

法国外贸银行股份有限公司北京及上海分行

数据隐私通知

Natixis Beijing Branch and Shanghai Branch

Data Privacy Notice

法国外贸银行股份有限公司上海分行及北京分行（以下简称“我们”或“银行”）始终致力于保护其每位客户、供应商及其相关人士(定义见下文)，包括您，的隐私和个人信息安全。本隐私通知向您说明银行如何根据《中华人民共和国个人信息保护法》和相关数据保护法律、法规以及其他具有约束力的规范性文件和要求(统称为“数据保护法律”)收集和處理客户、供应商及其相关人士的个人信息。

Natixis Shanghai Branch and Beijing Branch ("we", "us" or the "Bank") is committed to protecting the privacy and security of personal data of each of its customer, supplier and their Relevant Individuals (as defined below), including you. This privacy notice describes how the Bank collects and processes the personal data of customers, suppliers and Relevant Individuals in accordance with the Personal Information Protection Law of the People's Republic of China and related data protection laws, regulations and other binding regulatory documents and requirements (collectively, the "Data Protection Laws").

## A 部分 - 定义

### Part A - Definition

一、 在本通知中，

In this notice,

(a) **银行**是指法国外贸银行股份有限公司上海及/或北京分行；

"Bank" means Natixis Shanghai and/or Beijing Branch;

(b) **法外贸集团**是指法国外贸银行股份有限公司，包括其所有分支机构，办事处及其关联方(无论其位于何处)及其继承人和受让人隶属一国际金融集团，并在正常运营中参与一系列企业，商业及投资银行业务。为确保其遵守相关法律法规，程序及措施，尤其是法外贸集团已设立并维持职能分隔制度(Chinese Wall)，以使其能够独立的并以其客户的最大利益为出发点而提供服务；

"Natixis Group" means Natixis, which includes all its branches, offices, affiliates wherever situated and its successors and assigns that are part of an international financial group, which is involved, in the normal course of business, in a large range of activities proper to business and corporate and investment banks. In compliance with law and regulations, procedures and measures, notably "Chinese Walls" are in place and maintained within Natixis Group in order to allow Natixis Group to work independently and in the best interest of its clients.

- (c) 中华人民共和国，仅为本通知的目的，不包括香港特别行政区、澳门特别行政区及台湾；

"People's Republic of China" for the purpose of this notice only, excluding the Hong Kong Special Administrative Region, Macau Special Administrative Region and Taiwan.

- (d) 个人信息指以电子或者其他方式记录的与已识别或者可识别的自然人有关的各种信息，包括但不限于：

"Personal Information" means all kinds of information related to identified or identifiable individuals recorded by electronic or other means, including but not limited to:

- (i) 个人基本资料，例如相关个人的姓名、性别、国籍、出生日期、住址信息、工作职务、业务联系信息(电话号码和电子邮件地址)、业务地址、家庭关系等；  
personal basic information, such as the name, gender, nationality, birthday, place of residence, job title, business contact information (telephone number and email address), work address and family relationship of Relevant Individuals;
- (ii) 个人身份信息，例如相关个人的身份证或护照复印件等；  
personal identity information, such as copies of the ID card or passport of Relevant Individuals;
- (iii) 个人教育或职业信息，例如相关个人的个人简历信息、薪资收入信息等；  
personal education or career information, such as personal resume information and salary information of Relevant Individuals;
- (iv) 个人财产信息，例如相关个人的银行账号、存款信息、房产信息、借贷记录、征信信息、交易和消费记录、流水记录、财产来源等；  
personal property information, such as the bank account number, deposit information, real property information, loan record, credit information, transaction and consumption record, bank statement and sources of properties of Relevant Individuals;
- (v) 个人通讯信息，例如相关个人与银行之间的电子邮件、电话和文件通讯和指令信息等；以及  
personal communication information, such as emails, telephone calls, document communication and instructions between the Relevant Individuals and the Bank;  
and
- (vi) 在适用的情况下，个人生物识别信息，例如个人肖像、签字样本和通话录音/视频录像等；  
if applicable, personal biometric information, such as personal portraits, signature samples and call recordings/video recordings;

其中，以上所载的个人身份信息、个人财产信息和个人生物识别信息属于“**个人敏感信息**”；

among which, the personal identity information, personal property information and personal biometric information stated above are "**Sensitive Personal Information**".

