crimes;
  - (f) to follow up with you or them after you request information to see if we can provide any further assistance such as after-sale service, answering your queries, and providing you with the required products, service or information;
  - (g) to comply with any regulatory or legal requirement on us;
  - (h) to fulfil our obligations under any reporting agreement entered into with any tax authority or revenue service(s) from time to time;
  - (i) to check your instructions to us;
  - (j) to monitor and analyse any communications between you or a third party and us, to analyse, assess and improve our services to you, as well as for training and quality purposes;
  - (k) to prevent or detect abuse of our services or any of our rights (and attempts to do so), and to enforce or apply our terms with you and/or any other agreement and to protect our (or others') property or rights;

- (l) to share information with relevant third parties in the context of a sale or potential sale of all or part of our business, subject always to confidentiality obligations;
- (m) if instructed to do so by you, your Personnel or other relevant individuals or where you or they give us your consent to the use and/or processing involved;
- (n) to bring to your or their attention (in person, or by post, email or telephone) information about additional services offered by us and/or our affiliates, which may be of interest to you, your Personnel or other relevant individuals, unless you or they indicate at any time that you, your Personnel or other relevant individuals do not wish us to do so; and
- (o) to pursue and conduct marketing and promotional activities, and to improve the relevance of marketing messages we may send you, your Personnel or other relevant individuals (which you can opt out of as explained below).

## 1.5 LAWFUL GROUNDS FOR USING YOUR INFORMATION

- **1.5.1** We have described the purposes for which we may use information about you, your Personnel or other relevant individuals. We are permitted to process such information in this way, in compliance with the Data Protection Legislation, by relying on one or more of the following lawful grounds:
  - (a) you or they have explicitly agreed to us processing such information for a specific reason;
  - (b) the processing is necessary to perform the agreement we have with you or them or to take steps to enter into an agreement with you or them;
  - (c) the processing is necessary for compliance with a legal obligation we have; or
  - (d) the processing is necessary for the purposes of a legitimate interest pursued by us, which might be:
    - (i) to ensure that our services (including any investments, loans or client accounts) are well-managed;
    - (ii) to prevent and detect fraud;
    - (iii) to protect our business interests;
    - (iv) to ensure that complaints are investigated;
    - (v) to evaluate, develop or improve our products and services; or
    - (vi) to keep our clients informed about relevant products and services, unless you have indicated at any time that you do not wish us to do so.
- **1.5.2** In relation to any processing of special categories of personal data, we will generally rely on obtaining specific consent in order to process such information, although it may be necessary for us to use certain information in order to comply with our legal obligations. Where you, your Personnel or other relevant individuals have consented to our processing of such information (including special categories of personal data) you or they may withdraw such consent at any time, by contacting us using the contact details in section 8 below. Please note, however, that in certain circumstances it may be still lawful for us to continue processing this information even where consent has been withdrawn, if one of the other legal bases described above is applicable.

## 1.6 AUTOMATED DECISION-MAKING AND PROFILING

When we use personal data about you, your Personnel or other relevant individuals, we do not carry out automated decision-making or profiling.

## 1.7 DATA SECURITY

No method of transmission over the Internet, or method of electronic storage, is fully secure. While we use all reasonable and practicable efforts to protect your personal information from unauthorized or accidental access, processing, erasure, use, loss or disclosure, we cannot guarantee the security of your personal information. In the event that we are required by law to inform you of a breach to your personal information we may notify you electronically, in writing, or by telephone, if permitted to do so by law.

