



**TD Asset Management Inc.**

**Epoch Investment Partners, Inc.**

**The Toronto-Dominion Bank Hong Kong Branch**

**Toronto Dominion (South East Asia) Limited**

**TD Securities (Japan) Co., Ltd.**

**Privacy Policy – For Use in Asia-Pacific Region**

## **1. Who we are**

This Privacy Policy explains how TD Asset Management Inc. ("TDAM"), Epoch Investment Partners, Inc. ("TD Epoch"), The Toronto-Dominion Bank Hong Kong Branch ("TDHK"), and/or Toronto Dominion (South East Asia) Limited ("TDSEA"), and TD Securities (Japan) Co., Ltd. ("TDSJ"), all wholly owned subsidiaries of The Toronto-Dominion Bank ("TD"), collect, use, share or otherwise handle your Personal Information in connection with your relationship with us. Please see Appendix A below for the address details about these legal entities.

For the purposes of this Privacy Policy, "we", "us", and "our" means TDAM and/or TD Epoch, and/or TDHK, and/or TDSEA, and/or TDSJ as applicable. The words "you" and "your" mean any individual, including any individual authorized to represent a client or prospective client, respectively, in relation to the products and services of TDAM and TD Epoch, which are offered under the tradename TD Global Investment Solutions.<sup>1</sup>

## **2. Our commitment to protect your privacy**

We are committed to handling your Personal Information (as defined in section 3 below) responsibly, transparently and in accordance with applicable privacy regulations. These may include the following regulations in Australia, Japan, Hong Kong, South Korea, and Singapore:

- The *Privacy Act 1988* (Cth), the Australian Privacy Principles ("APPs") and any other legislation relevant to protecting your privacy (together, the "Australian Privacy Laws");
- The Act on the Protection of Personal Information (Act No. 57 of 2003) (APPI) (as amended June 5, 2020);
- Personal Data (Privacy) Ordinance (Chapter 486 of Laws of Hong Kong) (PDPO);
- Personal Information Protection Act (PIPA); and
- The Personal Data Protection Act 2012 (PDPA).

This Privacy Policy explains how we manage your Personal Information including how we collect and hold your Personal Information and the purposes for which we collect, hold, use and disclose your Personal Information. It also explains how you can exercise your data subject rights and how you can make a complaint relating to our handling of that information according to the applicable privacy law.

## **3. Kinds of Personal Information we may collect and hold and how we collect it**

In this Privacy Policy, the term "Personal Information" broadly refers to any information about you that you or third parties may provide to us. Personal Information typically includes information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or

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<sup>1</sup> TD Global Investment Solutions represents TD Asset Management Inc. ("TDAM") and Epoch Investment Partners, Inc. ("TD Epoch"). TDAM and TD Epoch are affiliates and wholly-owned subsidiaries of The Toronto-Dominion Bank.

opinion is recorded in a material form or not. Specific definitions of personal information vary by jurisdiction, and there may be circumstances where certain categories of information are exempt or afforded heightened protection under applicable data protection laws. Where this is the case, the definitions used in the applicable law or regulation will determine the scope of rights or protections to which you are entitled.

In providing services or products to you, we may receive Personal Information about a range of individuals connected to you. This may include your authorized signatories, beneficial owners, directors, officers, employees or staff members. Whenever you or a corporate representative within your organisation provide us with Personal Information about those individuals, you warrant that you have obtained any necessary consents or are otherwise entitled to provide this information to us and for it to be processed by us as described in this Privacy Policy and that to the best of your knowledge, the Personal Information is correct and current. It is your responsibility to ensure that the Personal Information provided to us is accurate and to inform us of any change.

The Personal Information we may collect and hold includes:

- Personal and contact details, including your:
  - Name, address, signature, occupation, job title, email address, phone number(s), fax number(s), age/date/place of birth, and other contact information;
- Government identification cards containing your identification number, photo, signature, nationality, date and place of birth, including your:
  - Driver's license, passport, or other national identification;
- Tax related information, including your:
  - Tax file number and tax residency; and
- Interaction information, including:
  - Information about interactions and transactions you have with us involving products and services, responses to promotional materials, enquiries, feedback and any complaints.

