



Applicant Privacy Notice

*This Notice is addressed to all who enter into an application process in connection with a role in any associated company of Hutchison Port Holdings based in the United Kingdom (each a "**Company**") ("**Applicants**") and references to "you" refers to each individual Applicant.*

Summary

Personal data is any information that directly or indirectly identifies you as an individual ("**Personal Data**"). This Notice gives you information about how and why the Company might collect, process, use or store your Personal Data in connection with your job application and in compliance with the applicable laws and regulations that are designed to protect Personal Data. It also sets out your rights in relation to your Personal Data: you have the right to know what Personal Data the Company holds about you; to have a copy of it; and you can ask the Company to change or sometimes delete it.

Key information

What types of Personal Data does the Company collect/ process/ store/ use?

Categories include:

- **identification data:** such as your name, signature, citizenship/nationality, passport or visa/ID data, drivers' licence information, national insurance number;
- **personal information:** such as your date and place of birth, emergency contact details, marital status and dependants, and gender;
- **contact details:** such as your home address, telephone number and email address;
- **information about your education and work experience:** such as your working history, education, training, and any other information contained in your CV and obtained from recruiters;
- **systems / buildings access monitoring information:** such as CCTV footage, internet, email and telephone usage data;
- **performance information:** such as performance evaluations and ratings, capability analysis and assessments made as part of your application process; and
- **special personal data:** such as health and medical data, criminal records data, background check information, and gender, race or ethnicity data.

Find out more about what Personal Data the Company processes and why [\[here\]](#).

What are the Company's purposes for collecting, processing, storing and using Personal Data of its Applicants?

- To process your application and to select the most appropriate individual for the position
- To determine your eligibility for the role you have applied for
- To conduct background checks as part of your application
- To communicate with you about future job opportunities and events
- To comply with the law and our obligations
- To comply with our financial and regulatory obligations

Find out more about more details on why the Company processes your Personal Data [\[here\]](#).

With whom may the Company share your Personal Data, and what happens if it's transferred out of the UK?

The Company may transfer Personal Data to third parties, including to entities within and outside of the Hutchison Ports group located in any jurisdictions where the Hutchison Ports group entities are located, for the purposes set out above.

The Company may also need to transfer your Personal Data to other third parties like potential business partners, suppliers, customers, or government bodies however the Company will limit who has access to your Personal Data as much as is practicable. If your Personal Data is transferred out of the U.K., the Company will take all necessary measures to ensure your data is adequately protected.

Find out more about whom your data is shared with (including a list of applicable Hutchison Ports group entities), and what steps the Company takes to protect it [\[here\]](#).

What rights do you have in respect of your Personal Data?

You have a number of rights in relation to your Personal Data including a right to access, correct and sometimes erase your Personal Data as well as more technical rights to restrict the way the Company processes and transfers it.

Find out more about your rights in respect of your Personal Data in detail [\[here\]](#).

How long will the Company keep my Personal Data for?

The Company will not keep your Personal Data for any longer than it needs to, either to comply with its legal, financial or regulatory obligations or to ensure that the Company is complying with its obligations to you and other third parties.

Find out more [\[here\]](#).

Who can you contact if you have questions?

If you have concerns or questions regarding your Personal Data, please let us know. We have a dedicated email address at dpa@hpuk.co.uk or you can write to the Data Protection Ambassador at Tomline House, The Dock, Felixstowe IP11 3SY.

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1. WHAT TYPES OF PERSONAL DATA DOES THE COMPANY COLLECT, PROCESS, STORE AND USE?

