



**Blue Cross 藍十字**

*Member of BEA Group* 東亞銀行集團成員

# **Privacy Policy Statement (July 2020)**

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## **1. INTRODUCTION**

1.1 This Statement is adopted as the Privacy Policy Statement (“Statement”) of Blue Cross (Asia-Pacific) Insurance Limited (the “Company”). The purpose of this Statement is to establish the policies and practices of the Company’s commitment to protect the privacy of personal data and to act in compliance with the provisions of the Personal Data (Privacy) Ordinance (the “Ordinance”), Data Protection Principles and relevant guidelines issued by the Group (i.e. The Bank of East Asia, Limited).

1.2 To ensure compliance with the Ordinance, internal guidelines on protection of personal data are established and updated from time to time for reference and use by the staff of the Company.

1.3 The Company retains the right to change this Statement.

## **2. KINDS OF PERSONAL DATA HELD BY THE COMPANY**

2.1 There are three broad categories of personal data held in the Company. They are personal data related to (potential) customers, (potential) employees and (potential) individual insurance agents and responsible officers of insurance agencies (collectively “Insurance Agents”) of the Company.

2.2 Personal data held by the Company regarding customers may include the following:

- (i) name, address, contact details, credit information and claims history of customers or potential customers;
- (ii) occupation, date of birth and nationality of customers, their identity card and/or passport numbers and place and date of issue thereof;
- (iii) current employer, nature of position, annual salary and other benefits of customers;
- (iv) details of properties, assets and investments held by customers;
- (v) details of all other assets and liabilities (actual or contingent) of customers;
- (vi) information obtained by the Company in the ordinary course of the continuation of the business relationship (for example, when customers lodge insurance claims with the Company or generally communicate verbally or in writing with the Company, by means of documentation or telephone recording system, as the case may be); and
- (vii) information which is in the public domain.

2.3 Personal data relating to employment held by the Company may include the following:

- (i) name and address, contact details, date of birth and nationality of employees and potential employees and their dependents and their identity card and/or passport numbers and place and date of issue thereof;
- (ii) additional information compiled about potential employees to assess their suitability for a job in the course of the recruitment and selection process which may include references obtained from their current or former employers or other sources;
- (iii) additional information compiled about employees in the ordinary course of the continuation of the employment relationship which may include records of remuneration and benefits paid to the employees, records of job postings, transfer / secondment and training, records of medical checks, sick leaves and other medical claims and performance appraisal reports of the employees;
- (iv) relevant personal data pertaining to former employees may be required by the Company to fulfil its obligations to the former employees and its legal obligations under certain ordinances; and
- (v) information which is in the public domain.

2.4 Personal data held by the Company regarding appointment of Insurance Agents may include the following:

- (i) Individual Agent  
name, address, contact details, date of birth, bank account number, qualifications, additional information compiled about potential Individual Agents for the Company to assess his/her suitability for being appointed as an agent of the company, and information which is in the public domain.

- (ii) Responsible Officer of Insurance Agency

name, address, contact details, any information related to the Responsible Officer which the relevant regulatory authorities of the insurance industry may require the Company to provide, and information which is in the public domain.

2.5 The Company may hold other kinds of personal data which it needs in the light of experience and the specific nature of its business.

### **3. PURPOSES THE PERSONAL DATA ARE HELD**

3.1 All personal data collected will only be used for purposes which are directly related to the Company's functions or activities. Personal data collected may be transferred to third parties when necessary for the same purposes. Individuals concerned would be informed of the possible transferees of their personal data when their personal data is collected.

3.2 It is necessary for customers to supply the Company with data in connection with the purchase of insurance or financial related products or services, and in the ordinary course of the administration of policies and undertaking other business relationships. Failure by customers to supply such data may result in the Company being unable to write new policies, establish or continue business relationship, or provide financial services.

