**livi bank – Open API (Phases II & III)**

***TSP Annual Review Questionnaire***

1. **Introduction**

To ensure on-going compliance with applicable regulations and guidelines, Livi Bank Limited (“**livi**”) is required to review the risks relating to its API collaborations with Third Party Service Providers (“**TSPs**”).

Livi requires TSPs to update information provided as part of the Self-Assessment and subsequent annual reviews.

1. **TSP Annual Review**

Please note:

1. By completing and submitting this Form, the TSP acknowledges and agrees that all information and/or documentation it provides is accurate and complete, and that it has disclosed all relevant information to us.
2. Failure to provide complete responses to any of the questions under this Form may lead to suspension of the TSP’s access to livi's APIs.
3. Access to livi’s APIs continues to be subject to the TSP’s agreement to livi’s terms and conditions.
4. Any personal data submitted as part of this Form will be processed in accordance with livi’s *Personal Information Collection Statement*.

|  |
| --- |
| **Name of Third Party Service Provider:**  |
|  |

**This Annual Review Questionnaire is prepared by:**

|  |  |  |
| --- | --- | --- |
| **Name** | **:** |   |
| **Department**  | **:** |   |
| **Title** | **:** |   |
| **Telephone** | **:** |   |
| **Email** | **:** |   |
| **Signature** | **:** |   |

Instructions: Please tick the relevant boxes below and provide updated responses and relevant supporting documents where applicable. Please submit the completed Form to openapi@livibank.com, Attention: **Open API team**.

1. **General Information about the TSP**

| **Question** | **TSP Annual Review** |
| --- | --- |
| 1. Trading name other than as above, if applicable.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Type of entity:
* sole proprietor
* general partnership
* limited partnership
* private limited company
* public limited company
* company limited by guarantee
* other (please specify in the next column)
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Hong Kong Business Registration number and certificate.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Any stock exchange listing details.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Jurisdiction of establishment/incorporation.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. If the TSP is a foreign company, please provide details of its Foreign Company Registration in Hong Kong.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. If the TSP is a company or limited partnership, please provide:
* registration number
* head office address
* registered office address (if different)

Please attach certificate of registration/incorporation and articles of association.  | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Please complete and submit a TSP Individual Form (Annex 1) in respect of each director and senior manager of the TSP, or, as directed by livi, provide an internal corporate governance structure chart illustrating management roles and reporting lines.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Please complete and submit a TSP Controller Form (Annex 2) in respect of each person or entity holding (directly or indirectly) an interest in the TSP of 10% or more or exercising control of the TSP by other means.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |

1. **Business Description**

| **Question** | **TSP Self-Assessment** |
| --- | --- |
| 1. What is the TSP's current business model, including the products and services it currently makes available and any services that it will offer to customers in connection with use of the APIs?
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. What are the regulatory licenses held by the TSP (if any) or whether any regulated services are provided?
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Please provide website address(es) used by the TSP's business.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |

1. **Operational Description**

| **Question** | **TSP Self-Assessment** |
| --- | --- |
| 1. Please provide a copy of the TSP's organisational chart, showing key divisions, departments, structural separation of the TSP.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Please provide a description of key individuals and members of the TSP's staff and their respective experience and qualifications for roles as specified by the bank.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Is there any material arrangements the TSP has with third parties relating to the use of the specific APIs that it intends to use? For example:
* collaborations with third parties enabling the TSP to gain access to or attract prospective customers;
* outsourcing arrangements; and/or
* key operational dependencies on third parties, such as technology providers, information or data providers, data processing service providers or other service providers.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. What are the workflows and information flows the TSP expects to have in place in relation to the specific APIs it intends to use in its business? Please include the following:
* the context of the APIs and how the user experience directs the customer to the APIs;
* the sources of data the TSP will submit to the bank through the APIs (whether inputted by the customer, taken from existing data held by the TSP or obtained from third party sources);
* what customer data the TSP require from the bank through the bank's API's, if any, as part of this workflow and how the TSP proposes to use this customer data;
* what personal data the TSP will collect from customers, if any, as part of this workflow and how the TSP proposes to use this personal data;
* what other requirements, if any, the TSP will need from the bank as part of these arrangements (for example, application status); and
* any internal information firewall/barrier ring-fencing the APIs to the teams on a necessity, need-to-know basis for the proposed use of the APIs.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |

1. **Business Overview and Financials**

| **Question** | **TSP Self-Assessment** |
| --- | --- |
| 1. Please provide the TSP's business overview, including the following information:
* general description of the market in which the TSP operates;
* summary proposal of how the TSP intends to use and present the API (and the customer data obtained from the bank or the related bank product and services) as part of its business activity;
* general description of the TSP's customer groups;
* certified accounts for the past two financial years or a description of the TSP's financial situation if not available; and
* appropriate evidence of financial soundness.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Please provide details of the TSP's insurance coverage.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |

1. **Governance and Risk Management Policies and Procedures**

| **Question** | **TSP Self-Assessment** |
| --- | --- |
| 1. Does the TSP have any (i) policies and procedures for managing risk and (ii) internal control systems that are, in each case, appropriate and reasonably commensurate with the scale and complexity of our collaboration?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Are the TSP's relevant managers and the officers, directors and controllers appropriately fit and proper having regard to their roles?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Are the risk management functions within the TSP sufficiently resourced? Do the relevant personnel in these functions have sufficient professional knowledge, experience and independence to oversee the risk management and control functions of the TSP relating to our collaboration?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Are formal risk assessments conducted periodically by relevant personnel with sufficient professional knowledge?

Please provide supporting documentation and information.The risk assessment should take into account objective analysis of any material change to the risk profile of the related services, emerging potential vulnerabilities and other risk related to the service. Where appropriate in light of the risks involved in the collaboration, the TSP’s policy framework or related procedures for the formal risk assessment should require the risk assessment to be endorsed by designated senior officer(s) and be carried out at a frequency appropriate to the risk involved. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Are there appropriate risk management functions to ensure compliance with: (i) the TSP's applicable legal and regulatory requirements as they relate to the collaboration; and (ii) the TSP's policies, procedures and controls, as each is relevant to the collaboration?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP have adequate policies, measures and procedures to manage reputational risks arising in its business in light of the risks involved in the collaboration?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP have adequate record-keeping policies and systems for maintaining accurate and sufficient records as reasonably necessary to the collaboration?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |

1. **Technology Risk Management and Cyber Security**

| **Question** | **TSP Self-Assessment** |
| --- | --- |
| 1. Does the TSP have technology risk management policies and procedures that are reasonably commensurate with the scale and complexity of the TSP business relevant to the API collaboration?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Is the TSP's technology risk management framework appropriate for ensuring: (i) adequate IT controls, (ii) the quality and security, including the reliability, robustness, stability and availability, of its systems, (iii) the safety and efficiency of its operations, and (iv) adequate control over sub-contractors, in each case, as relevant to the collaboration?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP's technology risk management framework include appropriate testing of systems, networks and applications prior to launch, prior to the deployment of any major release, upgrade or other material change (and in any event no less frequently than once per year)?