Personal Data

- 1.1 Personal Data is any information that directly or indirectly identifies you as an individual. The Company collects, processes, stores and otherwise uses your Personal Data for a variety of reasons linked to your application and that Personal Data may, subject to any applicable law restrictions, include some of the following types and categories of data:
- (a) **identification data:** such as your name, signature, your photo, nationality or citizenship, passport or visa/ID data, drivers' licence information, clock number, car registration number, bank account details, credit reference checks, national insurance number and tax reference;
 - (b) **personal information:** such as your date and place of birth, emergency contact details, marital status and dependants, and gender;
 - (c) **contact details:** such as your home address, telephone number(s) (landline and mobile) and email address;
 - (d) **information about your education and work experience:** such as your position, business title, management level, time type (full or part time and percentage), work location, department, position level, support roles, start and end dates, contract status reference, information in new joiner forms, proof of eligibility information, information in your CV and that has been obtained from recruitment agencies, data relating to referees, job history (including position history, title history, effective dates and past pay groups), education history, training history and qualifications, reasons for leaving, contact details for your current/former employer, information about your educational background, your work experience and other experience; notes taken from your interview;
 - (e) **systems / buildings access monitoring information:** such as CCTV footage, internet, email and telephone usage data, username or any other systems IDs, TrustID scan results; and
 - (f) **performance information:** such as performance evaluations and ratings, and any capability analysis and assessments (including psychometric assessments), made as part of your application process, information obtained through reference checks.

together "**Personal Data**".

Special Personal Data

- 1.2 Special Personal Data refers to various categories of Personal Data that are subject to additional legal controls over processing. In certain circumstances, the Company may need to process Special Personal Data in connection with your application.
- 1.3 In certain circumstances, the Company may need your specific consent to process your Personal Data in a particular way, such as for the purpose of conducting background checks prior to you commencing employment, to enable relevant third parties to release information about you as part of those checks.
- 1.4 Although the Company is seeking your consent in relation to certain background checks, you should note that in most cases we will process your Personal Data for the reasons set out in this Notice and it will not be appropriate or necessary for you to provide consent as the legal basis for processing your Personal Data.
- 1.5 There are some variations in the collection and processing of Special Personal Data across the countries where Hutchison Ports operates and the Company will ensure that Special Personal Data is collected and processed in accordance with the applicable laws in all cases.

1.6 The categories of Special Personal Data that the Company may collect, process, store and use in connection with your application and in compliance with legal obligations include:

(a) **health and medical data:**

- any information relating to your health that you provided in your job application form or information obtained by Occupational Health as part of a medical assessment for a role, any medical questionnaire;
- information on disability for example for the purposes of accommodating the work place; and

(b) **religious affiliations:** for example for purposes of equal opportunities and diversity monitoring and initiatives;

(c) **criminal records data:** such as where the Company has conducted or received the results of criminal records background checks in relation to you in the process of your application, where relevant and appropriate to the role that you are applying for;

(d) **gender, race or ethnicity data:** such as information contained in your passport or other citizenship and right to work documentation, and information which you have voluntarily provided to the Company for the purposes of its equal opportunities and diversity monitoring and initiatives;

(e) **sexual orientation data:** such as marital status and information contained in your marriage/civil partnership certificate, where this has been provided voluntarily to the Company, for the purposes of our equal opportunities and diversity monitoring and initiatives,

together "**Special Personal Data**".

2. WHAT ARE THE COMPANY'S PURPOSES FOR COLLECTING, PROCESSING, STORING AND USING THE PERSONAL DATA AND SPECIAL PERSONAL DATA OF ITS APPLICANTS?

The Company needs to process your Personal Data and Special Personal Data primarily in order to manage and run your application process effectively and to enable the Company to comply with legal obligations, as well as in some cases, to pursue its legitimate interests, through the legal bases detailed in this Notice.