3.3 The purposes for which data relating to customers or potential customers may be used are as follows:

- (i) processing and considering applications for insurance products and services;
- (ii) providing insurance products and services and processing requests made by customers in relation to insurance products and services, including but not limited to requests for addition, alteration or deletion of insurance benefits or insured members, setting up of direct debit facilities as well as cancellation, renewal, or reinstatement of insurance policies;
- (iii) processing, adjudicating, settling and defending insurance claims as well as conducting any incidental investigation, detecting and preventing fraud;
- (iv) performing functions and activities incidental to the provision of insurance products and services such as identity verification, data matching and reinsurance arrangement;
- (v) exercising the Company's rights in connection with the provision of insurance products and services to customers from time to time, for example, to recover indebtedness;
- (vi) designing insurance products and services with a view to improving the Company's service;
- (vii) preparing statistics and conducting research;
- (viii) marketing the following services, products and subjects (if the consent (which includes an indication of no objection) of the data subjects has been obtained, save in the circumstances exempted in the Ordinance):
  - (a) insurance, financial, banking and related services and products;
  - (b) reward, loyalty or privileges programs and related services and products; and
  - (c) services and products offered by the co-branding partners of the Company and/or any member of the BEA Group (the names of such co-branding partners can be found in the application form(s) and/or promotional material for the relevant services and products, as the case may be);

(Please see further details in paragraph (4) of the Company's Personal Information Collection Statement ("PICS") (<http://bluecross.com.hk/document/general/pics/en>) on how the Company uses data subjects' name, contact details (namely office/home/mobile telephone number, email address, fax and correspondence address) and other personal data in direct marketing. Any data subject who does not wish the Company to use his/her personal data in direct marketing may contact the Company's Corporate Data Protection Officer according to the information provided in paragraph 10 of this Statement.)

- (ix) complying with the obligations, requirements and/or arrangements for disclosing and using data that bind on or apply to the Company and/or the BEA Group or that it is expected to comply according to:

- (a) any law binding or applying to it within or outside the Hong Kong Special Administrative Region (“Hong Kong”) existing currently and in the future (e.g. the Inland Revenue Ordinance and its provisions including those concerning automatic exchange of financial account information);
  - (b) any guidelines or guidance given or issued by any legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of insurance or financial services providers within or outside Hong Kong existing currently and in the future (e.g. guidelines or guidance given or issued by the Inland Revenue Department including those concerning automatic exchange of financial account information); or
  - (c) any present or future contractual or other commitment with local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations of insurance or financial services providers that is assumed by or imposed on the Company or the BEA Group by reason of its financial, commercial, business or other interests or activities in or related to the jurisdiction of the relevant local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities, or self-regulatory or industry bodies or associations;
- (x) complying with any obligations, requirements, policies, procedures, measures or arrangements for sharing data and information within the BEA Group and/or any other use of data and information in accordance with any group-wide programs for compliance with sanctions or prevention or detection of money laundering, terrorist financing or other unlawful activities;
  - (xi) enabling an actual or proposed assignee, transferee, participant or sub-participant of the Company’s rights or business to evaluate the transaction intended to be the subject of the assignment, transfer, participation or sub-participation; and
  - (xii) any other purposes relating to the purposes listed above.

For details, please refer to the Company’s PICS (<http://bluecross.com.hk/document/general/pics/en>)

3.4 The purposes for which data relating to employees and potential employees may be used are as follows:

- (i) processing employment applications;
- (ii) determining and reviewing salaries, bonuses and other benefits;
- (iii) conducting fit and proper assessment and performance assessment according to internal policy or regulatory requirements or consideration of promotion, training, secondment or transfer;
- (iv) determining any disciplinary or rectifying action arising from employees’ conduct or employees’ ability to perform their job requirements;
- (v) consideration of eligibility for administration of staff benefits and entitlements;
- (vi) providing employee references;
- (vii) registering employees as intermediaries or licensees with statutory authorities or relevant organisation for purposes directly related to or associated to the employment;
- (viii) monitoring compliance with regulatory requirements and internal governance, policies, procedures, guidelines or rules of the Company;
- (ix) meeting the requirements to make disclosure according to any applicable law, guidelines or guidance within or outside Hong Kong existing currently and in the future, or any present or future contractual or other commitment with local or foreign legal or other authorities or relevant self-regulatory or industry bodies or associations, binding on or applying to the Company or with which it is expected to comply;
- (x) complying with sanctions or prevention or detection of money laundering, terrorist financing or other unlawful activities;
- (xi) detecting or conducting investigation regarding any suspicious fraud cases, misconduct (e.g. fake sick leave) or criminal activities;
- (xii) providing a safe working environment or protecting the health of employees and visitors; and
- (xiii) for human resources management or any other purposes relating to the purposes listed above.

