

USER GUIDE NO.2

EN

Privacy Policy, & Online Processing

www.loonshing-consultants.hk



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Summary

A matter is made of documents about legal and natural persons. This guide says which persons, which documents, on what authority we hold them, who else sees them, and for how long. It also sets out the official sources we work from, and how we keep them current.

	Chapter	What it covers
1	About this guide	Who it is for, and how it fits with our legal pages
2	Whose data, and what data	Clients, officers, shareholders, beneficial owners
3	Where it comes from	You, public registers, and our correspondents
4	Why we process it	Purposes and legal bases
5	Who receives it	Registries, local professionals, banks, our providers
6	Where it is processed	Cross-border transfers, stated plainly
7	How long we keep it	By category, including matters we decline
8	How it is protected	Access, authentication, audit trail
9	Your rights	What you can ask for, and what we can actually do
10	Complaints	The supervisory authority of each jurisdiction
11	Our reference sources	Nomenclatures and official forms, and how we keep them current
12	The documents produced	What a matter generates, and in what form
I	Appendix I	Official sources and authorities, by jurisdiction
II	Appendix II	The data-protection laws that apply to a matter
III	Appendix III	Client account and website data

1. About this guide

1.1 Purpose and audience

This guide explains how **Lo On Shing Consultants Limited** (盧安誠顧問有限公司) handles personal data in the course of a foreign direct investment matter, and which official sources our work rests on.

It is written for:

- **clients and prospective clients**, who want to know what happens to what they send us;
- **individuals named in a matter without being our client** — directors, legal representatives, supervisors, shareholders, beneficial owners, spouses whose consent a regime requires — whose data we process because a registry requires it;
- **advisers and compliance officers** assessing our practices before a client engages us.

1.2 How this guide fits with our legal pages

This guide **explains**. Our legal pages **bind**. Where the two differ, the legal page prevails.

The pages concerned, all published on our website:

- **Privacy Policy** — the personal data of our clients and of those who write to us;
- **General Public Notice** — the personal data of individuals named in a matter without being our client;
- **Terms of Use and Services** — the terms on which we accept a matter;
- **Services General Agreement** — the contractual framework of every engagement, Appendix 3 to the Letter of Engagement, which carries our undertakings on data;
- **Limitations of Liability** — what we undertake and what we cannot guarantee.

1.3 Who is the data controller

Lo On Shing Consultants Limited, incorporated in the Hong Kong Special Administrative Region under Certificate of Incorporation number 2229760 (Business Registration number 64679960), registered office 806, Capitol Centre, 5–19 Jardine's Bazaar, Causeway Bay, Hong Kong SAR.

For any question on this guide or on the data we hold: **info@loonshing-consultants.hk**, or the registered office above, marked *Privacy*.

1.4 Glossary

Term	Meaning
Personal data	Any information relating to an identified or identifiable individual. A passport number is personal data; so is a shareholding percentage attached to a name.
Data subject	The individual the data relates to — our client, but also anyone named in a matter.
Controller	The party that decides why and how data is processed. For a matter, that is us.
Processor	A provider that processes data on our instructions and on no other — our host, our electronic signature and invoicing providers. The payment services reachable from an online invoice, and the banks, act under their own rules (chapter 5).
Official source	A nomenclature, a form or a register published by a public authority, which we use as published.
Nomenclature	The official classification of business activities of a jurisdiction, in the terms of which a company's scope must be expressed.
Machine translation	A translation produced automatically so that a document in Chinese or Vietnamese can be read. Marked as such; the original governs.
Legalisation / apostille	The chain by which a document issued in one country is made usable before the authorities of another.

2. Whose data we process, and what data

2.1 Whose?

A company formation file names more people than the client. We process data relating to:

- the **client** — the individual or the representatives of the company that engages us;
- the **shareholders**, individual or corporate, and the individuals behind a corporate shareholder;
- the **beneficial owners** and persons exercising control;
- the **officers** — directors, legal representative, supervisor, company secretary, authorised signatories;
- the **Team Administrator** of a company's client space, and, where they are not the legal representative, the legal representative who mandates them by a power of attorney;
- **spouses**, where a matrimonial property regime requires a consent or a declaration;
- **employees** for whom a work permit or a visa is sought;
- **contacts** designated by the client at a bank, a landlord or an adviser.

