

[APAC Entities](#)

RECRUITMENT DATA PROTECTION NOTICE

Effective: 1 March 2022

INTRODUCTION

One or more of the entities set out in [Appendix B](#) (being the legal entity/ies to which the applicant is applying) (the “Company”) has prepared this Recruitment Data Protection Notice (“Notice”) to outline their practices regarding the collection, use, storage, transfer and other processing of individually identifiable information collected from or about Applicants (“Personal Data”). “Applicant” means any individual who submits Personal Data or about whom Personal Data has been acquired in order to be considered for an actual or potential job vacancy or who attends or applies to attend a career event.

In the event this Notice is provided to an Applicant in a language other than Chinese, any discrepancy, conflict or inconsistency between the two language versions shall be resolved in favour of the Chinese version, subject to applicable law (subject to applicable law).

Chinese Version

English Version

PERSONAL DATA COLLECTION AND PURPOSES OF USE

Good recruitment and talent management practices and the effective running of our business require the Company to collect, use, store, transfer and otherwise process certain Personal Data.

The Company collects Personal Data that is directly relevant to its business, required to meet its legal obligations, or otherwise permissible to collect under applicable law. Listed in [Appendix A](#) of this Notice are the categories of Personal Data that we collect and the purposes for which we use the data that we collect except where restricted by applicable law. We receive Personal Data from you and from other sources, such as referees, background check providers and public sources.

We collect and process Personal Data about you depending on the circumstances: (i) because we are required or permitted to do so by applicable law, (ii) because such information is necessary for the performance of your future contract of employment if successful at recruitment stage or in order to take steps at your request prior to entering into that contract, (iii) because such information is of particular importance to us and we have a specific legitimate interest under applicable law to process it (iv) where public interest requires it, (v) where the Personal Data is necessary for the establishment, exercise or defence of legal claims, (vi) where necessary to protect the vital interests of you or another person, or (vii) where necessary, we obtain consent of applicants for collection and processing of Personal Data.

If you do not provide certain categories of Personal Data, the Company may not be able to accomplish some of the purposes outlined in this Notice and the issue may need to be escalated to Human Resources to deal with as appropriate.

The Company does not use the Personal Data of any Applicant for direct or indirect marketing purposes, except where the Company obtains the Applicant’s express consent to do so and provides the Applicant with the subsequent right to object at any time and at no charge to the use of Personal Data for direct or indirect marketing purposes.

Sensitive personal data

The Company may collect and process certain special or other significant categories of Personal Data (“Sensitive Personal Data”) about Applicants where required by applicable law, where necessary for the establishment, exercise

or defence of legal claims, or, where necessary, the Applicant has provided explicit (and, where applicable, written or separate) consent. Subject to applicable law, the Company may process information about:

- physical and/or mental health for the purposes of addressing potential workplace health, safety and accommodation issues and assessing absence data during the recruitment process
- criminal charges/convictions or unlawful behaviour for recruitment and pre-employment screening purposes and for the assessment of registration and licensing requirements
- Data related to sexual orientation, race and/or ethnic origin, gender, gender identity and gender expression, physical and/or mental health for purposes of reporting on diversity and inclusion statistics, complying with government reporting requirements, and/or other legal obligations
- biometric data, such as fingerprints and iris scans, for the purposes of electronic identification, authentication and corporate security, at secured Company premises

We process Sensitive Personal Data in your jurisdiction if and to the extent permitted or required by applicable law. We will seek to protect such information using strict security measures as further described below such that your sensitive personal information should only be processed in accordance with the applicable laws.

For further information on the purposes of using the above data, please also reference [Appendix A](#).

PERSONAL DATA ABOUT OTHER INDIVIDUALS

If an Applicant provides the Company with Personal Data about other individuals (e.g., individuals listed by Applicants as referees), it is the Applicant's responsibility to inform such individuals of their rights (see Sections: "Access, Portability, Rectification and Suppression, Limitation and Restriction of Processing and Accuracy of Personal Data" and "Modalities of the Processing and Data Retention") and to obtain their explicit (and, where applicable, written or separate) consent, where necessary, to the processing (including transfer) of that Personal Data as set out in this Notice.