## 2 Information sharing

### 2.1 SHARING YOUR INFORMATION WITH OTHERS

- **2.1.1** We keep all client information confidential. We do not share any personal data about you with other companies or organisations without your prior consent. However, in order to be able to service our clients' needs to the best of our ability, we may share any information you provide to us with other companies related to the Group or to our or our affiliates' agents, counterparties and support service or data providers, wherever located. If you, your Personnel or other relevant individuals have provided information to other companies related to the Group, those entities may also share that information with us. We will ensure that if we share such information with third parties, any such disclosure is at all times in compliance with Data Protection Legislation.
- **2.1.2** The recipients, or categories of recipients, of your information, or information relating to your Personnel or other relevant individuals, may be:
  - (a) fund Administrators or transfer agents;
  - (b) bankers in relation to us, the funds we administer or advise, or our clients;
  - (c) any revenue service or tax authority, if obliged to do so under applicable regulations;
  - (d) your advisers (including, but not limited to, accountants, lawyers or other professional advisers) where authorized to do so by you;
  - (e) Hong Kong and overseas regulators and authorities in connection with their duties (such as crime prevention);
  - (f) fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify your identity. We and fraud prevention agencies may also enable law enforcement agencies to access and use your information to detect, investigate and prevent crime;
  - (g) anyone to whom we may transfer our rights and/or obligations under our terms of business;
  - (h) anyone to whom we are required to make disclosure under any law applicable in or outside Hong Kong and the United Kingdom; and
  - (i) any other person or organization after a restructure, sale or acquisition of any company related to the Group, as long as that person uses your information for the same purposes as it was originally given to us or used by us (or both).
- **2.1.3** If we, or a fraud prevention agency, determine that you, your Personnel or other relevant individuals pose a fraud or money laundering risk:
  - (a) we may refuse to provide the services or finance you have requested, or we may stop providing existing services to you; and
  - (b) a record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you or them.

### 2.2 SHARING THIRD PARTY INFORMATION WITH US

If any information which you, your Personnel or other relevant individuals provide to us relates to any third party, by providing us with such information you or they confirm that you or they have obtained any necessary permissions from such persons to the reasonable use of their information in accordance with this Policy, or are otherwise permitted to give us this information on their behalf.

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## 3 Transferring Your Information Outside Hong Kong

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### 3.1

Information about you, your Personnel or other relevant individuals in our possession may be transferred to other countries (which may include countries outside Hong Kong for any of the purposes described in this Policy, including our transmission of such information to our affiliates, advisers, administrators, service providers and agents outside Hong Kong. If any such information (including special categories of personal data) belongs to your Personnel or relevant individuals other than you, by providing us with such information you confirm that you have obtained any necessary permissions from such persons to the reasonable use of their information for such purposes in accordance with the following provisions, or are otherwise permitted to give us this information on their behalf.

### 3.2

When we, or our permitted third parties, transfer information outside Hong Kong, we or they will impose contractual obligations on the recipients of that data to protect such information to a standard essentially equivalent to that under the Data Protection Legislation. We will also require each recipient to participate in periodic assessments of the adequacy of personal data protection in each jurisdiction in which personal data is being processed. In the case of transfers by us, we may also transfer your information where:

- **3.2.1** the transfer is to a country deemed to provide adequate protection of your information by Hong Kong, the European Commission or the UK Secretary of State (as applicable); or
- **3.2.2** you, your Personnel and other relevant individuals have consented to the transfer.

### 3.3

If we transfer your information outside Hong Kong in other circumstances (for example because we have to provide such information by law), we will put in place any appropriate safeguards required under the Data Protection Legislation to ensure that your information remains adequately protected.

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## 4 Your Rights In Relation To Your Information

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### 4.1 GENERAL RIGHTS

- **4.1.1** You are responsible for ensuring that your Personnel and other relevant individuals are aware of these rights. At any time, such individuals shall have the right:
  - (a) to be informed about the processing of their personal data (i.e. for what purposes, what types, to what recipients it is disclosed, storage periods, any third party sources from which it was obtained, confirmation of whether we undertake automated decision-making, including profiling, and the logic, significance and envisaged consequences);
  - (b) to request access to, or a copy of, any personal data we hold about them;
  - (c) to request the rectification of their personal data, if they consider that it is inaccurate;
  - (d) to request the erasure of their personal data, if they consider that we do not have the right to hold it;
  - (e) to object to their personal data being processed for a particular purpose or to request that we stop using their information;
  - (f) where applicable, to request not to be subject to a decision based on automated processing and to have safeguards put in place if they are being profiled based on their personal data;
  - (g) to ask us to transfer a copy of their personal data to themselves or to another service provider or third party where technically feasible and otherwise required by applicable regulations;
  - (h) to withdraw, at any time, any consent that they have previously given to us for our use of their personal data; or

- (i) to ask us to stop or start sending them marketing messages at any time.