Sometimes we may also need to collect and hold "Sensitive Information" (a subset of Personal Information—exact definitions of Sensitive Information vary by jurisdiction) about you such as, information about your health (e.g., dietary restrictions, special access requirements) or your criminal record. Unless required by law, we will only collect Sensitive Information about you with your consent.

Should we require your consent, we will provide you with details of the Personal Information we would like and the reason for collecting it, so that you can carefully consider whether you wish to consent.

You will be the primary source for your Personal Information, for example via an application package, subscription, or other forms/material that you provide to us over email or the Internet.

We may also collect your Personal Information in person and over the phone. However, in some instances we may collect Personal Information about you from third parties or our affiliates for the purposes listed in section 4 below.

#### **4. Purposes for which we collect, hold, handle and disclose your Personal Information**

We will only collect, hold, handle and disclose your Personal Information as reasonably necessary for our business purposes and as permitted by law. These purposes may include:

- To administer the client relationship and provide an ongoing service (including processing a product application or service request);
- To make any investment, as authorized by you under your legal agreement with TDAM or TD Epoch, as applicable;
- To comply with any legal, regulatory or compliance requirement or request, or to administer legislative obligations which we may be subject to, including regulatory requirements regarding tax reporting, anti-money laundering, anti-terrorist financing, financial abuse, fraud and any other criminal activity, as applicable (for example, to comply with verification requirements);
- To assist with, manage and improve the operations, including security, of our entities enterprise-wide;
- For data management and security purposes;
- To liaise with our third-party suppliers;
- Undertake business management and planning;
- Dealing with complaints;
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems, preventing malicious software distribution, fraud and other security breaches, necessary interest of the prevention of crime and fraud and ensure the security of our systems and further improve its service;
- For any purpose relating to organisations that have acquired, or are wishing to acquire an interest in any part of our business from time to time;
- Maintaining contact with you and your authorized representative(s), including keeping you informed of our services, products and events;
- To market our products and services;
- In connection with legal and dispute management; and
- For research and statistical analysis with the aim of improving our services.

Some of the above purposes will overlap and there may be several purposes which justify our handling of your Personal Information.

#### **5. Retention of Personal Information**

We keep your Personal Information for no longer than is necessary for the purpose(s) for which it was collected (including for the purposes of satisfying any legal, accounting or reporting

requirements). When we no longer require your Personal Information, we take reasonable steps to ensure that your information is securely destroyed, de-identified or rendered inaccessible as far as is reasonably and technically possible.

## **6. Disclosing your Personal Information**

We may disclose your Personal Information to our affiliates and to various third parties detailed directly below, for the purposes explained in section 4 above, or any related purposes listed directly below:

- Other organisations who we have relationships and agreements with to provide products and services to us, including third party brokers and dealers that we rely upon to make investments for your account;
- Third-party counterparties, for specific trades that we execute for your accounts;
- Our agents and related services providers who assist us in the management and administration of our services or provide us with other services connected to the provision of our products and services;
- Our IT service providers, who provide, service and maintain our online applications and websites;
- Our professional advisers, including legal, accounting and tax advisers;
- Any person who represents you, such as brokers, lawyers, accountants, or other people authorised to represent you, such as an attorney under a power of attorney;
- Any person where you have provided us with consent to do so;
- Your assignees and prospective assignees regarding of any obligations you owe us;
- Service providers that assist with fraud detection and prevention;
- Service providers that assist with data storage, data backup, and business continuity management services;
- Regulatory bodies, government agencies, law enforcement bodies and courts, as required by law; and
- External marketing service providers who may assist us with our marketing and promotional activities, advertising, events, and other related communications.

We will never rent or sell your Personal Information.

## **7. Overseas disclosure of your Personal Information**

We may share your Personal Information with our affiliates and our service providers located in the United States, Australia, Canada, Cayman Islands, United Kingdom, European Union, Hong Kong, Singapore, South Korea, Japan, and Taiwan. This is typically done, due to centralization of specific activities. Some of the countries mentioned above may have different standards of privacy protection and may require the disclosure of Personal Information to third parties (such as an overseas authority) for the purposes of complying with foreign law or regulation.