MEANS OF COLLECTION AND USE

During and in connection with the recruitment and talent identification process and in order to be considered for actual and potential job vacancies the Company may collect Personal Data directly from Applicants through the completion and submission of online application forms and profiles, through resumes or curricula vitae, or through interviews or other communications (both verbally and in writing) with Applicants. The Company may also collect Personal Data from other sources, including specialist third party providers of recruitment services, career or professional social networking sites, and publicly available sources. Personal information will be collected to the extent permitted by applicable law and as appropriate for the actual or potential job vacancy or career event for which the Applicant is seeking to be considered.

Collection, use, processing, disclosure or transfer of Personal Data may be by automated or manual means, including by hard-copy or soft-copy documents or other appropriate technology.

COOKIES

Non-essential and essential cookies are collected on some websites and mobile applications that the company uses. Please refer to the following [policy](#).

DATA STORAGE AND ACCESS BY COMPANY PERSONNEL

The Company maintains an automated record of the Personal Data of the Applicant. The Company may also maintain hard-copy records on Applicants. The Company maintains these records in a secure environment including in the Company's HR Information System and other applicant tracking systems. Personal Data may be stored in the Applicant's home jurisdiction and/or in other jurisdictions in which the Company has operations.

Where permitted by applicable law, access to Personal Data is restricted to those individuals who need such access for the purposes listed in [Appendix A](#), including but not limited to members of the Human Resources Department and the managers involved in the recruitment process, and to authorized representatives of the Company's internal control functions such as Compliance, Chief Administrative Office, Information Security, Corporate Security, Audit and Legal. Access may also be granted, on a strict need-to-know basis, to others where permitted by applicable law.

DISCLOSURE

To the extent permitted by applicable law and as appropriate to achieve the purposes described in this Notice, Personal Data may be disclosed by the Company as follows:

- Given the global nature of the Company's activities, the Company may (subject to applicable law) transmit Personal Data, including Sensitive Personal Data, to other Bank of America affiliates or operations located in other jurisdictions, including the United States or other jurisdictions where data protection laws may not provide an equivalent level of protection to the applicable law in the Applicant's home jurisdiction. A list of affiliates belonging to the Bank of America Corporation group is available upon request.
- Bank of America Corporation group, the Company may disclose in accordance with applicable law relevant Personal Data to certain third parties in connection with the provision of services to the Company. Where the processing of Personal Data is delegated to a third party data processor, such as those listed in [Appendix A](#), the Company will delegate such processing in writing, will choose a data processor that provides sufficient guarantees with respect to technical and organisational security measures, such as data protection and information security requirements, governing the relevant processing and will ensure that the processor acts on the Company's behalf and under the Company's instructions.
- Personal Data also may be disclosed, where permitted by applicable law, in connection with a corporate restructuring, sale, or assignment of assets, merger, divestiture, or other changes of the financial status of the Company or any of its subsidiary or affiliated companies. Personal Data also may be released to protect the legitimate interests of the Company (unless this would prejudice the rights and freedoms or interests of the Applicant), or in the Company's judgment to comply with applicable legal or regulatory obligations and regulatory inquiries or requests.

SECURITY

The Company maintains appropriate technical and organisational measures designed to protect against unauthorised or unlawful processing of Personal Data and/or against accidental loss, alteration, disclosure or access, or accidental or unlawful destruction of or damage to Personal Data.

ACCESS, PORTABILITY, RECTIFICATION AND SUPPRESSION, LIMITATION AND RESTRICTION OF PROCESSING AND ACCURACY OF PERSONAL DATA

Applicants are entitled to access Personal Data held about them (with the exception of any documents that are subject to legal privilege, that provide Personal Data about other unrelated individuals, or that otherwise are not subject to data subject access rights). Any Applicant who wishes to access his/her Personal Data or (where permitted under applicable law) request portability of their data should contact a member of the Global Talent Acquisition group using the contact information set out in Section: "Questions" below.