- (e) **相关个人**指由**银行**收集或您向**银行**提供**个人信息**的您方员工(包括管理层、公司管理人员、董事和员工)、法定代表人、股东、实际控制人、最终受益人、保证人以及转账收款人；

"**Relevant Individuals**" mean your employees (including management, corporate officers, directors and employees), legal representative, shareholders, actual controller, ultimate beneficiaries, guarantors and payees of transfers, whose Personal Information is collected by or provided to the Bank;

## **B 部分 - 收集和处理个人信息**

### **Part B - Collection and Processing of Personal Information**

二、 当您同意本隐私声明时，您确认您已通知**相关个人**且**相关个人**已确认：

When you agree to this privacy notice, you confirm that you have informed the Relevant Individuals and the Relevant Individuals have confirmed:

- (a) **银行**为了如下目的收集和**处理个人信息**：

The Bank collects and processes Personal Information for the following purposes:

- (i) 履行**银行**或**法外贸集团**任何成员与您就提供的产品和/或服务相关的合同，包括但不限于管理您及**相关个人**所提供或使用的账户、产品和服务(包括任何金融工具)，管理交易与相关现金流，处理、评估、确定及审批任何申请或请求；  
performing contracts between the Bank or any member of Natixis Group and you in relation to the products and/or services provided, including but not limited to managing the accounts, products and services (including any financial instruments) provided or used by you and Relevant Individuals, managing transactions and related cash flows, and the processing, evaluation, determination and approval of any applications or requests;
- (ii) 履行**银行**或**法外贸集团**任何成员的法律或监管义务，包括但不限于：采取安全措施防止欺诈，例如检测与禁运有关的异常交易，更广泛地打击金融部门以及**银行**或**法外贸集团**任何成员及其客户和员工方面的金融犯罪，监控和报告风险，记录与市场交易有关的电话交谈和书面消息(电子和即时消息)，履行向任何主管公共或司法当局报告并回答主管公共或司法当局发出的任何官方请求的义务，以及履行反洗钱和恐怖主义融资，防止逃税，避免市场滥用、透明度和预防腐败等方面的义务；  
fulfilling the legal or regulatory obligations of the Bank or any member of Natixis Group, including but not limited to, taking security measures to prevent fraud, for

instance, to detect abnormal transactions in relation to embargoes, combatting financial crime more generally in the financial sector and in relation to the Bank or any member of Natixis Group their clients and employees, monitoring and reporting risks, recording telephone conversations and written messages (electronic and instant messaging) in connection with market transactions, fulfilling obligations to report to, and answer any official request issued by any competent public or judicial authorities, and fulfilling obligations in respect of preventing money laundering, terrorist financing, tax evasion and market abuse, transparency, preventing corruption, etc;

- (iii) 确保**银行或法外贸集团** IT 系统的安全;  
ensuring the security of IT systems of the Bank or Natixis Group;
- (iv) 就**银行或法外贸集团**与您和**相关个人**的关系行使任何权利和履行义务, 处理投诉、法律事务与纠纷(包括诉讼、调解和仲裁);  
in relation to the interactions between the Bank or Natixis Group and you as well as Relevant Individuals, exercising rights and fulfilling obligations, attending to complaints, legal affairs and disputes (including lawsuits, mediation and arbitration);
- (v) 管理与对手方和潜在对手方的关系, 包括但不限于识别并确定您和**相关个人**的身份, 对当前和潜在对手方以及**相关个人**进行尽职调查、管理风险与内部控制; 在**银行与法外贸集团**的全球关系管理系统中储存和/或处理您以及**相关个人**的数据; 确定您以及**相关个人**符合使用相关金融工具、服务和产品必须满足的资格或其他要求; 向您汇报交易结果、资产余额与其他信息; 为与您进行交易获取业务或信贷批复, 包括进行信用调查和采取其他程序来确认您和**相关个人**的信誉(包括但不限于帮助其他金融机构进行信用调查、收取债款);  
managing relationships with counterparties and potential counterparties, including but not limited to, identifying and determining identities of you and the Relevant Individuals, conducting due diligence, managing risk and internal controls with respect to existing and potential counterparties and the Relevant Individuals; storing and/or processing your data and that of the Relevant Individuals in the Bank's and Natixis Group's global relationship management systems; determining that you and the Relevant Individuals meet the qualifications or other requirements that must be met in order to use the relevant financial instruments, services and products; reporting to you on the results of transactions, asset balances and other information; obtaining business or credit approvals for transactions with you, including conducting credit checks and other procedures to confirm your creditworthiness and the creditworthiness of the Relevant Individuals (including, but not limited to, assisting other financial institutions in conducting credit investigations and collecting debts);

