

私隱聲明

宏利盈進基金 SPC

2019年9月30日

宏利盈進基金 SPC（「本公司」）是一家根據開曼群島法律註冊成立的有限責任豁免獨立資產組合公司。

本聲明（「私隱聲明」）旨在向閣下提供遵照 2017 年資料保障法（「資料保障法例」）而使用閣下個人資料的資訊。

在本私隱聲明中所提及的“我們”均指本公司及其關聯公司及／或委託人。

閣下如屬個人投資者，這將直接影響閣下。閣下如屬向本公司提供有關某些個別人士資料的機構投資者，而該等個別人士出於任何原因而與閣下對本公司所作投資與閣下有關連，則這將關乎該等個別人士，閣下應將本文件轉交該等個別人士，又或將其內容告知彼等。

就資料保障法例而言，使用個人資料時，本公司將被稱為「資料控制人」。就資料保障法例而言，本公司的關聯公司及受委人可以擔任資料保障法例所指的「資料處理人」。

閣下的個人資料

一經向本公司作出投資（包括首次申請及與本公司所聘用人土的持續來往互動）又或因閣下（作為投資者身份）以其他方式向本公司提供與閣下有關連的個別人士（例如：董事、受託人、僱員、代表、股東、投資者、客戶、實益擁有人或代理人）的個人資料，閣下將向本公司提供構成資料保障法例涵義所指的個人資料。本公司亦可從其他公開可存取名錄及來源取得有關閣下的個人資料。這包括有關閣下及／或任何與閣下（作為本公司投資者）有關連的個別人士的資料（例如：姓名、住址、電郵地址、聯絡資料、企業聯絡資訊、簽名、國籍、出生地點、出生日期、稅務身份、信貸記錄、通訊記錄、護照號碼、銀行戶口資料、資金來源資料，以及與閣下投資活動有關的詳情）。

本公司可如何使用閣下的個人資料？

本公司（作為資料控制人）可為以下目的而收集、儲存及使用閣下的個人資料：

處理資料對合約履行乃屬必要，包括以下各項：

- 處理本公司的行政或管理；
- 處理閣下對本公司所作認購及投資（例如將閣下的資料輸入股東名冊）以及處理贖回及轉換指令；
- 向閣下寄發有關閣下的投資的報表/月結單；
- 賬戶管理；
- 向投資者支付股息和其他分派；
- 促進閣下與本公司延續或終止合約關係；及
- 促進閣下與本公司之間的資金調撥，以及任何其他交易的行政及處理

處理資料對履行適用法律或監管義務乃屬必要，包括以下各項：

- 進行投資者盡職審查，包括反洗黑錢和恐怖主義融資鑑定、包括查核本公司投資者及（如適用）其實益擁有人的身份及地址；

- 制裁甄別及遵從適用的制裁及禁運法例；
- 遵從監管、政府、稅務及執法機關的要求；
- 根據適用的法律義務，包括按照美國《外國賬戶稅務遵從法》（「FATCA」）和經濟合作與發展組織的信息自動交換通用報告標準（「CRS」）及與此有關的任何相關規例進行稅務鑑定；
- 監督及調查活動；
- 進行審核查核，以及向本公司核數師發出指示；
- 維持法定名冊；及
- 欺詐防範及偵查；

維護本公司或獲透露閣下個人資料的第三者的合法權益，包括：

- 履行我們或該第三者所須承擔的法律、稅務、會計或監管義務；
- 評估及處理閣下所提出要求；
- 就閣下對本公司所作投資而寄出更新、資訊及通知又或進行書信來往；
- 就任何投訴進行調查，又或就任何申索、訴訟或爭議進行追查或捍衛；
- 向閣下提供及通知閣下各種投資產品及服務；
- 管理本公司的風險及運作；
- 遵從核數要求；
- 確保遵從本公司內部政策及程序；
- 保障本公司以防範欺詐、違反保密或盜竊宏專有資料；
- 徵詢專業意見（包括法律意見）；
- 方便進行涉及本公司的交易（包括查核本公司身份）；
- （在法律容許情況下）監控本公司通信；及
- 保障本公司資訊科技系統的安全及完整。

我們只會在認為處理乃屬必要、且本公司的合法利益未被閣下的合法利益、權利或自由所超越的情況下為維護本公司的合法權益而處理閣下的個人資料。

即使本公司已聘用執行人（「**執行人**」）、分執行人、過戶登記處及轉讓代理（「**分執行人**」）、總顧問及分銷商宏利投資管理（香港）有限公司（「**總顧問及分銷商**」）、各分銷商及副分銷商以及其他第三者代本公司執行若干活動，本公司仍繼續擔當資料控制人。

共用 閣下的個人資料

本公司可能與其受委人共用閣下的個人資料。若干情況下，本公司或在法律上有責任就閣下在本公司的權益與有關監管當局（例如開曼群島金融管轄或稅務資料局）共用閣下的個人資料及其他財務資料。該等監管當局亦可與外國當局（包括稅務機關及其他適用監管當局）交換此項資料。