Our business is international, and we may therefore need to transfer your personal data to third parties located in countries which may not provide appropriate or suitable safeguards. Where we transfer your data internationally, we will do so on the basis of: (i) an adequacy decision; (ii) model contract clauses; (iii) consent; or (iv) another valid transfer mechanism recognized under the applicable privacy law.

## **8. Protection of your Personal Information**

We have in place a number of technical and organisational measures to protect our systems and your Personal Information, including:

- Access controls: Personal Information is only accessible by a limited number of relevant staff bound by duties of confidentiality;
- IT controls: All electronic information is held on systems that incorporate firewalls, password-controlled access and virus protection procedures; and
- Audit controls: We audit our procedures and security measures regularly to help ensure that they are being properly administered and that they remain effective and appropriate in relation to the sensitivity of the information.

Every employee is responsible for protecting Personal Information to which they have access. All employees who have access to Personal Information are required, as a condition of employment, to comply with the TD Code of Conduct and uphold TD's commitments to privacy to protect the integrity and confidentiality of the Personal Information, in accordance with our internal policies and procedures.

It is important that the Personal Information we hold about you is accurate and current. Please keep us informed if your Personal Information changes during your relationship with us, whether by informing your relationship manager or client service representative. If you wish to access the Personal Information we hold about you, or request a correction, please refer to sections 9 and 12 below for further information.

For your protection, you should not send confidential or Personal Information to us over the internet (e.g., email) or through any unsecured channel.

We have put in place procedures to manage any suspected data security breach and will notify you, and any applicable regulator, where we are legally required to do so.

## **9. Your Rights Concerning Your Personal Information**

Depending on the jurisdiction, and subject to certain exceptions, you may have specific rights regarding your Personal Information. We will honour your rights under applicable data protection laws.

- *Right to access:* You may have the right to access (and obtain a copy of, if required) the

categories of personal information that we hold about you, including the information's source, purpose and period of processing, and the persons to whom the information is shared.

- You will not have to pay a fee for requesting to access your Personal Information however, we may charge a reasonable fee to cover the cost of gathering the information to comply with your request. There may be situations where we are not required to provide you with access. A written explanation will be provided to you if we deny you access to the Personal Information we hold about you, to the extent permitted by law.
- *Right to rectification:* You may have the right to update the information we hold about you or to rectify any inaccuracies.
  - No fee will be imposed for a request to correct your Personal Information. Where we agree that your Personal Information needs to be corrected, we will do so. If we do not agree, we will provide you with a written explanation outlining our reasons and how you may make a complaint about our decision. Where we do not agree, you can request us to associate a statement with that information that you believe the personal information to be inaccurate, out-of-date, incomplete, irrelevant or misleading.
- *Right to erasure:* You may have the right to request that we delete your personal information in certain circumstances, such as when it is no longer necessary for the purpose for which it was originally collected.
- *Right to restriction of processing:* You may also have the right to request to restrict the use of your information in certain circumstances, such as when you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it (for example for the establishment, exercise, or defense of a legal claim).
- *Right to object:* You may have the right to object to the use of your information in certain circumstances, such as the use of your personal information for direct marketing.
- *Right to data portability:* You may have the right to transfer your information to a third party in a structured, commonly used and machine-readable format, in circumstances where the information is processed with your consent or by automated means.
- *Right to withdraw consent:* You may also have the right to deny consent or withdraw previously given consent to collect and process personal information (which will not impact personal data processed before the withdrawal).
- *Right to lodge a complaint with the applicable Privacy Supervisory Authority:* Subject to applicable law, you may also lodge a complaint with a data protection authority for your country or region where you have your habitual residence or place of work or where

an alleged infringement of applicable data protection law occurs.