3.5 The purposes for which data relating to Insurance Agents and potential Insurance Agents may be used are as follows:

- (i) processing Insurance Agent applications;
- (ii) determining and reviewing commission and other benefits (if any);
- (iii) registering Insurance Agents as intermediaries or licensees with statutory authorities/institutions for purposes directly related to or associated with their appointments;
- (iv) monitoring compliance with internal rules of the Company;

- (v) meeting the requirements to make disclosure according to any applicable law, guidelines or guidance within or outside Hong Kong existing currently and in the future, or any present or future contractual or other commitment with local or foreign legal or other authorities or relevant self-regulatory or industry bodies or associations, binding on or applying to the Company or with which it is expected to comply;
- (vi) complying with sanctions or prevention or detection of money laundering, terrorist financing or other unlawful activities;
- (vii) conducting investigation regarding any suspicious fraud cases, misconduct or criminal activities; and
- (viii) any other purposes relating to the purposes listed above.

#### **4. SECURITY OF PERSONAL DATA**

It is the policy of the Company to ensure an appropriate level of protection for personal data in order to prevent unauthorised or accidental access, processing, erasure, loss or other use of that data, commensurate with the sensitivity of the data and the harm that would be caused by occurrence of any of the aforesaid events. It is the practice of the Company to achieve appropriate levels of security protection by restricting physical access to and processing of data by providing secure storage facilities, and incorporating security measures into equipment in which data is held. Measures are taken to ensure the integrity, prudence, and competence of persons having access to personal data and the access to the personal data is granted on a need-to-know basis only. Personal data is only transmitted by secure means to prevent unauthorised or accidental access. If the Company engages a data processor (whether within or outside Hong Kong) to process personal data on the Company's behalf, the Company will adopt contractual or other means to prevent unauthorised or accidental access, processing, erasure, loss or use of the data transferred to the data processor for processing.

#### **5. ACCURACY OF PERSONAL DATA**

It is the policy of the Company to ensure that all practicable steps have been taken to maintain the accuracy of all personal data collected and processed by the Company having regard to the purpose for which the personal data is or is to be used. Appropriate procedures are implemented such that all personal data is regularly checked and updated to ensure that it is reasonably accurate having regard to the purposes for which that data is used.

#### **6. COLLECTION OF PERSONAL DATA**

6.1 When collecting personal data, the Company will satisfy itself that the purposes for which the data is collected are lawful and directly related to the Company's functions or activities. The manner of collection is lawful and fair in the circumstances and the personal data collected is necessary but not excessive for the purposes for which it is collected.

6.2 In the course of collecting personal data, the Company will provide the individuals concerned with a PICS informing them of the purpose of collection, classes of persons to whom the data may be transferred, their rights to access and correct the data, and other relevant information. Practicable steps will be taken by the Company to ensure that the individuals concerned are informed of whether it is obligatory or voluntary for them to supply the data and, if obligatory, the consequences for them if they fail to do so.

6.3 Prior to using any personal data from public domain, due regards will be given by the Company to observe the original purposes of making the personal data available in the public domain (such as the purpose of establishing the public register in the enabling legislation). The restrictions, if any, imposed by the original data users on further users and the reasonable expectation of personal data privacy of the individuals concerned will be observed by the Company.

6.4 In relation to the collection of personal data on-line, the following practices are adopted:

- (i) **On-line Security**  
The Company will follow strict standards of security and confidentiality to protect any information provided to the Company online. Encryption technology is employed for sensitive data transmission on the Internet to protect individuals' privacy.
- (ii) **On-line Correction**  
Personal data provided to the Company through an on-line facility, once submitted, may not be readily deleted, corrected or updated on-line. If deletion, correction and updates are not allowed online, users should approach the relevant department of the Company for assistance.

- (iii) On-line Retention  
Personal data collected on-line will be transferred to the relevant department of the Company for processing. Reasonable and practical steps will be taken to ensure that personal data will not be kept longer than necessary.

#### 6.5 Use of Cookies, Tags and Web Logs etc.

- (i) Cookies are small pieces of data transmitted from a web server to a web browser. Cookie data is stored on a local hard drive such that the web server can later read back the cookie data from a web browser. This is useful for allowing a website to maintain information on a particular user.

Cookies are designed to be read only by the website that provides them. Cookies cannot be used to obtain data from a user's hard drive, get a user's email address or gather a user's sensitive information.

- (ii) The Company uses cookies, tags and web logs to identify users' web browser for the following purposes:-

- (A) Session Identifier

The Company will not store user's sensitive information in cookies. Once a session is established, all the communications will use the cookies to identify a user. The cookies will expire once the session is closed.

