## **Terms and Conditions**

Please read the terms and conditions below carefully. By using this application ("this app") and the materials from time to time available through this app ("these materials"), you agree to be bound by these terms and conditions. As these terms and conditions may be amended from time to time at the discretion of Bank of China (Hong Kong) Limited (the "Bank") and be posted on this app, you should read them again carefully whenever using this app. You are assumed to have agreed to the revised terms and conditions if you continue to use this app following any changes to these terms and conditions.

These terms and conditions are in addition to the Licensed Application End User License Agreement (the "License Agreement") governing this app. In case of any inconsistency or conflict between the License Agreement and these terms and conditions, the latter shall prevail.

# Availability

Products and services mentioned in these materials are not available to all persons in all geographic locations. Only persons who are permitted by applicable law may browse the information and/or subscribe the services and products offered. Persons browsing these materials are required to ensure that they are aware of and observe all relevant restrictions that apply to them and are responsible for satisfying themselves that they may do so under the laws or the jurisdiction to which they are bound or located. Eligibility of any person for particular product or service is subject to the final determination of the Bank.

### Disclaimer

The information contained in these materials is for general information only and is provided on an "as is" basis without warranty of any kind (including without limitation, merchantability, title, fitness for a particular purpose, freedom from computer virus, non-infringement, compatibility, security, accuracy and completeness) and may be withdrawn and/or changed at any time without prior notice.

This app and/or these materials may not be available at all times and there may be delays, failures, errors or omissions or loss of transmitted information.

No information contained in these materials should be regarded as an offer or solicitation to sell, to subscribe to, or provide any recommendation to any person. The information is not intended to be relied upon as the basis for any decision which may affect you or your business. All persons should consult their own professional adviser before making any investment, financial decision or purchasing any product

or subscribing any service.

The viewer should be aware that any information regarding rates, indexes and stock prices available through this app is on a delayed basis. The Bank will endeavour to ensure the accuracy and reliability of the information provided but do not guarantee its accuracy or reliability and accept no liability (whether in tort or contract or otherwise) for any loss or damage arising from any inaccuracies or omissions.

To the extent permitted by applicable law, the Bank disclaims liability for any error, omissions or inaccuracies in the information contained in these materials and for any loss or damages, resulting from its use or reliance, or inability to use, by any party or in connection with any error, interruption, delay in operation or incomplete transmission, line or system failure or computer virus. The Bank is not responsible in any manner for direct, indirect, special, incidental or consequential damages arising out of the use of this app and/or these materials.

Your use of this app and these materials is entirely at your own risk. The Bank does not represent or warrant that no viruses or other destructive properties will be transmitted or that no damage will occur to your equipment or mobile phone. You are solely responsible for adequate protection and back up of data and/or equipment and for undertaking reasonable and appropriate precautions to scan for computer viruses or other destructive properties and to prevent, safeguard and ensure that no computer virus enters your equipment or mobile phone. The Bank makes no representations or warranties concerning the accuracy, functionality or performance of any third party software that may be used in connection with this app.

### Security Information

The Bank endeavors to ensure the security of your data transmitted via Internet Banking or Mobile Banking by the use of encryption technology. To protect your privacy and assets, you should not disclose your account number, user name and password to anyone. Moreover, you are reminded not to access Internet Banking or Mobile Banking through hyperlinks embedded in e-mails. The Bank will never ask you for your account number, password or any personal information via e-mails.

### Hyperlinks

Use of hyperlinks to other internet sites or resources is at the browser's own risks. The Bank expressly disclaims any responsibility for the accuracy or availability of the information provided by those sites or for the safety of information which the browser may provide to any third party.

### Copyright

This app and all contents in these materials are protected by copyright. No part of these materials may be modified, reproduced, transmitted and distributed in any format or by any means for commercial or public use without the Bank's prior written consent.

## **Collection of Information**

The Bank focuses on its duty of confidentiality to its customers. Please refer to the "Data Policy Notice" relating to the Bank's general policies on collection, use, disclosure and transfer of customer data, a copy of which is available at http://www.bochk.com.

# Governing Law

These terms and conditions are governed by the laws of the Hong Kong Special Administrative Region. The parties submit to the non-exclusive jurisdiction of the Hong Kong courts.

### Language

The Chinese version of these terms and conditions is for reference only. If there is any conflict or inconsistency between the Chinese and the English version, the latter shall prevail.

## **Risk Disclosure Statements**

The following risk disclosure statements do not take into account your personal circumstances and do not purport to disclose all the risks involved. You should carefully consider whether investment is suitable for you in light of your own financial position, investment objectives and other relevant circumstances. If in doubt, you are advised to seek independent financial and professional advice before you make any investment decision.