本公司亦可就任何內部風險、合規及申報及／或行政服務**流程**及政策而與宏利金融任何成員共用閣下的個人資料。

本公司的受委人及服務提供者（例如執行人、分執行人、總顧問及分銷商、分銷商與副分銷商）一般均為處理人，按本公司指示行事。此外，服務提供者（例如銀行、會計師、核數師及律師）可能會在必要時使用您的個人資料，以履行其須直接承擔而屬必要的法律義務（例如在反洗黑錢和恐怖主義融資範疇內遵從適用法律，又或按法庭頒令或監管制裁規定）。服務提供就有關這種特定個人資料的使用乃充當資料控制人。

在特殊情況下，我們將會與任何國家或地區的監管、檢控及其他政府機構或部門以及訴訟（不論是計劃提出或有被控之虞者）各方共用閣下的個人資料。

向國際間提供閣下的個人資料

本公司或其獲正式授權關聯公司及／或受委人若須將任何個人資料轉移至開曼群島境外，須遵照資料保障法例的規定處理。

保留及刪除閣下的個人資料

我們會在有需要期間一直保存閣下的個人資料。例如我們需要資料以作合法業務用途、履行我們的合約責任、又或基於法律或規例而有責任。我們一般會在閣下參與投資的整段期間保留閣下的個人資料。部分個人資料保留至閣下和本公司之間的關係終止之後。我們預期，一旦毋須再為法律或監管規定或合法業務用途而保留閣下的個人資料，即會刪除閣下的個人資料。

自動化決策

本公司不會僅基於自動化處理閣下的個人資料，而作出會對閣下構成法律效力又或嚴重影響閣下的決定，除非本公司在特定情況下考慮了建議的處理，並書面總結意這是符合資料保障法例下適用的規定。

閣下的權利

閣下擁有若干資料保障權利，包括有權：

- 獲告知處理閣下個人資料的目的；
- 查閱閣下的個人資料；
- 停止直接傳銷；
- 限制閣下個人資料的處理；
- 更正不完備或不準確的個人資料；
- 要求我們停止處理閣下的個人資料；
- 獲告知個人資料洩露（除非洩露不大可能會影響閣下）；
- 向開曼群島資料保障專員辦事處作出投訴；及
- 在有限情況下要求我們刪除閣下的個人資料。

聯絡我們

我們致力合法處理閣下的個人資料和尊重閣下的資料保障權利。閣下如對本私隱聲明或本公司所持有關於閣下的個人資料有任何查詢，請與本公司聯絡。本公司聯絡資料為香港九龍觀塘海濱道83號宏利大廈23樓，收件人：私隱專員。請在通訊上註明「資料保障查詢」。

本私隱聲明已翻譯成中文，僅供參考。英文本與中文本如有歧義，概以英文本為準。

代表

宏利盈進基金SPC

董事會

PRIVACY NOTICE

MANULIFE ADVANCED FUND SPC

30 September 2019

Manulife Advanced Fund SPC (the "**Company**") is an exempted segregated portfolio company incorporated with limited liability under the laws of the Cayman Islands.

The purpose of this notice (the "**Privacy Notice**") is to provide you with information on our use of your personal data in accordance with the Data Protection Law, 2017 (the "**DPL**").

In this document, "we", "us" and "our" refers to the Company and its affiliates and/or delegates.

If you are an individual investor, this will affect you directly. If you are an institutional investor that provides us with personal data on individuals connected to you for any reason in relation to your investment with us, this will be relevant for those individuals and you should transmit this document to such individuals or otherwise advise them of its content.

In our use of personal data the Company will be characterised as a "data controller" for the purposes of the DPL. The Company's affiliates and delegates may act as "data processors" for the purposes of the DPL.

Your Personal Data

By virtue of making an investment in the Company (including the initial application and ongoing interactions with the persons engaged by the Company) or by virtue of you otherwise providing us with personal information on individuals connected with you as an investor (for example, directors, trustees, employees, representatives, shareholders, investors, clients, beneficial owners or agents), you will provide us with certain personal information which constitutes personal data within the meaning of the DPL. We may also obtain personal data on you from other public accessible directories and sources. This includes information relating to you and/or any individuals connected with you as an investor in the Company such as: name, residential address, email address, contact details, corporate contact information, signature, nationality, place of birth, date of birth, tax identification, credit history, correspondence records, passport number, bank account details, source of funds details and details relating to your investment activity.

How We May Use Your Personal Data

The Company, as the data controller, may collect, store and use your personal data for purposes including the following.

The processing is necessary for the performance of a contract, including:

- administering or managing the Company;
- processing your subscription and investment in the Company, such as entering your information in the register of shareholders and processing redemption and switching orders;
- sending you statements relating to your investment;
- account administration;
- payments of dividends and other distributions to investors;
- facilitating the continuation or termination of the contractual relationship between you and the Company; and

- facilitating the transfer of funds, and administering and facilitating any other transaction, between you and the Company.

