

Updated: 28 November 2018



**MARINE & GENERAL**  
BERHAD

**PERSONAL DATA PROTECTION POLICY**

# PERSONAL DATA PROTECTION POLICY

**Marine & General Berhad** (“M&G” or “the Company”) respects individual privacy. This privacy policy explains how the Company collects and handles your personal information in accordance with the Personal Data Protection Act 2010 (Policy).

M&G may make changes to this Policy from time to time and will notify any changes via M&G’s website.

## 1. Type of personal information we collect

Personal information means any information which relates to you as an individual and which will be / was collected by or provided to the M&G for the purposes stated in Section 3 below.

Your personal information may include, and not limited to, your name, National Registration Identity Card (NRIC) number, contact details, financial details, Closed-Circuit Television (CCTV) / security recordings and location tracking / Global Positioning System (GPS) information.

## 2. Source of Personal Information

a. **Customer:** M&G collects your personal information directly from you or indirectly from your legal representative when you or your legal representative:

- request for services;
- lodge a complaint with us;
- participate in any of our surveys; and/or
- via various means, including online and physical hardcopies at public venues or in any of our premises.

b. **Vendor, supplier, contractor or service provider:** M&G may collect personal information in relation to the individuals who are employed by its vendor, supplier, contractor or service provider (e.g. employee’s personal details).

Such personal data may be collected when you, whether as an individual or a corporate entity:

- register as vendor/ supplier/ contractor or service provider with us;
- participate in our tendering process;
- execute or enter into a contract with us;
- request/apply for work permits; and/or
- apply for bunting/banner installations;

via various means, including online and physical hardcopies.

c. **Job Applicants:** We will process your personal data (including your sensitive personal data such as information about your physical or mental health condition, religious belief and criminal conviction, if applicable).

The selection process may involve the supply of further information, and we may obtain such information from third parties (including but not limited to, information from your referees, public records, background check agencies, recruitment agencies)

regarding the qualifications, experience, eligibility and/or other information for recruitment-related purposes. All such information will be kept strictly confidential and used for assessing your application only.

If your application is unsuccessful, we will keep your personal data for a reasonable period up to one (1) year in accordance with our internal policies and procedures and for administration and statistical analysis purposes.

Your personal data will also be made available to other entities within the Company to determine your suitability for employment. The individual entities within the Company may contact you should other job opportunities arise in the future.

- d. **Employees:** We may obtain your personal data from yourself and from a variety of sources, including from third parties connected with you (e.g. your previous employers, your referees, etc), and from other permissible or authorized sources.
- e. **Directors:** We may obtain your personal data from yourself and from a variety of sources, and from other permissible or authorized sources relating to your involvement in the Board of Directors.

Other than personal information obtained from you directly (as detailed above), we may also obtain your personal information from third parties we deal with or are connected with you (including but not limited to credit reference agencies and recruitment agencies), and from such other sources where you have given your consent for the disclosure of information relating to you, and/or where otherwise lawfully permitted.

### 3. **Purposes of collecting and further processing (including disclosing) your personal information**

We may collect and use personal information from you or from the category of third parties identified in this Policy, for one or more of the following purposes (Purposes), as and where applicable:

- a. to communicate with you in providing products and/or services to you, and to give effect to your commercial transactions with us (including but not limited to tender award, contract for service, tenancy agreement and other commercial transactions between M&G and you);
- b. to respond to your enquiries or complaints, provide you with information and/or updates on products, services and/or promotions offered by us and selected third parties,
- c. to detect, investigate and prevent any fraudulent, prohibited or illegal activity or omission or misconduct, and to enforce or defend our rights and your rights under, and to comply with, our obligations under the applicable laws, legislation and regulations;
- d. for insurance purposes;
- e. to facilitate the process of issuing work permit;
- f. To facilitate, process, deal with, administer, manage and/or maintain your relationship with us;
- g. to administer and process any payments related to products, services and/or facilities requested by you