To the extent required by applicable law, Applicants have the right to have inaccurate data corrected or removed (at no charge to the Applicant and at any time) or to limit or restrict processing of their data.

To assist the Company in maintaining accurate Personal Data, Applicants must ensure they keep their Personal Data up to date on the Company's online recruitment system or by informing the Global Talent Acquisition group via: internationaltalentacquisitionoperations@bofa.com. In the event that the Company becomes aware of any inaccuracy in the Personal Data it has recorded, it will correct that inaccuracy at the earliest practical opportunity.

To the extent available under applicable law, Applicants may also have the following rights (including but not limited to):

- to request a copy of Personal Data held by the Company (as part of an access request above);
- to request further information or complain about the Company's practices and processes regarding their Personal Data;
- to object to, withdraw consent to restrict or request discontinuance of collection, use, disclosure and other processing of their Personal Data as described in this Notice and to request deletion of such Personal Data by the Company.

For all enquiries, Applicants should contact a member of the Global Talent Acquisition group using the contact information set out in Section: "Questions" below. Under applicable law, in certain circumstances, the Company may

be exempt from or entitled to refuse the above requests or rights. Certain additional terms and conditions may be applicable to process requests or rights, such as requiring communications to be in writing or requiring proof of identity.

MODALITIES OF THE PROCESSING AND DATA RETENTION

The Company does not use automated decision making on Applicant processes. 'Automated decision-making' is the process of making a decision by automated means without any human involvement.

The processing of Personal Data is carried out with the aid of manual and electronic tools.

The Company will maintain your Personal Data for as long as it is required to do so by applicable law or for as long as necessary for the purpose(s) of use and processing in Section: "Personal Data Collection and Purposes of Use", whichever is longer ("Initial Retention Period"). With the exception of the countries listed below, if your application is unsuccessful your Personal Data will be retained for an Initial Retention Period of 6 months.

In addition the Company will, with your consent, retain your Personal Data after the expiry of the Initial Retention Period in its talent management database so that it may contact you with details of suitable positions that arise and which may be of interest to you. If you do not wish the Company to retain your Personal Data in its talent management database after the expiry of the Initial Retention Period you may request that your Personal Data be deleted. You may make this request at any time, but your request will not be actioned until the Initial Retention Period has expired. With the exception of the countries listed below, if your application is unsuccessful, unless you do not consent to your Personal Data being retained by the Company in its talent management database or you subsequently request that your Personal Data be deleted, your Personal Data will be retained for a total of 2 years after the date of last recorded contact with you.

Any maximum storage term set forth by applicable law will prevail. The Company will delete Personal Data after the applicable retention period.

No countries listed

If your application is successful, your application is retained as part of your personnel record.

OTHER RIGHTS AND CONSEQUENCES

To ensure good recruitment and talent management practices and the effective running of the Company's business, it is mandatory for the Company to collect, use, store, transfer and otherwise process the Personal Data marked with an asterisk in [Appendix A](#) (unless otherwise indicated during the application process). It is voluntary for Applicants to provide other types of Personal Data and information about themselves.

To the extent available under applicable law, Applicants have the right to object to the collection, use, storage, transfer or other processing of Personal Data as described in this Notice, the right to withdraw consent to or request discontinuance of collection, use, storage, transfer or other processing of Personal Data as described in this Notice, and to request deletion of such Personal Data. However, objections to the collection, use, storage, transfer or other processing of Personal Data, withdrawals of consent, requests for discontinuance and requests for deletion may affect the Company's ability to consider an Applicant for an actual or potential job vacancy or career event and to process a related application for employment to the extent that the purposes set out in this Notice cannot be achieved.

Any Applicant who wishes to object to the collection, use, storage, transfer or other processing of Personal Data as described in this Notice, to withdraw consent, to request discontinuance or to request deletion should contact a member of the Global Talent Acquisition group using the contact information set out in Section: "Questions" below.

Under applicable law, in certain circumstances, the Company may be exempt from or entitled to refuse the above requests or rights. Certain additional terms and conditions may be applicable to process requests or rights, such as requiring communications to be in writing or requiring proof of identity.