The processing is necessary for compliance with applicable legal or regulatory obligations, including:

- undertaking investor due diligence including anti-money laundering and counter-terrorist financing checks, including verifying the identity and addresses of our investors (and, where applicable, their beneficial owners);
- sanctions screening and complying with applicable sanctions and embargo legislation;
- complying with requests from regulatory, governmental, tax and law enforcement authorities;
- tax identification in accordance with applicable legal obligations, including pursuant to the U.S. Foreign Account Tax Compliance Act (“**FATCA**”) and the Organisation for Economic Co-operation and Development’s Common Reporting Standard for the Automatic Exchange of Information (“**CRS**”) and any relevant regulations in connection therewith;
- surveillance and investigation activities;
- carrying out audit checks, and instructing our auditors;
- maintaining statutory registers; and
- preventing and detecting fraud;

In pursuance of our legitimate interests, or those of a third party to whom your personal data are disclosed, including:

- complying with a legal, tax, accounting or regulatory obligation to which we or the third party are subject;
- assessing and processing requests you make;
- sending updates, information and notices or otherwise corresponding with you in connection with your investment in the Company;
- investigating any complaints, or pursuing or defending any claims, proceedings or disputes;
- providing you with, and informing you about investment products and services;
- managing our risk and operations;
- complying with audit requirements;
- ensuring internal compliance with our policies and procedures;
- protecting the Company against fraud, breach of confidence or theft of proprietary materials;
- seeking professional advice, including legal advice;
- facilitating transactions involving the Company, including to verify the identity of the Company;
- monitoring communications to/from us (where permitted by law); and
- protecting the security and integrity of our IT systems.

We will only process your personal data in pursuance of our legitimate interests where we have considered that the processing is necessary and, on balance, our legitimate interests are not overridden by your legitimate interests, rights or freedoms.

The Company continues to be a data controller even though it has engaged the administrator (the “**Administrator**”), sub-administrator, registrar and transfer agent (the “**Sub-Administrator**”), the general adviser and distributor, Manulife Investment Management (Hong Kong) Limited (the “**General Adviser and Distributor**”), distributors and sub-distributors and other third parties to perform certain activities on the Company’s behalf.

Sharing Your Personal Data

We may share your personal data with our delegates. In certain circumstances we may be legally obliged to share your personal data and other financial information with respect to your interest in the Company with relevant regulatory authorities such as the Cayman Islands Monetary Authority or the Tax Information Authority. They, in turn, may exchange this information with foreign authorities, including tax authorities and other applicable regulatory authorities.

We may also share your personal data with any member of the Manulife Financial group, in connection with any internal risk, compliance and reporting and/or administrative services processes and policies.

The Company's delegates and service providers such as the Administrator, the Sub-Administrator, the General Adviser and Distributor, distributors and sub-distributors, are generally processors acting on the instructions of the Company. Additionally, a service provider such as banks, accountants, auditors and lawyers may use your personal data where this is necessary for compliance with a legal obligation to which it is directly subject (for example, to comply with applicable law in the area of anti-money laundering and counter terrorist financing or where mandated by a court order or regulatory sanction). The service provider, in respect of this specific use of personal data, acts as a data controller.

In exceptional circumstances, we will share your personal data with regulatory, prosecuting and other governmental agencies or departments, and parties to litigation (whether pending or threatened) in any country or territory.

Sending Your Personal Data Internationally

Any transfer of your personal data by us or our duly authorised affiliates and/or delegates outside of the Cayman Islands shall be in accordance with the requirements of the DPL.

Retention and Deletion of Your Personal Data

We will keep your personal data for as long as it is required by us. For example, we may require it for our legitimate business purposes, to perform our contractual obligations, or where law or regulation obliges us to. We will generally retain your personal data throughout the lifecycle of the investment you are involved in. Some personal data will be retained after your relationship with us ends. We expect to delete your personal data (at the latest) once there is no longer any legal or regulatory requirement or legitimate business purpose for retaining your personal data.

Automated Decision-Making

We will not take decisions producing legal effects concerning you, or otherwise significantly affecting you, based solely on automated processing of your personal data, unless we have considered the proposed processing in a particular case and concluded in writing that it meets the applicable requirements under the DPL.

Your rights

You have certain data protection rights, including the right to:

- be informed about the purposes for which your personal data are processed;
- access your personal data;
- stop direct marketing;
- restrict the processing of your personal data;
- have incomplete or inaccurate personal data corrected;

- ask us to stop processing your personal data;
- be informed of a personal data breach (unless the breach is unlikely to be prejudicial to you);
- complain to the Ombudsman's office of the Cayman Islands; and
- require us to delete your personal data in some limited circumstances.

Contact us

We are committed to processing your personal data lawfully and to respecting your data protection rights. Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you. Our contact details are Attn: Privacy Officer, 23/F, Manulife Tower, One Bay East, 83 Hoi Bun Road, Kwun Tong, Kowloon, Hong Kong. Please mark your communication "Data Protection Enquiry".

Disclaimer

This Privacy Notice has been translated into Chinese for reference only. If there is any inconsistency between the English version and the Chinese version, the English version shall prevail.