

Privacy Notice In Respect Of The IOSCO Administrative Arrangement For The Transfer Of Personal Data Between EEA And Non-EEA Securities Regulators

How and why does the SFC process your personal data?

The Securities and Futures Commission (“SFC”) may collect and process personal data in the performance of its statutory functions and activities under the Securities and Futures Ordinance (“SFO”), including by way of international transfers under the IOSCO Multilateral Memorandum of Understanding Concerning Consultation and Cooperation and the Exchange of Information (“MMoU”), the Enhanced MMoU and any bilateral arrangement between the SFC and other authorities.

With regard to personal data received through international transfers from the European Economic Area (“EEA”) securities regulators, the SFC is a signatory to the administrative arrangement for the transfer of personal data between EEA and non-EEA securities regulators (“Administrative Arrangement”) (and is referred to in the Administrative Arrangement as an “Authority” and together with other signatories, the “Authorities”). By signing up to the Administrative Arrangement, the SFC has committed to handle personal data received from EEA securities regulators in accordance with the safeguards set out in the [Administrative Arrangement](#).

Transfers of personal data by the SFC

Personal data which the SFC receives under the Administrative Arrangement may be disclosed by the SFC to other entities, including (a) other financial regulators in Hong Kong, (b) government bodies, (c) relevant courts, panels, tribunals and committees, (d) overseas regulatory/government/self-regulatory/judicial bodies as permitted or required under the law, or pursuant to any regulatory/supervisory / investigatory assistance arrangements between the SFC and other regulators (local / overseas), and/or (e) persons engaged by the SFC to assist the SFC in the performance of its statutory functions.

Rights of a Data Subject

The SFC will comply with the Personal Data (Privacy) Ordinance (“PDPO”) in respect of personal data.

You have the right to request access to and correction of your personal data held by us about you in accordance with the provisions of the PDPO. All data access requests should be made using the form specified by the Privacy Commissioner for Personal Data which is accessible from the following link "[Data Access Request Form](#)".

However there are certain exemptions from the right of access that may apply as provided in the PDPO, the SFO or other relevant laws, rules or regulations. The exemptions include, but are not limited to, the following:

- (a) where there is likely to be prejudice to –
 - (i) the SFC’s supervisory or enforcement functions in the prevention, detection or remedying (including punishment) of crime or unlawful or seriously improper conduct, or
 - (ii) its functions as a financial regulator for protecting members of the public against financial loss arising from dishonesty, incompetence, malpractice or

seriously improper conduct by persons concerned in the provision of financial services, the management of companies or who are shareholders of companies;

(b) as required or authorised by law, any rule of law or an order of a court in Hong Kong; and

(c) in connection with any legal proceedings in Hong Kong.

Questions or complaints

If you believe that your personal data has not been handled consistent with the safeguards under the Administrative Arrangement, where applicable, you can lodge a complaint or claim at the transferring Authority, the receiving Authority or both Authorities. In the case of the SFC, you can contact the Data Privacy Officer whose details are below. In such event, the SFC will use best efforts to settle the dispute or claim amicably in a timely fashion.

Contact details

If you have questions or concerns, please contact:

The Data Privacy Officer
Securities and Futures Commission
35th Floor, Cheung Kong Center
2 Queen's Road Central
Hong Kong

This notice applies to transfers of personal data under the Administrative Arrangement. Please refer to the SFC's [Privacy Policy Statement](#) for our policies on personal data more generally.