(vi) 通过市场调查、数据分析、调查问卷等途径来分析、开发、提升与改善**银行或法外贸集团**的金融工具和服务；

analyzing, developing, enhancing and improving the Bank's or Natixis Group financial instruments and services via market research, data analysis, questionnaires and other approaches;

(vii) 改进**银行或法外贸集团**的产品或服务，包括但不限于创建并维护**银行**的信用与风险相关模型；研发新产品、服务；提升经营、技术、金融、合规及其他辅助功能的效率；

improving the Bank's or Natixis Group products or services, including but not limited to, the creation and maintenance of the Bank's credit and risk-related models; the development of new products and services; and the enhancement of the efficiency of operational, technical, financial, compliance, and other ancillary functions;

(viii) 用于**银行或法外贸集团**的审计和检查活动；

being used for audits and inspections carried out by the Bank or Natixis Group;

(ix) 使**银行与法外贸集团**任何成员的实际或潜在受让人，或有关您及**相关个人**的**银行(或法外贸集团成员)**权利的参与者或次级参与者能够评估将成为转让、让与、合并、处理、参与或次级参与主体的交易，并于该等交易完成后继续经营**银行或法外贸集团**成员的业务或类似服务；及

enabling actual or potential transferees of the Bank and any member of Natixis Group, or participants or sub-participants in the rights of the Bank (or of the members of Group) in respect of you and Related Individuals, to evaluate transactions that will be the subject of a transfer, assignment, merger, disposal, participation or sub-participation and to continue to carry on the business or similar services of the Bank or of the members of Natixis Group after the consummation of such transactions; and

(x) 与前述直接或间接相关的目的。

purposes directly or indirectly related to the foregoing.

(b) 如果您或**相关人士**拒绝向**银行**为相关目的提供**相关个人信息(包括个人敏感信息)**，可能导致**银行**无法为您开立银行账户，和/或您可能无法提供或使用**银行**的相关服务、产品或进行相关业务合作。

If you and Relevant Individuals refuse to provide relevant Personal Information (including Sensitive Personal Information) to the Bank for relevant purposes, the Bank may not be able to open a bank account for you, and/or you may not be able to provide or use the relevant services, products of the Bank or conduct relevant business cooperations.

- (c) 个人信息将由银行保密，但在达到上述目的所必需的范围内、以及法律允许的范围内，银行可将个人信息交付予中华人民共和国之内或之外的如下人士委托处理、与其共享或传送至该等人士：

Personal Information will be kept confidential by the Bank, but to the extent necessary for the above purposes and permitted by law, the Bank may entrust the processing of Personal Information to, share with or transfer to the following persons within or outside the People's Republic of China:

- (i) 银行雇员、高级职员或董事，和法外贸集团成员及其雇员、高级职员或董事；  
employees, officers or directors of the Bank, members of Natixis Group and their employees, officers or directors;
- (ii) 法外贸集团任何成员或向银行或法外贸集团提供行政、通讯、计算机、云计算、支付、结算、保管、储存、数据处理或其他服务的第三方服务提供者(为免生疑义，包括银行或法外贸集团任何成员可能向其外包或委托任何服务、职能或职责的任何人士)或其任何代理、承包人、次级承包人、数据处理者、专业顾问或合作伙伴；  
any member of Natixis Group, or any third-party service provider (including, for the avoidance of doubt, any person to whom the Bank or any member of Natixis Group may outsource or delegate any of its services, functions or duties) who provides administrative, communication, computer, cloud computing, payment, settlement, custody, storage, data processing or other services to the Bank or any member of Natixis Group, or any of their agent, contractor, sub-contractor, data processor, professional advisor or partner;
- (iii) 为使法外贸集团正当完成、管理、处理和/或实施银行要求或授权的任何服务或交易，有必要向其披露资料的任何人士，包括但不限于交易过程中银行或法外贸集团成员可能交涉的第三方金融机构、保险公司、证券与投资服务提供者、清算所、保管人、中介机构、经纪人和合作伙伴，资金转账的受益人及其相关银行；  
any person to whom it is necessary to disclose information in order for Natixis Group to properly complete, manage, process and/or carry out any service or transaction requested or authorized by the Bank, including, but not limited to, third-party financial institutions, insurance companies, securities and investment service providers, clearing houses, custodians, intermediaries, brokers, and partners, with whom the Bank or members of Natixis Group may deal in the course of transactions, beneficiaries of fund transfers and their related banks;
- (iv) 银行或法外贸集团任何成员对其负有义务的任何人士或机构，或银行或法外贸集团任何成员因其他原因被要求或预期根据任何法律、法规、判决、法庭命令、仲裁裁决或命令、自律守则或制裁制度的规定，或根据银行或法外贸

集团任何成员预计或习惯于遵守的任何法律、监管、政府、税务、执法或其他机构、证券或期货交易所、法庭、仲裁机构、中央银行、自律或行业组织颁布的任何准则、指引、请求、内部方针或规则的规定，或根据任何**银行**或**法外贸集团**任何成员与当地或外国法律、监管、政府、税务、执法或其他机构、证券或期货交易所、法庭、仲裁机构、中央银行、自律或行业组织(包括位于中国或其他地区及当前存在或未来存在的)的任何合同或其他约定，应向其披露信息的任何人士或机构；

any person or institution to whom the Bank or any member of Natixis Group is obliged, or any person or institution to whom the Bank or any member of Natixis Group is otherwise required or expected to disclose information, in accordance with the provisions of any law, regulation, judgment, court order, arbitral award or order, self-discipline rule or sanctions regime, or in accordance with provisions of any code, guideline, request, internal policy or rule issued by any legal, regulatory, governmental, tax, law enforcement or other authorities, securities or futures exchanges, courts, arbitral bodies, central banks, self-discipline or industrial organizations with which the Bank or any member of Natixis Group is expected or accustomed to comply, or in accordance with any contract or other agreement between the Bank or any member of Natixis Group and local or foreign legal, regulatory, governmental, tax, law enforcement or other authorities, securities or futures exchanges, courts, arbitral bodies, central banks, self-discipline or industrial organizations (including those located in the People's Republic of China or elsewhere and currently in existence or in the future);

- (v) 已承诺对该等数据保密的、对**银行**或**法外贸集团**任何成员负有保密义务的任何其他人士或机构；

any other person or institution that has undertaken to keep such data confidential or that is under a duty of confidentiality to the Bank or any member of Natixis Group;

- (vi) 信用调查机构和讨债机构(发生拖欠款项的情况)；

credit investigation agencies and debt collection agencies (in the event of overdue payments);

- (vii) 与您或**相关个人**有关的**银行**或**法外贸集团**任何成员的权利的任何实际或潜在受让人、参与者、次级参与者或承让人。

any actual or potential assignee, participant, sub-participant or transferee of the rights of the Bank or any member of Natixis Group in relation to you or Related Individuals.

**银行**将维持并持续更新一项清单，其中载明**相关个人**的**个人信息**可能、或将被跨境传输至**中华人民共和国**境外的情形及相关信息(包括境外接收方的名称或者姓名、联系方式、处理目的、处理方式、**个人信息**的种类以及个人向境外接收方行使相关

法律规定权利的方式和程序等事项)。您或**相关个人**可随时通过如下第四段所载的联系方式,要求**银行**提供该等信息,且**银行**将在收到上述要求后,向您或**相关个人**提供该等信息。

The Bank will maintain and continuously update a list, containing situations in which the Personal Information of the Relevant Individuals may be, or will be, transferred outside the People's Republic of China, and the relevant information (including the name of the offshore recipient, contact information, processing purpose, methods, the type of Personal Information, and the manner and procedures for individuals to exercise their rights under relevant laws to the offshore recipient). You or the Relevant Individuals may request the Bank to provide such information at any time via the contact details set forth in paragraph 4 below, and the Bank will provide such information to you or the Relevant Individuals upon receipt of the foregoing request.