QUESTIONS

Should any Applicant have any questions, concerns or complaints about this Notice, please contact a member of the Global Talent Acquisition group via: internationaltalentacquisitionoperations@bankofamerica.com

The Company will make every effort to resolve any questions, concerns or complaints promptly and in accordance with applicable law.

You may have the right to lodge a complaint with the Data Protection Authority in your country.

In certain countries, if you have additional queries about the way in which the Company processes your Personal Data more broadly) you may contact your local Data Protection Officer using the following contact details:

For APAC countries: connect.dpo@bofa.com

CHANGES TO THIS NOTICE

The most up-to-date Notice is posted to the Bank of America Careers Website.

JURISDICTION-SPECIFIC CLAUSES

China:

(“China”, which, for the purpose of this Notice, excludes the Hong Kong Special Administrative Region, the Macau Special Administrative Region and Taiwan)

Please see [Appendix C](#) for a list of the organizations to whom we transfer Personal Data as data controllers in China (which can independently determine processing purposes and processing methods in Personal Data processing activities) and other receiving parties outside of China, and their respective contact details and details on what, how and why such organizations process your Personal Data and, where required, how you can exercise your data privacy rights in respect of those organizations.

Where required or permitted by applicable law, we may process Sensitive Personal Data for employment purposes in a manner that reasonably considers and mitigates, where practicable, negative impacts to your rights and interests.

You recognize that you are required to review this Notice at the commencement of your employment, and at regular intervals, and that you must fully comply with its terms and other related data protection policies on an ongoing basis. Failure to comply with data protection obligations may result in disciplinary action by the Company and regulatory action including fines or prohibitions against holding a supervisory, directorship, or senior management position.

I have read the "Recruitment Data Protection Notice" dated 1st March 2022. I expressly and voluntarily consent to the application of its terms regarding the collection, processing, use, and international transfer of my Personal Data (and Sensitive Personal Data) by the Company whilst acknowledging that data protection laws in other jurisdictions to which my Personal Data (and Sensitive Personal Data) is being transferred to may not provide the equivalent level of protection to the laws of my home jurisdiction during and in connection with the course of my application.

I confirm that, prior to providing any Personal Data of other individuals to the Company (if applicable), I have duly provided them with all information regarding the processing of their Personal Data and their related rights, as described in the Notice and that I have obtained the explicit (and, where applicable, written or separate) consent of those individuals, where necessary, to the processing of their Personal Data.

By clicking Submit on the Application, you have consented to this Notice.

Appendix A

The Categories of Personal Data We May Collect, Use, Transfer and Disclose, unless restricted by applicable law:

- **Recruitment/Applicant information:** Employment history*; Employer name*; language(s) spoken*; previous compensation*; Pre-employment references, voice and video recording
- **Employment and Job Information:** Job title and/or position and description of responsibilities/duties*; location; band/seniority; department; line and sub-line of business; local Company entity name; employment dates; supervisor/manager/team lead name and contact information
- **Personal Demographic Information:** Gender; date and place of birth; name (including birth surname and any other former names)*; family/marital status
- **Diversity and Inclusion:** gender, gender identity, gender expression, socio-economic background
- **Visa/ Citizenship Details:** Work eligibility status; entitlement to residency*; nationality, citizenship; passport details; visa details; National ID, social insurance number or other tax identifier number
- **Contact Details:** Address, telephone, email details* and emergency contact details
- **Expenses:** Bank account details
- **Applicant Administration:** Applicant tracking records and query management records*; voice recording and video recording; Reference letters; query management records
- **Absence Data:** Absence details e.g. sickness
- **Attendance Data:** Working Time Directive Details
- **Physical Security and Life Safety Data:** Swipe card entry data; CCTV; photograph (Security ID Card where applicable); accident and incident reporting; Biometrics; data required for purposes related to Health and Safety in the workplace.
- **Compensation:** Compensation information (including base salary, market rates, incentive payment(s), stock options information and allowances)
- **Education and Training:** Academic and educational record*, professional qualifications* and memberships; professional training*
- **Regulatory Data (where applicable):** Licenses and certifications*; financial or other regulatory registration*
- **Technical information:** Including username, passwords , and device-related information such as IP addresses
- **Sensitive Personal Data:** Information regarding physical and/or mental health* (if required to make reasonable adjustments in the Recruitment Process), sexual orientation, race and/or ethnic origin, criminal charges/convictions or unlawful behaviour for recruitment and pre-employment screening purposes and for assessment of registration and licensing requirements, biometric data, such as fingerprints and iris scans, for the purposes of electronic identification, authentication and corporate security, at secured Company premises

