

## GPAYROLL PRIVACY NOTICE

AS AT 5 October 2015

### 1. Privacy Statement

- 1.1 This Privacy Notice explains how Personal Data (defined below) is collected, used and disclosed by us, Gpayroll, in relation to your access and use of our online Service as defined in the Gpayroll Services Agreement (the “**Service**”), which are provided through Gpayroll’s website and/or mobile applications (collectively, “**Site**”). This Privacy Notice applies to all Personal Data collected or submitted to Gpayroll through the use of the Service. By accessing, using and providing us with any Personal Data, you are: (i) expressly consenting and (ii) responsible for obtaining the express consent of your employees or the persons whose Personal Data you are disclosing with respect, to the manner in which we collect, use, disclose and transfer Personal Data as set out in this Privacy Notice.

### 2. Nature of Personal Data Collected

- 2.1 We limit the collection of Personal Data to that which we need to administer and improve the Site, to provide our Service to you, and to fulfill any legal and regulatory requirements.

- 2.2 The categories of Personal Data (collectively, “**Personal Data**”) that we collect may include, but are not limited to:

Employee information including name, HKID, passport or other identification number, telephone number(s), residential address, email address, date of birth, gender, marital status, race, religion, nationality, country of residence, postal code, employment status, department, hire date, job grade, nature of employment, contract type, salary, pay frequency, financial and bank account details, and any other information relating to any individuals which you have provided to Gpayroll.

### 3. How Personal Data is Collected

- 3.1 We do not require you to provide any Personal Data in order to have general access to the Site. However, in order to access or use certain information, features or Service, you may be required to provide Personal Data. The circumstances under which Personal Data is primarily collected may include, but are not limited:

- (a) When you register a HR Administrator Account to access and use the Service;
- (b) When your employee registers an Employee’s Account to use the Service;
- (c) When you provide Personal Data to Gpayroll manually or electronically;
- (d) When you submit an Excel template containing Personal Data for bulk upload to Gpayroll’s system;

- (e) When you make payment for the Service;
- (f) If you provide us with comments or suggestions, request information about our Service, or contact our Helpdesk administrators via phone, email or other forms of communication.

3.2 When you visit the Site, we may use cookie files to store and track information about your [name, email address, contact number and company name] or your actions for the purposes of providing our services to you for compiling aggregate statistics on how visitors browse the website. Such statistics are collected for the purpose of managing and improving the design of the website.

#### **4. How Personal Data is Used and Disclosed**

4.1 We use and disclose the Personal Data you provide us to perform the Service you have requested. We limit the purposes for which we use and disclose Personal Data to:

- (a) Providing the Service to you;
- (b) Sharing Personal Data with third parties (including related parties of Gpayroll and overseas parties) that may be involved in the delivery of Gpayroll's Services to you and your employees;
- (c) Administering and improving the Service which includes the Site;
- (d) Responding to your queries, requests and instructions;
- (e) Troubleshooting i.e. analysing and solving problems arising from your use of the Service;
- (f) Complying with legal requirements, the requests of public agencies, law enforcement and regulatory officials, or orders of court;
- (g) Sending you email notifications;
- (h) Processing payments you authorize for the Service;
- (i) Fulfilling any other purposes for which we have obtained your consent.

4.2 All financial transactions effected, including those related to Direct Deposits, are handled by our Third Party Service Providers which include Participating Banks, each of whom have their respective Privacy Notices. You hereby agree to be bound by such Third Party Service Provider Privacy Notices which will be made available to you when, and if, you purchase and/or opt for the Services.

4.3 We, after obtaining your consent, may use your contact details for delivering to you marketing information about the Service, new Services or products, upcoming events or email notifications of Gpayroll for direct marketing purpose. If you do not wish to receive such marketing information, you may opt-out from receiving such information at any time,

free of charge, by contacting our Personal Data Compliance Officer with contact details set out at the end of this Privacy Notice.

- 4.4 Unless with your express and voluntary consent in writing, we will not: (a) provide Personal Data to any third parties for the purpose of direct marketing; (b) disclose Personal Data except to those to whom disclosure is necessary to effect the purposes of the Service and who are similarly bound to hold Personal Data in confidence; or (c) disclose Personal Data unless required to do so by law or in the good faith belief that such preservation or disclosure is reasonably necessary to: (i) comply with legal process; (ii) respond to claims that any of the Personal Data or content violates the rights of third parties; or (iii) protect Gpayroll's rights, property, or personal safety and that of Gpayroll's customers, users or the public.