If you send us data about someone else — an officer, a shareholder, a spouse — please tell them that you have, and point them to our **General Public Notice**. They have the same rights as you do, and it is easier for everyone if they hear it from you first.

2.2 What data?

We ask for what the receiving authority requires, and we say which authority requires it. We ask for no information that is not necessary or useful to handling the matter in the best conditions. Where a field in our questionnaire is optional, it is marked as such.

Some of this is data that the law treats as requiring particular care — a criminal-record certificate for a work permit, a health certificate, a matrimonial regime. We ask for it only where an authority requires it for the filing at hand, we say so at the time, and we do not keep it beyond what that filing needs.

Category	Typical content
Identification	Name and any other spelling of it, date and place of birth, nationality, passport or identity document number, photograph as it appears on that document.
Contact	Postal address, e-mail address, telephone number, residential address where a registry requires it.
Corporate role	Office held, mandates, appointment and end dates, powers, signature specimen.
Shareholding and control	Number and class of shares, percentage held, chain of ownership, beneficial-owner status.
Family and matrimonial	Marital status and property regime, where the applicable law makes it relevant to a subscription; spouse's consent.
Due diligence	Origin of funds, professional history, curriculum vitae, the results of the screening we are required to carry out.
Employment	Qualifications, experience, criminal-record certificate and health certificate where a work-permit authority requires them.
Financial	Bank references, evidence of financial capacity, invoicing details.
Account and audit trail	Client-space identifier, sign-in times, actions taken, documents uploaded and consulted.

3. Where does the data come from?

Three sources, and no others.

3.1 From you

The greater part. The questionnaire, the documents you upload to your client space, the originals you post, and what you tell us in correspondence and in the video call.

3.2 From public registers

We consult official registers to verify what we have been told and to prepare a filing — a company's existing officers before an amendment, the availability of a name, the current state of a shareholding. Appendix I lists the sources by jurisdiction.

Where a company-search report is needed, it is obtained through **CCSS — Greater China Company Search Services**, whose own guides describe how its data is extracted.

3.3 From our correspondents

A local law firm, a notary, a licensed service provider or a bank involved in your matter may pass us a document or a confirmation that forms part of the file. We accept from them only what the matter requires.

We do not buy personal data, we do not enrich a file from commercial databases, and we do not build a profile of you from anything other than what a matter needs.

4. Why do we process it, and on what basis?

4.1 Purposes

1. **Studying a project** — reading the questionnaire and forming a view.
2. **Client due diligence (KYC)** — identifying and verifying, establishing beneficial ownership, understanding the origin of funds. This is required of us.
3. **Performing the engagement** — drafting the deeds, completing the administrative forms, making the filings, coordinating the local professionals.
4. **Managing the relationship** — invoicing, correspondence, the client space, and the archive.
5. **Complying with our own obligations** — anti-money-laundering and counter-terrorist-financing (AML-FT) and tax fraud, accounting, answering an authority, and being able to evidence what was done.
6. **Security** — access control, audit trail, prevention of misuse.

4.2 Legal bases

The basis depends on the purpose and on the law that applies to the individual and to the jurisdiction of the filing:

Purpose	Basis
Studying a project, performing the engagement	The contract with you, and the steps taken at your request before it is concluded.
Client due diligence, AML-FT and tax fraud, accounting	A legal obligation to which we are subject.
Making a filing with a registry	The performance of the contract, and compliance with the law of the jurisdiction of the filing.
Processing data about officers and beneficial owners who are not our client	Our legitimate interest in performing a matter lawfully, and the legal obligation of the receiving authority to hold that information.
Security and audit trail	Our legitimate interest in a client space that can be trusted.
Holding the file on cloud infrastructure, including outside Hong Kong	The performance of the contract, and your consent given on engagement. Only what those purposes require is transferred.
Sending news or a briefing note	Your consent, withdrawable at any time, by the means carried in every message.

Where a jurisdiction requires a specific consent for a transfer or for a category of data — as Mainland China and Vietnam do in defined cases — we ask for it separately and we say what it covers.