## 4.2 ACCESS TO YOUR INFORMATION

- **4.2.1** You, your Personnel and other relevant individuals may have a right to make a request to access to some, or all, of the information we hold about you or them, or to have any inaccurate information corrected, under the Data Protection Legislation. Any request for access to or a copy of your personal data may be made verbally or in writing and we will endeavour to respond within a reasonable period and in any event within one month in compliance with Data Protection Legislation and/or 40 days in compliance with Personal Data (Privacy) Ordinance. We will comply with our legal obligations as regards any individual's rights as a data subject.
- **4.2.2** You, your Personnel and other relevant individuals may have a right to data correction. We aim to ensure that the information we hold about you, your Personnel or other relevant individuals is accurate at all times. To assist us in ensuring that such information is up to date, please let us know if the personal details of you, your Personnel or other relevant individuals change by contacting us using the contact details in section 8. We will correct any incorrect or incomplete information and will stop processing personal data, or erase it, where there is no legal reason for us to continue to hold or use that information. We will endeavour to respond to any request for data correction within a reasonable period and in any event within 40 days in compliance with Personal Data (Privacy) Ordinance.

## 5 Retaining Your Information

### 5.1

We will only keep the information we collect about you, your Personnel and other relevant individuals on our systems or with third parties for as long as required for the purposes set out above or as required to comply with any legal obligations to which we are subject. This will involve us regularly reviewing our files to check that information is accurate and up-to-date and still required.

### 5.2

If you cease to use our services or otherwise end your relationship with us, or you decide not to go ahead with receiving our services or dealing with us, we may still keep your information pursuant to this Section 5.

### 5.3

We will normally destroy or erase data 7 years from the end of our relationship with you or as required by any applicable legal, tax or accounting regulations or other requirements by taking all practicable steps, unless erasure is prohibited by law or is not in the public interest. However, we may retain your information, or information relating to your Personnel and other relevant individuals after you cease to deal with us for longer than this, provided it is necessary for a legal, regulatory, fraud prevention or other legitimate business purpose.

## 6 Sending You Marketing Information

### 6.1

With your consent, we and other companies related to the Group may use your information from time to time to inform you, your Personnel or other relevant individuals by letter, telephone, text (or similar) messages, email or other electronic means, about similar products and services to those you may have received from us which may be of interest to you or them. You are responsible for ensuring that those individuals are aware that we may use their information for marketing purposes to inform them about services which may be of interest to them.

### 6.2

You, your Personnel or other relevant individuals may, at any time, request that we cease or do not send such information by one, some or all channels, by contacting us using the contact details in section 8.

### 6.3

If we intend to transfer your information to a third party for direct marketing, we will inform you of such intention, the classes of transferees, the classes of marketing subjects to be involved and the fact that the transfer is for a gain, etc.

## 7 Other Information

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### 7.1

We do not currently recognize automated browser signals regarding tracking mechanisms, which may include “Do Not Track” instructions.

### 7.2

Some of our third-party partners may collect information about our website traffic by tracking users across websites and across time.

## 8 Contact Us

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### 8.1

If you or any of your Personnel or other relevant individuals wish to exercise any of the rights relating to your information set out above, or if you have any questions or comments about data protection, or if you wish to raise a complaint about how we are using your information you can contact us using the following details, or any other details notified to you from time to time:

- **8.1.1** Patti Wong & Associates Limited: Write to our registered office at Unit B, 17/F United Centre, 95 Queensay, Admiralty, Hong Kong or info@pwa-asia.com .
- **8.1.2** Patti Wong Associates Holding Limited: Write to the Corporate Administrator at 28 Esplanade, St Helier, Jersey JE4 2QP or info@pwa-asia.com .
- **8.1.3** Call +852 2261 2178. Please note that calls may be recorded or monitored for training purposes.

### 8.2

If you, your Personnel or other relevant individuals have any concerns about our use of your or their information, you and they also have the right to make a complaint to the Office of the Privacy Commissioner for Personal Data (PCPD), which regulates and supervises the use of personal data in Hong Kong, via their email at [complaints@pcpd.org.hk](mailto:complaints@pcpd.org.hk); or the Jersey Office of the Information Commissioner, which regulates and supervises the use of personal data in Jersey, via their website: <https://jerseyoic.org/>.

### 8.3

We may make changes to this Policy and how we use your information in the future. If we do this, we'll post an updated version of this Policy on our website and may attempt to contact you at the contact information we have on file about you. Material changes will not be applied retroactively. You can find the current version of this Policy, which explains how we'll use your information, by visiting our website at [www.pwa-asia.com](http://www.pwa-asia.com).