## **5. Retention Obligations**

- 5.1 Gpayroll will retain Personal Data we process on your behalf for as long as is needed to provide the Service to you and your employees. Gpayroll may retain and use Personal Data for as long as necessary as required by law or for other legitimate business purposes including complying with Gpayroll's legal obligations, resolving disputes, and enforcing Gpayroll's agreements.
- 5.2 Examples of Personal Data that may be retained in archive include but is not limited to:
- (a) Employee Payslips: Recent payslips may be viewed by employee within the system although historical payslips beyond 2 years may only be accessed upon request.
  - (b) Employer Payroll Reports: Recent Reports may be viewed by HR Administrator within the system although reports generated beyond 2 years may only be accessed upon request.

## **6. Access and Correction Obligations**

- 6.1 You and/or your employees may access, review, update and correct Personal Data through your respective Accounts or by contacting our Personal Data Compliance Officer with contact details set out at the end of this Privacy Notice with the form prescribed by the Hong Kong Privacy Commissioner for Personal Data. Gpayroll shall respond to an access request as soon as reasonably possible and make a correction as soon as practicable. A reasonable fee may be charged by Gpayroll to provide access to archived Personal Data as mentioned in Clause above.

## **7. Protection Obligations**

- 7.1 The security of Personal Data, is very important to Gpayroll. Gpayroll will maintain reasonable security arrangements in respect of Personal Data to prevent unauthorised access, collection, use, disclosure, copying, modification, disposal or similar risks. Gpayroll

will restrict access of the Personal Data to relevant employees on a "need-to-know" basis, providing relevant training to the employees to handle personal data properly and applying encryption to personal data when necessary. However, despite such reasonable efforts, we cannot guarantee the security of Personal Data transmitted through the Internet. Gpayroll will implement technical and organizational measures in accordance with good industry practice such as encryption, alphanumeric passwords and user access controls that can be customised according to your preferences. You are solely responsible for keeping all passwords confidential and configuring the appropriate access control settings.

## **8. Transfer Obligations**

8.1 Personal Data may be accessed by or transferred to our servers anywhere in the world, as is necessary to facilitate the provision of the Service by Gpayroll to you. Your Personal Data may also be accessed by or transferred to our affiliates and data processors and/or intermediaries for the purposes of providing you with the Service. When transferring Personal Data outside of your jurisdiction, Gpayroll will take reasonable steps to ensure that the privacy and security of Personal Data is accorded a standard of protection comparable to the protection under your local data protection laws. By providing Gpayroll with Personal Data, you consent (and have obtained the consent of your employees or the persons whose Personal Data you are disclosing) to such transfer and/or access.

## **9. Anonymization of Personal Data**

9.1 Gpayroll may anonymize Personal Data so that the resulting data lacks any means to identify the user ("**Anonymized Data**"). Gpayroll may use the Anonymized Data for any commercial or non-commercial purpose including but not limited to the following:

- (a) to aggregate the Anonymized Data with other data;
- (b) to modify the Anonymized Data (whether aggregated or not) so as to create a derivative work;
- (c) to publicly publish the Anonymized Data (whether aggregated, modified or not) either directly or indirectly through third parties; and
- (d) to commercialize the Anonymized Data (whether aggregated, modified or not) by licensing, selling and/or marketing the Anonymized Data (whether aggregated, modified or not) to third parties.

9.2 Ownership of the Anonymized Data (including all intellectual property rights), as modified by Gpayroll, shall vest in and be owned absolutely by Gpayroll.

## **10. Changes to Privacy Notice**

10.1 Gpayroll may revise this Privacy Notice from time to time due to legislative changes, changes in technology or our privacy practices or new uses of personally identifiable information not

previously disclosed in this Privacy Notice. Material revisions will be effected by posting a notice on the Site prior to the change becoming effective or by sending you an email or other notification. Your continued access and/or use of the Service will indicate your acceptance of those changes. We encourage you to periodically refer to this Privacy Notice for the latest information on our privacy practices.

**11. Contact Information**

11.1 Questions or comments related to this Privacy Notice and/or complaints should be submitted to the following designated person:

Personal Data Compliance Officer

Name: Huang RenQun

Address: AZ Building, 140 Paya Lebar Road, #05-012, Singapore 409015

Tel: +852 3051 9309

Email: renqun.huang@gpayroll.com