5. Who receives the data?

1. **Registries and authorities** of the jurisdiction concerned. This is the purpose of the engagement, and the filings are made in your name.
2. **Local professionals** acting on the matter — our corresponding law firms — bound by legal professional privilege, a matter of public order — and licensed service providers in Hong Kong SAR, Guangzhou and Đồng Nai Province, or in Europe; the company secretary and the auditor appointed to the new company. Each is bound by confidentiality and receives only what the matter requires.
3. **Banks**, where an account is opened, under their own account-opening and compliance rules.
4. **Notaries, sworn translators and legalisation services**, for the chain by which a foreign document is made usable in the country of destination.
5. **Our service providers**, acting on our instructions and on no other: electronic signature (DocuSign), which receives the name and e-mail address of each signatory and the documents to be signed, and returns them with a certificate of completion; invoicing (Xero), which holds your invoicing details and issues the online invoices; electronic messaging; and hosting (Infomaniak, in Switzerland). A hosting provider stores the files and nothing more — it has no right of access to their content, and it is bound by contract to security and confidentiality obligations equivalent to our own.
6. **Payment services**, where you choose to pay an invoice online — by card or through PayPal, from the online invoice issued by Xero. Your card details go to the payment service, never through us: we receive the confirmation of payment and nothing else. A bank transfer involves only your bank and ours.
7. **Authorities and regulators**, where the law requires it.

Audience measurement on our website is done with **Matomo**, installed on our own server: it sends nothing to a third party, and Appendix III says what it counts.

We do not sell personal data, and we do not share it for anyone else's marketing. An AML-FT disclosure is the one case where the law may both require us to report and forbid us to tell you that we have.

6. Where is the data processed?

Our work is cross-border by nature. A file opened in Europe is processed in Hong Kong and, according to the matter, transferred to Mainland China or to Vietnam, where it is filed with the competent authority. There is no version of this work in which the data stays in one country.

Storage is itself a transfer. The documents of a matter and its archives are held on cloud infrastructure, part of which sits outside Hong Kong. The undertakings below apply to that infrastructure exactly as they apply to a filing — and chapter 8 says who controls it. Engaging us carries your consent to that processing and to that transfer, for the sole purposes of performing the matter and of keeping the file securely.

This cloud infrastructure is hosted in **Switzerland**, with the provider **Infomaniak**. Switzerland is the subject of an **adequacy decision** of the European Union — its framework is recognised as ensuring a level of data protection equivalent to that of the GDPR — and its law is among the most protective of confidentiality in the world. This choice also gives us independence from hosts subject to United States law.

What we undertake:

- we transfer **only what the recipient requires**;
- we **tell our clients where their file goes**, before it goes;
- we **bind our correspondents** by confidentiality;
- where the applicable law requires a transfer mechanism — standard contractual clauses, a specific consent, an assessment — we **put it in place before transferring**.

The levels of protection afforded by the laws of the destination jurisdictions are not identical to those of the country of origin. We say so plainly rather than leave it to be discovered.

7. How long we keep it

We keep personal data for as long as the purpose requires, and afterwards for as long as we may be required to answer for the matter or to produce it.

Category	Retention
An enquiry that leads nowhere	Kept while it is being studied, then archived and erased.
A matter we decline	Archived, and the personal data destroyed within six months — sooner if you ask us.
An engaged matter	Kept for the duration of the engagement, and afterwards for the period required by the AML-FT, tax-fraud and accounting rules applicable to us and to our correspondents.
Accounting records	For the statutory period.
Account and audit-trail data	For as long as the account exists, and afterwards for the period necessary to evidence who did what.

Where a retention period is imposed on us, we cannot shorten it at request. We will say which obligation applies and when it expires.

8. How the data is protected

- **Access is personal and named.** A sign-in opens the matters granted to that individual and nothing else.
- **Access by invitation.** An account is opened by us, with a personal link valid for 48 hours from which you set your own password — at least 12 characters, never seen by us — and your second factor. There is no public self-registration and no self-service password reset: a lost password means a new link, issued after a check with you.
- **Two factors, always.** A password and a single-use code — from an authenticator application, or, failing that, sent to your e-mail address. The application's code is generated on the device and never travels, so there is nothing to intercept; e-mail is the fallback, not the default.
- **Sessions expire.** After 30 minutes without activity, and after 12 hours in any case. A device you ask us to remember is trusted for 30 days; five wrong passwords hold the account for 15 minutes.
- **Everything is logged.** Every consultation and every action in the client space is recorded, and the record is kept.
- **Least privilege inside the firm.** A Matter Handler has access only to the matter(s) they need to know in their capacity as the expert handling a matter.
- **Documents travel once.** Scans go to the client space over an encrypted channel, not to an e-mail attachment.
- **The files are held on cloud infrastructure, under our exclusive control.** We alone decide who is granted access, and we alone hold the means of decryption. The provider stores; it does not read.
- **Suspension is cheap, a breach is not.** We suspend an access at the first doubt and re-establish it with you.