Personal Data

2.1 Set out below is a list of reasons why we may collect, process, store and use your Personal Data (the "**Processing Purposes**"):

- (f) administering and processing your application and selecting the most appropriate individual for the position (including processing a job offer or an offer of a new internal role should you be successful), including identification data, contact details, information about your qualifications and employment history, information obtained during your interview process and information contained in your CV;
- (g) to determine your eligibility for the role that you applied for, including identification data, contact details, information about your work and education experience;
- (h) conducting background checks as part of your application, including identification data, contact details, information from references;
- (i) complying with applicable laws and employment-related requirements along with the administration of those requirements, such as income tax, national insurance deductions, and employment and immigration laws which involves the processing of identification data and contact details;

- (j) monitoring and ensuring compliance with applicable policies and procedures and laws, which involves the processing of your identification data and contact details;
- (k) communicating with you, including informing you of future opportunities with the Company which involves the processing of identification data and your contact details;
- (l) responding to and complying with requests and legal demands from regulators or other authorities in or outside of your home country which involves the processing of identification data and contact details; and
- (m) complying with corporate financial responsibilities, including audit requirements (both internal and external) and cost/budgeting analysis and control which involves the processing of identification data, contact details, information about the role you have applied for, including salary and benefits details.

2.2 The Company will only use your Personal Data for the purposes for which it is collected, unless it is reasonably considered by the Company that it needs to use it for another reason that is compatible with the original purpose. If the Company needs to use your Personal Data for an unrelated purpose, you will be notified and informed of the legal basis for doing so.

Special Personal Data

2.3 The Company will not process Special Personal Data for purposes that are incompatible with the purposes set out in this Notice unless where required by law, or where you have explicitly consented to the processing, or the processing is:

- (a) in the vital interests of you or another person;
- (b) for equal opportunities monitoring and diversity monitoring and initiatives where this has been provided voluntarily to the Company;
- (c) for criminal records background checks in relation to you in the process of your application, where relevant and appropriate to the role you are applying for;
- (d) to accommodate your application and interview processes and for compliance with legal obligations, we may use health and medical data;
- (e) related to information that has been made public by the Company; or
- (f) necessary for reasons of substantial public interest, on the basis of applicable law.

2.4 The Company does not need your consent to use Special Personal Data to carry out its legal obligations or to exercise specific rights under employment law. In limited circumstances, we may ask you for your written consent to allow the Company to process certain particularly Special Personal Data. If we do so, you will be provided with full details of the information that the Company would like and the reason it is needed, so that you can carefully consider whether you wish to consent. **Please note that if you do not consent when requested by the Company, in certain situations we may be unable to process your application.**

3. LEGAL BASES FOR COLLECTION, PROCESSING AND USE OF PERSONAL DATA AND SPECIAL PERSONAL DATA

3.1 The Company may process your Personal Data and Special Personal Data in some instances for legitimate business purposes without your express knowledge or consent, but only in compliance with this Notice and as permitted by law. It is therefore important to explain the legal bases for the collecting, processing and use of your Personal Data and Special Personal Data, which are:

- (a) **for Personal Data:** effective progression of your application process; compliance with legal obligations; the legitimate interests of the Company, its affiliates or other third parties (such as existing or potential business partners, suppliers, customers, end-customers or governmental bodies or courts); with your consent, where that is appropriate and has been

separately obtained; protection of vital interests of you or of another individual; performance of a task carried out in the public interest or in the exercise of official authority vested in the Company; and

- (b) **for Special Personal Data:** with your explicit consent as permitted by data protection law; to carry out the obligations and to exercise the specific rights of the Company or you in the field of employment, social security and social protection law as permitted by data protection law; to protect the vital interests of you or of another individual where you are physically or legally incapable of giving consent; for substantial public interest as permitted by data protection law; or for assessment of your working capacity or other needs (such as requirements for certain reasonable adjustments) during the application process as permitted by data protection law.

Legitimate Interests

3.2 Legitimate interests of the Company or third parties may include:

- (a) assessing your suitability for employment or engagement with the Company;
- (b) carrying out appraisals and evaluations as part of the application process, both on a local and international basis;
- (c) implementation and operation of a group-wide organisational structure and group-wide information sharing;
- (d) assessing your suitability for other roles within the Company or a Company affiliate both on a local and international basis;
- (e) right to freedom of expression or information; and
- (f) for other specific purposes that are not covered by the above that may arise from time to time.

