

# Notice of Changes on terms and conditions for (i) eAlerts Service, (ii) eStatement and eAdvice Service, (iii) Stock Alerts Service, and (iv) Notes for Push Notification (if applicable) and Security effective 1<sup>st</sup> June 2015

HSBC is committed to promoting changes and improvements in our provision of banking services to protect your interests and to enhance your understanding of what you can reasonably expect of the services provided by us. With these objectives in mind, we have updated and simplified our existing terms and conditions for (i) eAlerts Service (ii) eStatement and eAdvice Service (iii) Stock Alerts Service and (iv) Notes for Push Notification (if applicable) and Security ("**Existing Documents**") in plain language ("**Plain Language Documents**"). A separate set of Chinese version is also available. If there is any discrepancy between the English and Chinese versions, the English version shall prevail.

Provisions of the Plain Language Documents and the Existing Documents are materially the same in substance and your rights and obligations with respect to us will not be adversely affected.

A summary of the key features of the Plain Language Documents is set out under **Part I**, and the main provisions which are new or have been amended in the Plain Language Documents are set out under **Part II**.

Please carefully read the information below to ensure you understand the changes made and how they may affect you.

## **I Summary of the key features of the Plain Language Documents on a collective basis.** (a Plain Language Document may carry some or all of the key features)

- 1 Provisions in a Plain Language Document are re-written in a way and re-arranged in an order intended to make them easier to read and understand by a retail customer. More descriptive section or clause headings are used in some cases.
- 2 Provisions addressing the same or related matters are consolidated and simplified to remove overlaps and inconsistencies.
- 3 Revisions are made to enhance clarity of the meaning of the provisions.
- 4 There are certain practices or requirements currently implemented by HSBC with respect to its provision of services, accounts or products which may be applicable to a customer but are not expressly specified in an Existing Document. Provisions reflecting these practices or requirements are consolidated in a Plain Language Document to make them easier to read and understand by a retail customer.

## **II New or amended provisions in the Plain Language Documents**

The new or amended provisions in the Plain Language Documents include:

- 1 a revised limitation of liability provision in Clause 8.2 of the eAlerts Service Terms and Conditions, clarifying that (a) the provision covers (i) HSBC, (ii) HSBC's agents and nominees, (iii) HSBC's officers and employees and that of HSBC's agents or nominees, and (b) HSBC will be liable under Clause 8.1 to the extent that any loss is direct and reasonably foreseeable arising directly and solely from negligence or wilful default of (i) HSBC, (ii) HSBC's agents or nominees, or (iii) HSBC's officers or employees or that of HSBC's agents or nominees;
- 2 a revised indemnity provision in Clause 8.5(a) of the eAlerts Service Terms and Conditions, clarifying that (a) the indemnity covers (i) HSBC, (ii) HSBC's agents and nominees, (iii) HSBC's officers and employees and that of HSBC's agents or nominees, and (b) the indemnity will continue after the termination of the eAlerts Service;
- 3 a revised limitation of liability provision in Clause 4.2 of the eStatement and eAdvice Service Terms and Conditions, clarifying that (a) the provision covers (i) HSBC, (ii) HSBC's agents and nominees, (iii) HSBC's officers and employees and that of HSBC's agents or nominees, and (b) HSBC will be liable under Clause 4.1 to the extent that any loss is direct and reasonably foreseeable arising directly and solely from gross negligence or willful default of (i) HSBC, (ii) HSBC's agents or nominees, or (iii) HSBC's officers or employees or that of HSBC's agents or nominees;
- 4 a revised indemnity provision in Clause 5.1 of the eStatement and eAdvice Service Terms and Conditions, clarifying that (a) the indemnity covers (i) HSBC, (ii) HSBC's agents and nominees, (iii) HSBC's officers and employees and that of HSBC's agents or nominees, (b) all actions, proceedings and claims which may be brought by or against HSBC, (ii) or (iii) and all losses, damages and reasonable costs and expenses which HSBC, (ii) or (iii) may incur or suffer, and (c) the indemnity will continue after the termination of the eStatement and eAdvice Service or the eStatement and eAdvice Service Terms and Conditions;
- 5 a revised limitation of liability provision in Clause 4.1 of the Stock Alerts Service Terms and Conditions, clarifying that HSBC and any service provider appointed by HSBC are not liable for any time lag unless it is caused by gross negligence or wilful default of HSBC and only to the extent of direct and reasonably foreseeable loss and damage arising directly and solely from it; and
- 6 a revised limitation of liability provision in Clause 4.3 of the Stock Alerts Service Terms and Conditions, clarifying that HSBC does not represent or guarantee the accuracy, reliability, adequacy, timeliness, sequence or completeness of any information contained in eAlerts issued under the Stock Alerts Service.

Please note that the amendments under Part I and Part II above shall be binding on you if you continue to use eAlerts Service, eStatement and eAdvice Service or Stock Alerts Service after 1 June 2015. If you decline to accept the amendments, you have the right to terminate the service(s) as stated in the relevant clause under the relevant Existing Documents. If you wish to terminate the service(s) or should you have any queries, please contact us at our branches or call our customer service hotlines stated below:

HSBC Premier customers: (852) 2233 3322

Other customers: (852) 2233 3000

If there is any discrepancy between the English and Chinese versions of this Notification, the English version shall prevail.

## **Annex**

The Existing Documents and the Plain English Documents covered by this notice are as follows:

### **A. Existing Documents**

1. Terms and Conditions for HSBC's eAlerts Service
2. Terms and Conditions for HSBC's eStatement and eAdvice Service
3. Stock Alerts Services Terms and Conditions
4. Notes for Push Notification (if applicable) and Security

### **B. Plain Language Documents**

1. eAlerts Service Terms and Conditions
2. eStatement and eAdvice Service Terms and Conditions
3. Stock Alerts Service Terms and Conditions
4. Notes for Push Notification (if applicable) and Security