A single machine standing in one room is the easier thing to lose — to a fire, a theft, or a failed disk. Infrastructure of this kind is held to a standard of availability and of physical security we could not reproduce ourselves, and it is why the files sit there rather than here. What matters is not where the disk is, but who holds the key.

If a breach occurs that is likely to affect you, we will tell you and we will tell the competent authority, within the time the applicable law requires, saying what happened and what we are doing about it.

9. Your rights

Subject to the conditions and exceptions of the law that applies to you, you may ask us to:

- **give you access** to the personal data we hold about you;
- **correct** what is inaccurate;
- **erase** data, where erasure is available;
- **restrict** or **object to** a processing based on our legitimate interest;
- **receive** the data you gave us in a portable form, where that right applies;
- **withdraw a consent** you have given, without affecting what was done before.

9.1 How to ask?

Write to info@loonshing-consultants.hk, marked *Privacy*, or to our registered office. Tell us enough to find the record — a name, a matter number, a company — and be ready to prove your identity. We ask for proof of identity only where we need it, and only as much as we need.

We answer **within one month**, extendable in a complex case as the applicable law permits, and we say so if we extend.

9.2 What we can actually do — and what we cannot

Once a document has been **filed with a registry** kept by an administrative authority, that registry holds it. We can correct our own record, and we can prepare the amending filing the registry requires — but we cannot reach into a public register and change what is in it. Where the authoritative record is the authority's, the correction has to be made there, and we will tell you how.

Similarly, where data is held under an AML-FT obligation, an anti-tax-fraud obligation or an accounting obligation, we cannot erase it before that obligation expires. We will say which obligation applies and when it ends.

10. Complaints

If you believe your data-protection rights have been infringed, tell us first — most things are a misunderstanding that a letter settles. You may in any event complain to a supervisory authority:

Jurisdiction	Authority
Hong Kong SAR	Office of the Privacy Commissioner for Personal Data (PCPD)
Mainland China	Cyberspace Administration of China (CAC), or the competent local regulator
Vietnam	The Ministry of Public Security, through the authority competent for personal data protection
EU / EEA	The supervisory authority of your Member State of residence or place of work

11. Our reference sources

11.1 Why do we keep a register of them?

Two things in a matter are not ours to invent: the **official nomenclature** in whose terms a business scope must be written, and the **administrative form** a registry expects to receive. Both are published by an authority, both change, and a matter prepared on a superseded edition is refused.

So we hold them as a register, with the edition, the date of publication, the date of effect and the reference of the instrument that issued them. When you see a code or a form in your matter, that register is where it came from.

11.2 The register

Source	Authority	Edition held
Industrial Classification for National Economic Activities 国民经济行业分类	National Bureau of Statistics of China 国家统计局	GB/T 4754-2017
Standard wordings for business scope 经营范围规范表述	State Administration for Market Regulation 国家市场监督管理总局 (SAMR)	Current published catalogue
Registration forms for business entities 经营主体登记文书规范	State Administration for Market Regulation 国家市场监督管理总局 (SAMR)	2026 edition 国市监注发〔2026〕5号 published 6 January 2026, effective 1 May 2026
List of Code and Description of Business Nature	Companies Registry / Inland Revenue Department, Hong Kong SAR	Current published list
Vietnam Standard Industrial Classification Hệ thống ngành kinh tế Việt Nam (VSIC)	Prime Minister / General Statistics Office	Decision 27/2018/QĐ-TTg of 6 July 2018

11.3 Keeping them current

Agent LOS verifies **at least every 90 days** that each source in the register is still the edition in force at the authority that publishes it, and reports what it finds. A superseded edition is replaced before it is used again, and the old one is kept so that a matter prepared under it can still be read.