* Personal Data marked with an asterisk in this Section is mandatory for Applicants to provide to the Company (unless otherwise indicated during the application process). It is voluntary for Applicants to provide other types of Personal Data and information about themselves. Some of the personal data listed above may be shared, collected, used, transferred and/or disclosed in-line with country specific laws/regulations at offer stage.

The Purposes For Which We May Collect, Use, Transfer And Disclose Personal Data:

- **Recruiting activities, talent management, succession planning, expense management and general administration** e.g. event management materials, keeping your application data on file, communication with Applicants about any actual or potential job vacancy or career event, conduct of interviews, consideration of eligibility for selection as candidate for employment, offer approval and Corporate Alumni program for previous employees.
- **Authentication/identification of Applicants**
- **Human resources information systems (“HRIS”) and application support and development**
- **Information technology and information security support** (including anti-spam and virus protection, and cyber security monitoring)
- **Diversity and inclusion data analysis** (certain Diversity & Inclusion Data is used on a personally identifiable basis, for talent management, succession planning, and training and conference opportunities. Diversity & Inclusion Data, and other Personal Data, is used on an aggregated basis for reporting and promotions)
- **Management of internal business operations** (internal business processes such as data analysis, monitoring, testing and audits)
- **Complying with applicable government reporting and other applicable and foreign law requirements** (including the requirements of the US Sarbanes-Oxley Act or other applicable internal control regulations and in such areas as immigration, tax or statutory financial regulation) and other legal obligations

Defending, preparing for, participating in and responding to potential legal claims, investigations and regulatory inquiries (all as allowed by applicable law)

- **To promote the safe and healthy working conditions of Company facilities**

The Categories Of Unaffiliated Third Parties With Whom We May Share Personal Information:

- **Professional Advisors:** Accountants, auditors, lawyers, and other outside professional advisors in all of the countries in which the Company operates
- **Service Providers:** Companies that provide products and services to the Company in the countries in which the Company operates, such as human resources services and recruitment; expense management, relocation services IT systems suppliers and support; reception and security, catering and logistics services providers, translation services, third parties assisting with event organising and marketing activities, medical or health practitioners, and other service providers. Where appropriate, the Company will offer and receive reasonable assistance from third parties (such as service providers) in order to respond to data subject access requests
- **Public and Governmental Authorities:** Entities that regulate or have jurisdiction over the Company in the countries in which the Company operates, such as regulatory authorities, law enforcement, public bodies, licensing and registration bodies, judicial bodies and third parties appointed by such authorities
- **Parties Related to a Corporate Transaction:** A third party in connection with any proposed or actual reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of the Company's business, assets or stock (including in connection with any bankruptcy or similar proceedings), e.g., stock exchanges and business counterparties