如**银行**与**相关个人**的**个人信息**的任何境外接收方签订了一份个人信息出境标准合同条款(实质上遵循中国政府部门规定的格式),**相关个人**将被列为上述标准合同的第三方受益人,且一经**相关个人**要求,**银行**将向**相关个人**提供一份该等已签署的标准合同条款的副本。

If the Bank enters into a standard contract for the outbound transfer of personal information (substantially in the form prescribed by the Chinese governmental authorities) with any offshore recipient of the Personal Information of the Relevant Individuals, the Relevant Individuals will be listed as the third party beneficiaries of the foregoing standard contract, and the Bank will, upon request by the Relevant Individuals, provide the Relevant Individuals with a copy of the signed standard contract.

- (d) 任何访问及/或改正**银行**所持有的**个人信息**的请求,可以向**银行**以书面方式作出。 Any request for access to and/or correction of Personal Information held by the Bank may be made in writing to the Bank.

三、当您同意本隐私声明时,您特此确认如下:

When you agree to this privacy notice, you hereby acknowledge that:

- (a) 您已经指示**相关个人**仔细阅读了**银行**网站上的数据隐私通知(<https://apac.cib.natixis.com/china>),并确认已经恰当告知**相关个人**关于其在**银行**处理其**个人信息**方面的权益;和  
you have instructed the Relevant Individuals to carefully read the Privacy Notice available at our Bank website (<https://apac.cib.natixis.com/china>) and confirm that the Relevant Individuals have been properly informed of his or her rights and interests in relation to the Bank's processing of his or her Personal Information; and
- (b) 您已经通知**相关个人**且**相关个人**已确认,为了以上概述的目的,**银行**可以将**个人信息**向**中华人民共和国**以外传送(包括但不限于法国、中国香港、新加坡、印度、葡萄牙等)。您已获得**相关个人**对于**个人信息**向**中华人民共和国**以外传送的书面单独



同意。

you have notified the Relevant Individuals and the Relevant Individuals have acknowledged that the Bank may transfer Personal Information outside the People's Republic of China (including, but not limited to, France, Hong Kong, Singapore, India, Portugal etc.) for the purposes outlined above. You have obtained the Relevant Individuals' separate written consent to the transfer of Personal Information outside the People's Republic of China.

四、就相关个人向银行做出的使用、披露和/或处理他/她个人信息的任何同意，该等相关个人可以在任何时刻撤回他/她的同意(提请注意在上述撤回前的就相关个人的个人信息的使用、披露和/或处理应仍然合法)。在任何这些上述情况发生时，请使用下方的联系信息联系信息保护官，

In respect of any consent given by the Relevant Individuals to the Bank for the use, disclosure and/or processing of his/her Personal Information, the Relevant Individuals may withdraw his/her consent at any time (it shall be noted that the use, disclosure and/or processing of the Relevant Individuals' Personal Information shall remain lawful prior to such withdrawal). In the event of any of the above events, please contact the data protection officer using the contact details below,

**电子邮件 Email:**

***chinadataprotect@natixis.com***

**地址 Address:**

**法国外贸银行股份有限公司北京分行**

**中国北京市朝阳区建国门外大街2号北京银泰中心C座1902单元，邮编：100022**

***Natixis Beijing Branch Room 1902, Yintai Office Tower C, Beijing Yintai Centre***

***No.2 Jianguomenwai Street, Chaoyang District***

***100022 Beijing, China***

**法国外贸银行股份有限公司上海分行**

**中国上海市浦东新区陆家嘴环路1233号汇亚大厦16楼1601、1605-1608单元，邮编：200120**

***Natixis Shanghai Branch Room 1601, 1605-1608***

*Azia Building, No.1233 Lujiazui Ring Road*

*Pudong Shanghai 200120, China*

未提供此等信息或撤回使用和/或披露相关信息的同意可能导致**银行**和**法外贸集团**成员无法开立或继续账户，或建立或继续银行授信或提供银行服务。

Failure to provide such information or withdrawal of consent to the use and/or disclosure of such information may result in the Bank and members of Natixis Group being unable to open or maintain accounts or establish or continue bank credit facilities or provide banking services.