The 2026 edition of the SAMR registration forms is an example of why this matters: it superseded the 2022 edition, and a file prepared on the older forms after its date of effect would have been returned.

11.4 Administrative forms are never altered

Where a form is published by an authority, we complete it as published. We do not modify it, we do not redraw it, and we do not produce a tidier or translated version of it to be filed. The blank forms we use are obtained from the authority itself.

11.5 Machine translations

A form or a deed drafted in Chinese or Vietnamese comes to you with a machine translation, so that you can read what you are being asked to sign. The format is fixed:

- a **blue banner** at the head of every page, naming the document and the direction of translation;
- a **notice in blue at the foot of every page**, saying that this is a machine translation provided for information;
- the **original appended behind it**, untouched;
- a **target language chosen for the matter** — English or French as a rule, and we ask rather than assume.

In case of discrepancy the original governs, and it is the original that is signed and filed. A machine translation is a reading aid. It is not a certified translation, and it does not replace the sworn translation a registry may separately require.

12. The documents a matter produces

So that you know what to expect, and in what form.

Document	Produced by	Form
The questionnaire	You, online — archived as submitted, then signed by you through DocuSign at step 5.2	Word and PDF as submitted; the signed PDF with its certificate
Letter of Engagement, with Appendices 1, 2 and 3 (Appendix 3 is the Services General Agreement), and the special power of attorney	Lo On Shing	DocuSign, one envelope of two documents; you sign and initial every page; the executed set and its certificate to both parties
Constitutive documents — articles, charter, joint-venture contract	Lo On Shing, from your questionnaire	Word for review, PDF once settled
Resolutions and appointments	Lo On Shing	Word for review, PDF once settled
Administrative forms	The authority — completed by us, never altered	The authority's own file
Machine translations	Agent LOS, approved by the handler	PDF, in the fixed format
Notarised and legalised copies	Your notary and your authorities	Paper originals, posted
Sworn translations, where a registry requires one	A sworn translator	Paper, as the registry requires
Invoices	Lo On Shing, through Xero	PDF by e-mail, an online invoice payable by card, PayPal or transfer, and under Billing in your client space
The set of deeds	Lo On Shing	A single PDF: front cover, contents, deeds, translations, signing instructions, back cover
Certificates of registration	The authority	Scanned copies in your client space; the originals handed over with the letter of transmittal
The e-book of the matter	Lo On Shing, at the close	A single PDF: cover page, table of contents, and every exhibit of the matter

Appendix I — Official sources, by jurisdiction

Listed by way of illustration. The list may be amended, supplemented or replaced, and the inclusion of an authority implies no sponsorship, endorsement, partnership or affiliation between that authority and us.

Mainland China

- State Administration for Market Regulation (国家市场监督管理总局) — registration of business entities, and the standard wordings for business scope.
- National Bureau of Statistics (国家统计局) — the industrial classification GB/T 4754-2017.
- National Enterprise Credit Information Publicity System (国家企业信用信息公示系统) — the public record of registered entities.
- Ministry of Commerce (商务部) and the local commerce authorities — foreign investment reporting.
- State Administration of Foreign Exchange (国家外汇管理局) — foreign-exchange registration.
- State Taxation Administration (国家税务总局) — tax registration.

Hong Kong SAR

- Companies Registry (公司註冊處) — incorporation, filings, and the ICRIS public search system.
- Inland Revenue Department (稅務局) — business registration, and the codes for the nature of business.
- Immigration Department (入境事務處) — employment visas and entry permits.
- Companies Registry's Trust and Company Service Providers register — for the licensed providers a matter may require.

Vietnam

- Ministry of Finance and the provincial Departments of Finance (which took over the former Departments of Planning and Investment) — investment registration certificates and enterprise registration certificates.
- National Business Registration Portal — the public record of registered enterprises.
- General Statistics Office — the VSIC classification, Decision 27/2018/QĐ-TTg.
- Provincial industrial-zone authorities, where the project sits inside a zone — in particular in Đồng Nai Province.
- Ministry of Home Affairs and the provincial labour authorities — work permits.

Company-search data drawn from the registers of Mainland China, Hong Kong SAR, Macau SAR and Taiwan is obtained through **CCSS — Greater China Company Search Services**, under its own terms and its own guides.