Appendix B

Country	Legal Entity
China	BA ELECTRONIC DATA PROCESSING (GUANGZHOU) LTD.
	BANK OF AMERICA, NATIONAL ASSOCIATION - BEIJING BRANCH
	BANK OF AMERICA, NATIONAL ASSOCIATION - GUANGZHOU BRANCH
	BANK OF AMERICA, NATIONAL ASSOCIATION - SHANGHAI BRANCH
	MERRILL LYNCH INTERNATIONAL, LLC - BEIJING OFFICE
	MERRILL LYNCH INTERNATIONAL, LLC - SHANGHAI OFFICE
Hong Kong	BANK OF AMERICA SECURITIES ASIA LIMITED
	BANK OF AMERICA, N.A. - HONG KONG BRANCH
	MERRILL LYNCH (ASIA PACIFIC) LIMITED
India	BANK OF AMERICA SECURITIES INDIA LIMITED
	BANK OF AMERICA NATIONAL ASSOCIATION - INDIA
	BA CONTINUUM INDIA PRIVATE LIMITED
Indonesia	BANK OF AMERICA, N.A – CABANG JAKARTA
	PT MERRILL LYNCH SEKURITAS INDONESIA
Japan	BANK OF AMERICA, NATIONAL ASSOCIATION - TOKYO BRANCH
	BANK OF AMERICA SECURITIES JAPAN CO. LIMITED
South Korea	BANK OF AMERICA, NATIONAL ASSOCIATION - 서울지점
	MERRILL LYNCH INTERNATIONAL, LLC – 서울 지점
Malaysia	BANK OF AMERICA MALAYSIA BERHAD
	PERSATUAN KEBANGSAAN, BANK OF AMERICA - CAWANGAN LABUAN
	MERRILL LYNCH MALAYSIAN ADVISORY SDN. BHD.
Philippines	BANK OF AMERICA, NATIONAL ASSOCIATION - MANILA BRANCH
Singapore	BANK OF AMERICA, N.A. - SINGAPORE BRANCH
	MERRILL LYNCH (SINGAPORE) PTE. LTD.
	MERRILL LYNCH GLOBAL SERVICES PTE. LTD.
	MERRILL LYNCH MARKETS SINGAPORE PTE. LTD.
Taiwan	BANK OF AMERICA, NATIONAL ASSOCIATION - 台北分行
	MERRILL LYNCH SECURITIES (TAIWAN) LTD.
Thailand	BANK OF AMERICA, N.A. - BANGKOK BRANCH;
	MERRILL LYNCH SECURITIES (THAILAND) LIMITED

Appendix C

Organizations To Which We May Disclose Personal Data

Details on Rights are included in Section titled “ACCESS, PORTABILITY, RECTIFICATION AND SUPPRESSION, LIMITATION AND RESTRICTION OF PROCESSING AND ACCURACY OF PERSONAL DATA” of the Notice

R&D Parent BE Name	Contact Information	Processing Purpose and Method	Category of Personal Information
ALIGHT SOLUTIONS LLC	privacy.info@alight.com	Human resources information systems (“HRIS”) and application support and development.	Employment and Job Information: Job title and/or position and description of responsibilities/duties; job family; location; band/seniority; Employee identifiers; department; line and sub-line of business; local Company entity name; cost centre information; employment dates; supervisor/manager/team lead name and contact information; work contact information; termination details.
AMS BIDCO LTD	PCMmailboxAsiaPac@weareams.com	Recruiting activities, talent management and succession planning; Fostering career planning and growth; Corporate Alumni program for previous employee engagement	Recruitment/Applicant information: Pre-employment references; employment history; language(s) spoken; previous compensation; video recording.
HEIDRICK & STRUGGLES INTERNATIONAL, INC.	privacy@heidrick.com	Recruiting activities, talent management and succession planning; Training, advice and counselling purposes.	Recruitment/Applicant information: Pre-employment references; employment history; language(s) spoken; previous compensation; video recording.
HOGAN ASSESSMENT SYSTEMS, INC.	Privacy@hoganassessments.com	Recruiting activities, talent management and succession planning; Training, advice and counselling purposes.	Education and Training: Academic and educational record, professional qualifications and memberships; professional training
KORN FERRY US	onekf.hk@KornFerry.com	Recruiting activities, talent management and succession planning; Training, advice and counselling purposes.	Recruitment/Applicant information: Pre-employment references; employment history; language(s) spoken; previous compensation; video recording.
OLEEO PLC	dataprotectionofficer@oleeo.com	Recruiting activities, talent management and succession planning; Fostering career planning and growth; Corporate Alumni program for previous employee engagement	Recruitment/Applicant information: Pre-employment references; employment history; language(s) spoken; previous compensation; video recording.