

DATA PRIVACY NOTICE – HONG KONG

October 2020

1. INTRODUCTION

- 1.1 Xingtai Capital Management Limited ("**Company**") operates in Hong Kong and is governed by the Personal Data (Privacy) Ordinance (Cap. 486) (the "**Ordinance**"). The confidentiality, privacy, and security of the personal information are important to the Company. The Company is committed to implement and comply with the requirements under the Ordinance, applicable guidelines and regulations, and internal company policies with respect to the management of personal information. The Company is also committed to ensure that its employees and agents uphold these obligations.
- 1.2 In this Notice, "**Group**" means the Company together with its holding companies and subsidiaries and the subsidiaries of its holding companies. This Notice is given on behalf of other entities within members of the Group to the extent applicable.
- 1.3 This Notice relates to the Group's processing of personal data relating individual investors (or potential investors) and individuals representing or otherwise associated with investors or joint venture partners (or potential investors or joint venture partners) ("**Investor Individuals**").
- 1.4 This Notice may be amended from time to time by the Company.

2. SOURCES OF PERSONAL DATA

- 2.1 The Group may obtain personal data relating to Investor Individuals from the following sources:
 - 2.1.1 The Group may collect personal data relating to Investor Individuals directly from the individuals themselves, including, for example, name, bank account details, e-mail, office address and phone number.
 - 2.1.2 The Group may collect such personal data relating to Investor Individuals from staff members in the case of institutional investors and from family or member of staff in the case of high net worth individuals.

3. KINDS OF PERSONAL DATA HELD

- 3.1 The Group collects the following kinds of personal data in relation to the Investor Individuals:
 - 3.1.1 Information of individual investors (or potential investors) and individuals representing or otherwise associated with investors or joint venture partners (or potential investors or joint venture partners) obtained in the course of provision of investment and other business services including name, address, email address, contact details, age, corporate contact information, signature, nationality, place of birth, date of birth, tax identification, credit history, correspondence records, HKID/passport number (or equivalent identification information), bank account details, source of funds details and details relating to the investment activity.

4. PURPOSES AND LEGAL BASIS OF COLLECTION AND PROCESSING

- 4.1 From time to time, it is necessary for Investor Individuals to supply to the Group personal data about themselves or other Investor Individuals. Such personal data is needed in

connection with the delivery and provision of the terms or obligations under the joint venture and/or investment constitutive documents or to process the joint venture partner's / investor's request.

- 4.2 The purposes for which personal data relating to Investor Individuals are used include the following:
- 4.2.1 the Group's or its business partners' compliance with their obligations and duties under the joint venture and/ or investment constitutive documents;
 - 4.2.2 administering and providing corporate administrative and/or company secretarial functions;
 - 4.2.3 compliance with legal or regulatory obligations to which the Group is subject (such as compliance with anti-money laundering requirements).
- 4.3 In most cases, the Group is able lawfully to process personal data relating to Investor Individuals because it needs to do so in order to pursue the purposes described above, and has satisfied itself that its interest in pursuing those purposes is not overridden by any prejudice to the privacy of the individuals concerned. In some limited cases, the Group needs to process personal data relating to individual investors or potential investors in order to perform a contract with the individual or, in relation to potential investors, to take steps at the request of the individual in order to enter into a contract related to the proposed investment.

5. TRANSFER OR DISCLOSURE OF PERSONAL DATA

- 5.1 The Group may disclose personal data to third parties (whether within or outside Hong Kong) from time to time in order to fulfil the purposes set out in section 4 above.
- 5.2 Members of the Group may disclose personal data relating to Investor Individuals to:
- 5.2.1 any other member of the Group;
 - 5.2.2 the investment manager;
 - 5.2.3 any agent, contractor, or third-party service provider who provides services or administrative, telecommunications, computer or other services to the Company and/ or any member of the Group in connection with the operation of its business;
 - 5.2.4 any persons in connection with claims made by or against or otherwise involving the investors or joint venture partners in respect of any services by the Company and/ or any member of the Group, to the extent permitted by law;
 - 5.2.5 any government department or appropriate regulatory body in Hong Kong or elsewhere; and
 - 5.2.6 any actual or proposed assignee or transferee of the Company and/ or any member of the Group's rights or business.

5.3 In situations where the Company transfers personal data to countries outside of Hong Kong such as the Cayman Islands, the Company will endeavour to take steps to ensure that appropriate levels of protection comparable to the protections under the Ordinance or applicable local laws.

6. RETENTION

6.1 Personal data will not be retained for any longer than is necessary given the purposes for which it was collected, or for which it is further processed. The Group's retention period is 7 years unless:

6.1.1 the individual concerned has given express consent for the data to be retained for a longer period; or

6.1.2 there is a subsisting reason that obliges the Group's to retain the data for a longer period. A subsisting reason may be where there is ongoing litigation, where there are contractual obligations on the Company and or any Group Company to retain the data or where it is in the public interest (including historical interest) for the data not to be erased.

7. DATA SUBJECT RIGHTS

7.1 In accordance with the Ordinance all data subjects (as defined under the Ordinance):

7.1.1 have the right of access to their personal data held by the Company (other than personal data in respect of which certain exceptions apply under the Ordinance);

7.1.2 have the right to require the Company to correct any such data which is inaccurate; and

7.1.3 have the right to ascertain whether the Company holds personal data of the data subject.

7.2 In accordance with the Ordinance, the Company reserves the right to charge a reasonable handling fee for the processing of any request for data access.

8. CONTACTING THE COMPANY

Any requests relating to access to or correction of personal data or to exercise other data protection rights, clarification of policies and practices or clarifications on data held by the Company should be addressed to:

The Personal Data Officer
Miu Yuen
Email: miu.yuen@xingtaicap.com