This shall include, each to the extent appropriate having regard to the risks of the specific collaboration: (i) code reviews and penetration testing; (ii) security testing such as vulnerability testing (including, as appropriate, through independent assessment and testing).Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP's technology risk management framework include appropriate configuration hardening on: (i) Internet facing aspects of its applications, systems and networks; and (ii) (where highly sensitive customer information is involved) internal applications, systems and networks?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP's technology risk management framework include appropriate encryption measures to protect the confidentiality of customer information transmitted through the APIs made as part of the collaboration, and where sensitive customer information is involved, encryption and transmission over internal networks and storage?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP's technology risk management framework include appropriate measures to ensure the availability of systems relevant to the collaboration, including: (i) appropriate capacity planning and performance monitoring; and (ii) appropriate access control configurations and measures to monitor and limit API usage in accordance with any applicable API fair usage policies?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP's technology risk management framework include appropriate change management procedures in respect of its applications, systems and networks in production?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP's technology risk management framework include appropriate monitoring systems and techniques in relation to fraud and system security, involves appropriate vulnerability assessments in relation to security threats and appropriate security patch workflows?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP's technology risk management framework include an incident management and response framework with sufficient management oversight to ensure effective incident response and management capability to identify significant incidents, establish their root cause, make necessary notifications to stakeholders and deal with the incident properly so as to ensure risks and customer impacts are managed and minimised?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP's technology risk management framework include, to the extent appropriate, training and professional accreditation for personnel engaged in roles responsible for ensuring operational cyber resilience?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP's technology risk management framework include appropriate and effective security controls for personnel that have access to sensitive customer data, including maintaining and reviewing audit logs and investigating, escalating and reporting incidents of potential misuse?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP's technology risk management framework include, to the extent appropriate, having regard to the risks involved in the collaboration, adequate measures to maintain appropriate segregation of databases for different purposes to prevent unauthorized or unintended access or retrieval and that robust access controls are enforced to ensure the confidentiality and integrity of the databases?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP's technology risk management framework include necessary and appropriate procedures and measures for monitoring trends in cyber threats, implementing adequate protective measures and performing periodic security testing?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. **(For Phase III API collaborations only)** Does the TSP's technology risk management framework include in respect of Phase III API collaborations, appropriate integrations, endpoints, encryption controls, input validation controls, permissions and other requirements in relation to customer authentication and processes for customers to grant and revoke consent to the TSP’s access to their data?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Are there: (i) any known vulnerabilities in the TSP's applications, systems or networks; (ii) any data breach or information security incident in the previous 2 years relating to the TSP's relevant applications and systems (including satisfactory explanation of how these matters were resolved and the preventative measures taken to reduce the risk of recurrence); (iii) any use of "end of life" or unsupported software in its systems and how this use is effectively managed; and (iv) (as necessary and appropriate) procedures conducted by the TSP to detect fraudulent or unauthorized access to the APIs?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |

1. **Data Protection**

| **Question** | **TSP Self-Assessment** |
| --- | --- |
| 1. Will the TSP collect personal data from customers in relation to the collaboration in a fair and transparent manner that complies with the Personal Data (Privacy) Ordinance (**“PDPO”**), including any applicable codes of practice?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Are there adequate policies, measures and procedures to protect customers' information from unauthorized access, unauthorized retrieval, tampering and misuse, including appropriate restrictions on its personnel's access to personal data?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Are there adequate policies, measures and procedures to ensure that consents from data subjects are obtained?

N.B. In relation to corporate customers, data subjects refer to natural persons to which the data directly or indirectly relates, for example, staffs or officers of the corporate customer.Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. **(For Phase III API collaborations only)** Are there in place any adequate policies, measures and procedures to manage the customer onboarding journey (in respect of the obtaining, refreshing and withdrawal of consents)?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |

1. **Customer Care and Business Practices**

| **Question** | **TSP Self-Assessment** |
| --- | --- |
| 1. Are there any appropriate policies and procedures in place in the TSP's relevant business directed at ensuring the TSP acts in a responsible, honest and professional manner, treats customers equitably, honestly and fairly with regard to matters such as clearly explaining the key features, risks and terms, value proposition to the customer of financial services products, and providing accurate and understandable information?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Are there appropriate means of ensuring that any information relating to the livi's products and services which are provided to customers by the TSP are accurate, honest and understandable and not misleading?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Are there appropriate policies, procedures and measures in place for the TSP to detect and prevent fraud against customers in relation to the collaboration and the collaborated services, including policies, procedures and measures relating to: (i) customer authentication and consent management; and (ii) secure access to APIs?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP have in place an effective and fair complaint and redress management system for customers to make complaints and seek redress and for the bank to address and handle complaints/redress in relation to the collaboration and the collaborated services?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |

1. **Business Continuity Management**

| **Question** | **TSP Self-Assessment** |
| --- | --- |
| 1. Does the TSP have in place adequate business continuity management programs directed at ensuring continuation, timely recovery, or in extreme situations, orderly scale-down of critical operations in the event of major disruptions caused by different contingent scenarios?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |
| 1. Does the TSP have in place an appropriate business exit plan that seeks to provide for an orderly exit of its business as it relates to the collaboration and minimize the impact on its customers?

Please provide supporting documentation and information. | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |

1. **Outsourcing**

| **Question** | **TSP Self-Assessment** |
| --- | --- |
| 1. To the extent that the collaboration with the TSP involves any outsourcing by the TSP (including any outsourcing to its affiliates), does the TSP retain sufficient control over the relevant operations to ensure its continued complaince with its obligations to Livi? Does the TSP have appropriate risk management in relation to the selection of the third party and the implementation and monitoring of the sub-contracting or outsourcing arrangement?

Areas of controls should include but not limited to the following:* data protection; and
* assurance of the management of technology risk and cyber security.
 | □ No change since submission of Self-Assessment Form or the latest Annual Review Questionnaire submitted to livi (whichever is later) □ Please see below updated response: |

1. **Additional Information**

| **Question** | **TSP Self-Assessment** |
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**Annex 1 – TSP Individual Information Form**

| **Question** | **TSP Response** |
| --- | --- |
| 1. Name of the TSP.
 |  |
| 1. Name of the TSP Individual (including: (1) surname; and (2) first and middle names).
 |  |
| 1. Any previous or other names used (and dates of name changes in the case of previous names).
 |  |
| 1. Gender.
 |  |
| 1. Date of birth.
 |  |
| 1. Nationality.
 |  |
| 1. Hong Kong Identification Card number or copy of passport/travel document.
 |  |
| 1. Residential address.
 |  |
| 1. Position/role in the TSP and relevant date of commencement for each position/role.
 |  |
| 1. Details of any criminal convictions or proceedings in the past 3 years.
 |  |

**Annex 2 – TSP Controller Information Form**

| **Question** | **TSP Response** |
| --- | --- |
| 1. Name of the TSP.
 |  |
| 1. Name of the TSP Controller.
 |  |
| 1. Percentage interest held by the TSP Controller (directly or indirectly) in the TSP.
 |  |
| 1. Please complete and submit a TSP Individual Form if the TSP Controller is an individual/natural person.
 |  |
| 1. If the TSP Controller is a legal entity, please complete (f) to (o).
 | - |
| 1. Trading name(s) other than as provided in (b), if applicable.
 |  |
| 1. Type of entity (please tick):
 | [ ]  Sole proprietor[ ]  General partnership[ ]  Limited partnership[ ]  Private limited company[ ]  Public limited company[ ]  Company limited by guarantee[ ]  Other: |
| 1. Please provide Hong Kong Business Registration details and certificate.
 |  |
| 1. Listing information, if any.
 |  |
| 1. Jurisdiction of establishment/incorporation.
 |  |
| 1. If the TSP Controller is a foreign company, please provide details of foreign company registration in Hong Kong.
 |  |
| 1. For companies and limited partnerships, please provide:
* registration number
* head office address
* registered office address (if different)

Please attach certificate of registration/incorporation and articles of association. |  |
| 1. Please describe principal business activities of the TSP Controller.
 |  |
| 1. Please describe regulatory authority and licensing requirements, if any, applicable to the TSP Controller.
 |  |
| 1. Details of any criminal convictions or proceedings in the past 3 years.
 |   |