- h. to carry out due diligence or other monitoring or screening activities (including background checks) in accordance with legal or regulatory obligations or risk management procedures that may be required by law or that may have been put in place by us;
- i. to monitor, review and improve our events and promotions, products and/or services
- j. to conduct market research or surveys, internal marketing analysis, customer profiling activities, analysis of customer patterns and choices, planning and statistical and trend analysis in relation to our products and/or services
- k. to share any of your personal data pursuant to any agreement or document which you have duly entered with us for purposes of seeking legal and/or financial advice and/or for purposes of commencing legal action;
- l. to transfer or assign our rights, interests and obligations under any agreements entered into with us, where applicable;
- m. to meet any applicable legal or regulatory requirements and making disclosure under the requirements of any applicable law, regulation, direction, court order, by-law, guideline, circular or code applicable to us or to comply with or as required by any request or direction of any governmental authority; or responding to requests for information from public agencies, ministries, statutory bodies or other similar authorities
- n. for our storage, hosting back-up (whether for disaster recovery or otherwise) of your personal data, whether within or outside Malaysia;
- o. for internal investigations, audit or security purposes; and/or
- p. for other purposes required to operate, maintain and better manage our business and your relationship with us,

and you agree and consent to us using and processing your personal data for the Purposes in the manner as identified in this Privacy Policy. If you do not consent to us processing your personal data for one or more of the Purposes, please notify us at the contact details below.

We will seek your separate consent for any other purposes which do not fall within the Purposes stated above.

#### **4. Disclosure of Personal Information**

##### **4.1 Entities within the Company**

Your personal information provided to the Company is processed by entities within the Company-

The Company will ensure that:

- a. access to your personal information is restricted to staff, agents and consultants who are required to process your personal information in accordance with their respective job requirements; and
- b. only necessary information is released to the relevant employees.

#### 4.2 Classes of third parties

Your personal information may be disclosed to relevant third parties as required under law, pursuant to relevant contractual relationship or for one or more of the above Purposes as stated in Section 3 above:

- your immediate family members and/or emergency contact person as may be notified to us from time to time;
- successors in title to us;
- any person under a duty of confidentiality to which has undertaken to keep your personal data confidential which we have engaged to discharge our obligations to you;
- any party in relation to legal proceedings or prospective legal proceedings;
- our auditors, consultants, lawyers, accountants or other financial or professional advisers appointed in connection with our business on a strictly confidential basis, appointed by us to provide services to us;
- any party nominated or appointed by us either solely or jointly with other service providers, for purpose of establishing and maintaining a common database where we have a legitimate common interest;
- data centres and/or servers located within or outside Malaysia for data storage purposes;
- storage facility and records management service providers;
- payment channels including but not limited to banks and financial institutions for purpose of assessing, verifying, effectuating and facilitating payment of any amount due to us in connection with your commercial transactions with the Company;
- government agencies, law enforcement agencies, courts, tribunals, regulatory/professional bodies, industry regulators, ministries, and/or statutory agencies or bodies, offices or municipality in any jurisdiction, if required or authorised to do so, to satisfy any applicable law, regulation, order or judgment of a court or tribunal or queries from the relevant authorities;
- our business partners, third party product and/or service providers, suppliers, vendors, distributors, contractors or agents, on a need to know basis, that provide related products and/or services in connection with our business, or discharge or perform one or more of the above Purposes and other purposes required to operate and maintain our business;
- insurance companies;
- financial institutions for the purpose of applying and obtaining credit facility(ies), if necessary;
- financial institutions, merchants and credit card organisations in connection with your commercial transactions with us;
- any third party (and its advisers/representatives) in connection with any proposed or actual reorganization, merger, sale, consolidation, acquisition, joint venture, assignment, transfer, funding exercise or asset sale relating to any portion of the Company; and/or

- any other person reasonably requiring the same in order for us to operate and maintain our business or carry out the activities set out in the Purposes or as instructed by you.

## 5. Accuracy of your Personal Data

We take it that all personal data provided by you is accurate and complete, and that none of it is misleading or out of date. You will promptly update us in the event of any change to your personal data.

## 6. Storage and Retention of the Personal Information

Your Personal information data shall be stored either in hard copies in our premises or stored in servers located in Malaysia and operated by the Company or its service providers in or outside Malaysia.