3.3 When relying on the legitimate interests basis for processing your Personal Data and Special Personal Data, we will balance the legitimate interest pursued by the Company and any relevant third party with your interests and rights in relation to the protection of your Personal Data and Special Personal Data to ensure it is appropriate for us to rely on such legitimate interest and to identify any additional steps we need to take to achieve the right balance.

Automated decision-making

3.4 Automated decision-making takes place when an electronic system uses Personal Data to make a decision without human intervention. You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless the Company has a lawful basis for doing so and has made you aware of this. You will always have an opportunity to speak to an individual at some point in the process if you have any questions or concerns.

4. SECURING YOUR PERSONAL DATA AND SPECIAL PERSONAL DATA

4.1 The Company has put in place appropriate physical, technological and organisational security measures to protect your Personal Data and Special Personal Data against loss or theft, as well as from unauthorised access, disclosure, copying, use or modification, regardless of the format in which it is held. These measures are reviewed periodically and upgraded in line with legal and technological developments. In all cases, the Company will take appropriate steps to ensure that your Personal Data and Special Personal Data is stored securely and that access is restricted only to those employees with a legitimate purpose.

4.2 Where Personal Data and Special Personal Data are held in hard copy files, these will be held for a defined period of time. Following this the files will be destroyed in accordance with the Company's Policy on Data Retention and any applicable laws.

5. WITH WHOM MAY THE COMPANY SHARE PERSONAL DATA AND SPECIAL PERSONAL DATA, AND WHAT HAPPENS IF IT IS TRANSFERRED OUT OF THE UK?

- 5.1 Transfer of Personal Data and Special Personal Data may occur:
- (a) **Within the Company's group.** As management, human resources and legal and audit responsibility partially rests with Hutchison Ports Holdings Limited (as the immediate group parent) and CK Hutchison Holdings Limited (as the ultimate holding company in Hong Kong), the Company may transfer your Personal Data and Special Personal Data to, or otherwise allow access to such data by Hutchison Ports Holdings Limited and CK Hutchison Holdings Limited or other Hutchison Ports entities which may use, transfer, and process the data for the following purposes: to communicate information about the group; and to respond to requests and legal demands from regulators and other authorities, including authorities in Hong Kong such as the Hong Kong Stock Exchange;
 - (b) **To regulators, authorities, and other third parties.** As necessary for the Processing Purposes described above, Personal Data and Special Personal Data may be transferred to regulators, courts, and other authorities (e.g., tax and law enforcement authorities), independent external advisors (e.g., auditors), internal compliance and investigation teams (including external advisers appointed to conduct internal investigations); and
 - (c) **To Data Processors.** As necessary for the Processing Purposes described above, Personal Data and Special Personal Data may be shared with one or more third parties, whether affiliated or unaffiliated to the Company, to process personal information under appropriate instructions ("**Data Processors**"). The Data Processors may carry out instructions related to the application process including IT system support and maintenance, training, compliance, and other activities, and will be subject to contractual obligations to implement appropriate technical and organisational security measures to safeguard the Personal Data and Special Personal Data and to process it only as instructed.
- 5.2 For a full list of the group entities and third parties that the Company may share your Personal Data and Special Personal Data with, please contact us as set out below.
- 5.3 Some of the recipients that the Company may share Personal Data and Special Personal Data with may be located in countries outside of Europe. In some cases, this may include countries located outside the European Union and/or European Economic Area ("**EEA**").
- 5.4 For transfers to Company affiliates outside of the EEA, the Company will enter into an Intra-Group Data Transfer Agreement based on the EU Standard Contractual Clauses for the transfer of data which will govern any transfer of Personal Data and Special Personal Data outside of EEA and which the European Commission has assessed as providing an adequate level of protection for Personal Data and Special Personal Data, to ensure that it is protected adequately.
- 5.5 If recipients are located in other countries without adequate protections for Personal Data and Special Personal Data, the Company will take all necessary measures to ensure that transfers out of the EEA are adequately protected as required by applicable data protection law.