## C 部分-陈述和承诺

### Part C - Representation and Undertaking

五、 您保证不会将非法或未经授权获取的**个人信息**提供给**银行**；您向**银行**提供的所有**个人信息**均未侵犯任何第三方的合法权益。您在将**个人信息**传输至**银行**前保证：

You warrant that you will not provide illegal or unauthorized Personal Information to the Bank; all Personal Information you provide to the Bank will not violate the legal rights and interests of any third party. Before transferring Personal Information to the Bank, you warrant that:

- (a) 将要传输的**个人信息**是完整的、准确的和最新的；  
the Personal Information to be transferred is complete, accurate and up-to-date;
- (b) 将要传输的**个人信息**已经被加密和安全处理(如适用)； 以及  
the Personal Information to be transferred has been encrypted and securely processed (if applicable); and
- (c) 您已获得适用的法律法规要求的签署本通知需要的任何和所有的同意，并且您可以在**银行**要求时将取得该等同意的书面证明分享给**银行**。  
you have obtained any and all consents required by applicable laws and regulations to sign this notice, and you may share written proof of obtaining such consent with the Bank upon the Bank's request.

六、 若您违反本通知项下的**个人信息**和**隐私保护**条款或适用的法律法规下的义务而导致**银行**和/或任何**银行**的员工、董事、管理人员、关联公司和代理遭受损失的，包括但不限于**相关个人**就此向**银行**提出相关的索赔或监管机构对**银行**处以罚款，您应当赔偿**银行**因此造成的直接损失并使其免受损害。

In the event that the Bank and/or any of the Bank's employees, directors, officers, affiliates and agents suffer damages as a result of any breach by you of your obligations under the personal information and privacy protection provisions of this notice or under applicable laws and regulations, including, without limitation, the filing of a relevant claim by the Relevant Individuals against the Bank in connection therewith or the imposition of a fine by a regulatory authority on the Bank, you shall indemnify and hold the Bank harmless against any and all direct losses that the Bank may incur as a result of such a breach.

七、本通知适用中华人民共和国法律并依其进行解释。

This notice shall be governed by and construed in accordance with the laws of the People's Republic of China.

您特此确认，您已经阅读本通知，以及您知晓您在本通知项下的义务、责任和权利。您确认：

You hereby acknowledge that you have read this notice and that you are aware of your obligations, liabilities and rights under this notice. You acknowledge that:

- (a) 您依法受本通知的条款所约束；  
you are legally bound by the terms of this notice;
- (b) 您理解本通知的条款和效力；以及  
you understand the terms and effect of this notice; and
- (c) 如果您在任何商业协议或以任何其他形式给予或将要给予**银行**任何其他同意，且这些同意在**银行**处理**个人信息**方面授予比本通知更广泛的权利，则本通知应作为这些同意的补充，而非替代。

if you have given or are about to give the Bank any other consent in any commercial agreement or in any other form that grants the Bank wider rights in relation to the Bank's processing of Personal Information than those set out in this notice, this notice shall be supplemental to, and not in substitution for, these consents.

八、我们可能会不时修改本通知，以确保本通知与银行使用您个人数据方式的任何发展或适用于银行的法律和法规的任何变化保持一致。我们将在**银行**网站上 (<https://apac.cib.natixis.com/china>) 发布更新的通知并会依据这些变更的重要程度采取合适的方式通知您。与我们的所有通信、交易和交易均应遵守当时有效的本通知的最新版本。

*We may amend this notice from time to time to ensure that the notice is consistent with any developments to the way the Bank uses your personal data or any changes to the laws and regulations applicable to the Bank. We will make available the updated notice on our Bank website (<https://apac.cib.natixis.com/china>) and will notify you in appropriate ways based on the importance of these changes. All communications, transactions, and dealings with us shall be subjected to the latest version of this notice in force at the time.*

(以下无正文)  
(No Body Text Below)