Appendix II — The laws that apply

A matter normally engages more than one data-protection regime at once: that of the client's residence, that of the place of processing, and that of the jurisdiction of the filing. We apply the most protective of the applicable requirements where they differ.

Jurisdiction	Instrument	Note
Hong Kong SAR	Personal Data (Privacy) Ordinance (Cap. 486)	The six Data Protection Principles. Supervisory authority: the Privacy Commissioner for Personal Data (PCPD). This is the law of our place of establishment.
Mainland China	Personal Information Protection Law (个人信息保护法, PIPL), in force 1 November 2021; with the Data Security Law and the Cybersecurity Law	Applies to the processing of the personal information of individuals in Mainland China, including from outside it. Separate consent is required for certain cross-border transfers.
Vietnam	Law on Personal Data Protection No. 91/2025/QH15, passed 26 June 2025 and in force 1 January 2026; Decree 356/2025/NĐ-CP of 31 December 2025	Decree 356/2025 replaced Decree 13/2023/NĐ-CP, which ceased to have effect on 1 January 2026. Consent and impact-assessment requirements apply to transfers abroad.
EU / EEA	General Data Protection Regulation (EU) 2016/679	Applies where our client is established in the EU or EEA, or where the processing relates to individuals there. Transfers out are made under an appropriate mechanism.

This appendix states the law as we understand it at the date on the cover. It is not legal advice, and these regimes change — Vietnam's changed on 1 January 2026. Where your own compliance depends on it, take advice on your own facts.

Appendix III — Account and website data

1. Your client-space account

To open and operate an account we process: your name, your e-mail address, the matters granted to you, a derived form of your password from which the password itself cannot be recovered, the secret shared with your authenticator application or the single-use codes sent to your e-mail address, the devices you asked us to remember for 30 days, and the audit trail of your sign-ins and actions.

The account is opened by us when your matter reaches step 7, by an invitation carrying a personal link valid for 48 hours, from which you set a password of at least 12 characters and your second factor. There is no public self-registration and no self-service password reset. The account is closed when you ask, or when the matters granted to it are all closed and the retention period has run.

2. The website

Our public pages are built to be read without an account. We use only what is necessary to make the site and the client space work — a chosen language, a filter, an open session, a remembered device. We do not use advertising cookies and we do not track visitors across other websites.

Audience is measured with **Matomo**, installed on our own server and set to work without cookies: no identifier is placed in your browser, your IP address is truncated before it is stored, and the *Do Not Track* setting of your browser is honoured. What is counted is pages viewed, documents downloaded and the steps of the questionnaire reached — never who reached them. Nothing is shared with any third party.

Server logs — address, page, time, browser — are kept for security and to diagnose faults, for a limited period.

3. Correspondence

Messages sent to **info@loonshing-consultants.hk** are received in our own mailbox and read by the administrator and, where the message concerns a matter, by its handler. A message about a matter is filed with the matter and follows its retention.

4. Briefing notes and news

The site offers two separate mailings: the **monthly news** and the **briefing notes**. You may take one, the other, or both.

One is enrolled only by a **two-step consent**: you enter your address, we send a confirmation e-mail from **info@loonshing-consultants.hk**, and nothing is sent to you until you have clicked in that e-mail. An address entered by someone else therefore produces no mailing at all. The confirmation link ceases to be valid after seven days.

What we hold is your address, the name you give if you give one, the language of the page, the jurisdictions you are interested in, and your choice between the two mailings. We also keep the date of your subscription and the page it came from: that is what evidences your consent. **We do not keep your IP address.**

Every message carries an **unsubscribe link that works in a single click** — no intermediate page, no password, and nothing to write to us. Unsubscribing takes effect at once and for good, and does not affect a matter in progress; we do not re-enrol you on our own initiative, not even if you become a client again. The entry is kept, with the date of the unsubscription, so as not to re-enrol you by mistake and to be able to show that your request was honoured — you may ask for it to be erased.

This newsletter goes only to the people who asked for it. We do not rent, sell or exchange these addresses, and we do not use them for any purpose other than the two mailings named above.

Any question on this appendix, or on the data we hold about you: info@loonshing-consultants.hk, marked *Privacy*.

services dedicated to
Foreign Direct Investments
in Asia