6. WHAT RIGHTS DO YOU HAVE IN RESPECT OF YOUR PERSONAL DATA AND SPECIAL PERSONAL DATA?

- 6.1 You have a number of rights in relation to your Personal Data and Special Personal Data which can be summarised as follows:
- (a) **Right of access:** you have the right to confirm with the Company whether your Personal Data and Special Personal Data is processed, and if it is, to request access to that Personal Data and Special Personal Data including the categories of Personal Data and Special Personal Data processed, the purpose of the processing and the recipients or categories of recipients. The Company does have to take into account the interests of others though, so this is not an absolute right;

- (b) **Right to rectification:** you may have the right to rectify inaccurate or incomplete Personal Data and Special Personal Data concerning you;
- (c) **Right to erasure (right to be forgotten):** you may have the right to ask the Company to erase Personal Data and Special Personal Data concerning you however this is not an absolute right and will be subject to the Company's legal and regulatory obligations and compliance policies, including the limits of available technology and associated costs;
- (d) **Right to restriction of processing:** in limited circumstances, you may have the right to request that the Company restricts processing of your Personal Data and Special Personal Data, however where the Company processes Personal Data and Special Personal Data for the Processing Purposes the Company believes it has a legitimate interest in processing that Personal Data and Special Personal Data which may override a request that you make;
- (e) **Right to data portability:** you may have the right to receive Personal Data and Special Personal Data concerning you, which you have provided to the Company, in a structured, commonly used and machine-readable format and you may have the right to transmit that Personal Data and Special Personal Data to another entity;
- (f) **Right to object and rights relating to automated decision-making:** under certain circumstances you may have the right to object, on grounds relating to your particular situation, at any time to the processing of your Personal Data and Special Personal Data by the Company and this includes the right to request human intervention in relation to an automated decision so that you can express your view and to contest the decision.

6.2 To exercise any of these rights, please contact the Company. You also have the right to lodge a complaint with the Information Commissioner's Office.

6.3 The Company is not required to give Applicants the ability to review their Personal Data or Special Personal Data when doing so would affect the privacy interests of other individuals and the Personal Data or Special Personal Data of those individuals cannot be redacted. The Company is also not required to allow access when the burden or expense of doing so (including locating the Personal Data or Special Personal Data) is disproportionate to the risks of the requesting Applicant's privacy in a particular case.

7. HOW LONG WILL THE COMPANY KEEP MY PERSONAL DATA FOR?

7.1 The Company will retain your Personal Data and Special Personal Data for as long as is required by applicable law(s), or for as long as necessary for the purpose(s) for which it was collected, or to satisfy a legitimate business need.

7.2 It is the Company's policy not to keep Personal Data and Special Personal Data for longer than is necessary. Personal Data and Special Personal Data may be kept for a reasonable time after you have finished the application process to ensure that any ongoing obligations can be complied with and to contact you about potential events or future work opportunities at the Company or the Hutchison Ports group. For further information about specific retention periods, please see the Company's Policy on Data Retention.

8. WHO CAN YOU CONTACT IF YOU HAVE QUESTIONS?

8.1 If you have concerns or questions regarding this Notice or if you would like to exercise your rights as a data subject, please contact us at dpa@hpuk.co.uk. Alternatively, you can write to the Company's Data Protection Ambassador at Tomline House, The Dock, Felixstowe IP11 3SY.

Other Information

8.2 If the uses of your Personal Data or Special Personal Data significantly change, or the Company otherwise needs to make changes to this Notice, it will issue an updated Notice.

8.3 The Company reserves the right to depart from this Notice and/or to make changes to this Notice from time to time.