To exercise your rights, please contact us using the contact details in section 12 below and set out the nature of your request, including how you would like to access the information if you are requesting access.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the Personal Information. This is another appropriate security measure to ensure that Personal Information is not disclosed to any person who has no right to receive it.

## 10. Privacy Breaches and Complaints

If you are aware of, or are the victim of, a suspected privacy breach in connection to your relationship with us, you should immediately contact us using the contact details in section 12 below. All suspected privacy breaches are appropriately investigated, and corrective action is taken, if applicable.

If you have a complaint about the way we have managed your Personal Information, please write to us using the contact details in section 12 below. Once we have received your complaint, we will seek to resolve your concerns as soon as possible and in any case within the time prescribed by the applicable privacy law. If you are dissatisfied with the outcome of your complaint, you may also be able to refer your privacy complaint to the appropriate regulatory body or enforcement authority using the contact information provided in the chart directly below:

<b>Jurisdiction</b>	<b>Enforcement Authority</b>	<b>Address</b>	<b>Online Contact</b>	<b>Phone or Fax</b>
Australia	<a href="#">Office of the Australian Information Commissioner ("OAIC")</a>	GPO Box 5218, Sydney NSW 2001	enquiries@oaic.gov.au OR <a href="#">online via the OAIC's online privacy complaint form</a> :	Fax: 02 9284 9666
Hong Kong	Office of the Privacy Commissioner for Personal Data	Room 1303, 13/F, Dah Sing Financial Centre, 248 Queen's Road East, Wanchai, Hong Kong	<a href="mailto:complaints@pcpd.org.hk">complaints@pcpd.org.hk</a> or via an online <a href="#">Complaint Form</a>	Fax: OPS004)) at 2877 7026
Japan	Personal Information Protection Commission ("PPC")	Kasumigaseki Common Gate West Tower 32nd Floor 3-2-1	<a href="http://www.ppc.go.jp">www.ppc.go.jp</a>	+81-(0)3- 6457-9680



		Kasumigaseki Chiyoda-ku Tokyo 100-0013 Japan		
Singapore	Personal Data Protection Commission	10 Pasir Panjang Road #03-01 Mapletree Business City Singapore 117438	info@pdpc.gov.sg	Telephone: +65 6377 3131  Fax: +65 6577 3888
South Korea	Personal Information Protection Commission	(03171) 209, Sejong-daero, Jongno-gu, Seoul, Korea Rep.	<a href="#">Personal Information Protection Commission - PPC   Personal Information Protection Commission</a>	Phone: +81-3- 6457-9680

## 11. Changes to this Privacy Policy

We reserve the right to update this Privacy Policy at any time and when we make material updates, we will notify you, whether directly via email notification, or indirectly within our email signatures. We may also notify you in other ways about how we handle your personal information.

You may request this Privacy Policy in an alternative form by contacting your relationship manager.

## 12. Contact Us

For all privacy matters, including if you have any questions about this Privacy Policy, a concern or complaint, or if you want exercise your data subject rights, please contact our Europe and Asia Pacific Privacy Office using the contact details directly below.

<b>Europe and Asia Pacific Privacy Office</b>	
Head of Privacy - Europe and Asia-Pacific	
By mail:	60 Threadneedle Street, London EC2R 8AP
By email:	<a href="mailto:AsiaPac_Privacy@td.com">AsiaPac_Privacy@td.com</a>

## Appendix A

<b>TD Entity Name</b>	<b>Address</b>
Epoch Investment Partners, Inc.	1 Vanderbilt Avenue, New York, NY 10017
TD Asset Management Inc.	TD Canada Trust Tower, 161 Bay Street, 32nd Floor, Toronto, Ontario, M5J 2T2
The Toronto-Dominion Bank Hong Kong Branch	Suite 1211, Two Pacific Place, 88 Queensway, Central, Hong Kong
TD Securities (Japan) Co., Ltd.	Otemachi Park Building 6F, 1-1 Otemachi 1- chome, Chiyoda-ku, Tokyo 100-0004, JAPAN
Toronto Dominion (South East Asia) Limited	1 Temasek Ave, 15-02 Millenia Tower, Singapore, SN 039192

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