- (B) Analytical Tracking

Users' visit to the Company's online platforms and social networks (including but not limited to the Company's website, mobile applications and Facebook) will be recorded for analysis and information may be collected through technologies such as cookies, tags and web logs etc. The information collected is anonymous research data and no personally identifiable information is collected. The Company mainly collects the information to understand more about our users including user demographics, interests and usage patterns, and to improve the effectiveness of our online marketing.

The information may be transferred to or collected by third parties on the Company's behalf (for example, providers of external service like web traffic tracking and reporting, online advertisement serving) for the above use. The information would not be further transferred to other parties by the third parties engaged by the Company. The information collected is anonymous research data and no personally identifiable information is collected or shared by the third parties.

Most web browsers are initially set up to accept cookies. Users can choose not to accept cookies by changing the settings on the web browsers but this may disable the access to the Company's website and certain features on the Company's website, online platforms and social networks will not work properly. The Company will retain the information collected online for as long as is necessary to fulfill the original or directly related purpose for which it was collected and to satisfy any applicable statutory, regulatory or contractual requirements.

Information collected through technologies such as cookies, tags and web logs will not be retained for a period longer than 3 years.

#### 6.6 Closed Circuit Television ("CCTV")

- (i) The Company installs CCTV (with recording mode) systems at the Company premises primarily for general security purposes to protect the safety of customers and the staff, business assets, intellectual property or other proprietary rights. Access to and use of the CCTV records will be granted to authorised personnel only. The Company may disclose the CCTV records to third parties including regulatory authorities and law enforcement agencies where it is necessary in order for it to respond to any legal processes or to investigate any incidents or complaints, etc.
- (ii) Subject to the aforesaid, all CCTV records will be erased according to the Company's policies and guidelines. The security measures that apply to the CCTV records will be consistent with this Statement.

## **7. DATA ACCESS REQUESTS AND DATA CORRECTION REQUESTS**

- 7.1 It is the policy of the Company to comply with all data access and correction requests, for all staff to be familiar with the requirements for assisting individuals to make such requests, and to process such requests in accordance with the provisions of the Ordinance.
- 7.2 The Company may, subject to the Ordinance and the guidelines issued by the Office of the Privacy Commissioner for Personal Data, impose a fee or reimbursement for complying with a data access request ("DAR"). The Company is only allowed to charge a DAR requestor for the costs which are directly related to and necessary for complying with a DAR. If a person making a DAR requests for an additional copy of the personal data that the Company has previously supplied pursuant to an earlier DAR, the Company may charge a fee to cover the full administrative and other costs incurred in supplying that additional copy.
- 7.3 Data access and correction requests to the Company may be addressed to the Corporate Data Protection Officer or other person as specifically advised.

## **8. RETENTION OF PERSONAL DATA**

- 8.1 The Company will take reasonable and practicable steps to ensure that personal data will not be kept longer than is necessary for the fulfilment of the purpose for which such data is or is to be used. In general, the Company shall usually hold the related personal data for a period of 7 years after termination of the business relationship or such other periods as prescribed by applicable laws and regulation.
- 8.2 If the Company engages a data processor (whether within or outside Hong Kong) to process personal data on the Company's behalf, the Company will adopt contractual or other means to prevent any personal data transferred to the data processor from being kept longer than is necessary for processing of the data.

## **9. OTHER PRACTICES**

- 9.1 The Company will keep this Statement under regular review.
- 9.2 The following are maintained by the Company to ensure compliance with the Ordinance:
- (i) A Log Book as provided for in section 27 of the Ordinance;
  - (ii) Internal policies and guidelines on compliance with the Ordinance for observance by staff of the Company;
  - (iii) Data Access Request Form and Data Correction Request Form for individuals' requests for access to and correction of personal data held by the Company.

## **10. APPOINTMENT OF DATA PROTECTION OFFICER**

- 10.1 To co-ordinate and oversee compliance with the Ordinance and the personal data protection policies of the Company, a Corporate Data Protection Officer has been appointed by the Company.
- 10.2 The contact details of the Corporate Data Protection Officer are as follows:  
The Corporate Data Protection Officer  
Blue Cross (Asia-Pacific) Insurance Limited  
29<sup>th</sup> Floor, BEA Tower, Millennium City 5  
418 Kwun Tong Road  
Kwun Tong, Kowloon  
Hong Kong  
Fax: (852) 3608 2938

11. Should you have any query with this Statement, please do not hesitate to contact our Customer Service Hotline at 3608 2988.

(Should there be any discrepancy between the English and Chinese versions, the English version shall prevail.)