Any of your personal data provided to the Company is retained for as long as the purposes for which the personal data was collected continues; your personal data is then destroyed or anonymised from our records and systems in accordance with our retention policy in the event your personal data is no longer required for the said purposes under Section 3 unless its further retention is required to satisfy a longer retention period to meet our operational, legal, regulatory, tax or accounting requirements.

## 7. Right to access and correct personal information

You have the right to access and correct your personal information held by us and you may request us to correct any of your personal information that is inaccurate, incomplete or out-of-date, subject to any applicable legal restrictions and contractual conditions.

We may charge an administrative fee (such amount as permitted by the PDPA) to cover the costs involved in processing your request to access your personal data. Notwithstanding the foregoing, we reserve our rights to rely on any statutory exemptions and/or exceptions to collect, use and disclose your personal data, or to deny access or correction of personal data, as provided for under the Act.

If you have any questions regarding this Policy or if you wish to request access to your Personal Data or if you wish to correct your Personal information or you wish to withdraw your consent to us for processing of your personal information for the purposes set out in Section 3 above, you may send your request in writing at the following address:

Marine & General Berhad	Address	Level 23, Plaza VADS, No 1 Jalan Tun Mohd Fuad, Taman Tun Dr Ismail, 60000 Kuala Lumpur
	Person in charge	Najidi bin Abdul Shukor
	Email	najidi.abdul.shukor@marine-general.com.my
	Tel	+603-7735 6307
	Fax	+603 7735 6301

## **8. Impact of Non-Provision of Personal Information**

Please note that in the event that sufficient personal data is not supplied, or is not satisfactory to the Company then your application or request to the Company for the Purposes as described in Section 3 above may not be accepted or the Company will not be able to provide the full range of benefits and/or services and/or perform its obligations under any potential or existing contract with you.

## **9. Security of Your Personal Data**

The Company is committed to ensuring that your personal data is stored securely. In order to prevent unauthorised access, disclosure or other similar risks, we endeavour, where practicable, to implement appropriate technical, physical, electronic and procedural security measures in accordance with the applicable laws and regulations and industry standard to safeguard against and prevent the unauthorised or unlawful processing of your personal data, and the destruction of, or accidental loss, damage to, alteration of, unauthorised disclosure of or access to your personal data.

We will make reasonable updates to its security measures from time to time and ensure the authorised third parties only use your personal data for the Purposes set out in this Privacy Policy.

The Internet is not a secure medium. However, we will put in place various security procedures with regard to the Company's website and your electronic communications with us. All our employees and data processors, who have access to, and are associated with the processing of your personal data, are obliged to respect the confidentiality of your personal data.

Please be aware that communications over the Internet, such as emails are not secure unless they have been encrypted. Your communications may be routed through a number of countries before being delivered – this is the nature of the World Wide Web/Internet.

We cannot and do not accept responsibility for any unauthorised access or interception or loss of personal data that is beyond our reasonable control.

## **10. Personal Data from Minors and Other Individuals**

To the extent that you have provided (or will provide) personal data as an individual about your family members, spouse, other dependents or as an entity, personal data of directors, shareholders, employees, representatives, agents and/or other individuals, you confirm that you have explained to them that their personal data will be provided to, and processed by, us and you represent and warrant that you have obtained their consent to the processing (including disclosure and transfer) of their personal data in accordance with this Privacy Policy.

In respect of minors (i.e. individuals under 18 years of age) or individuals not legally competent to give consent, you confirm that you are the parent or guardian or person who has parental responsibility over them or the person appointed by court to manage their affairs or that they have appointed you to act for them, to consent on their behalf to the processing (including disclosure and transfer) of their personal data in accordance with this Privacy Policy.

## **11. Transfer of Your Personal Data Outside of Malaysia**

As indicated in Section 6 above, our information technology storage facilities and servers may be located in other jurisdictions outside of Malaysia. This may include, but not limited to, instances where your personal data may be stored on servers located outside Malaysia. In addition, your personal data may be disclosed or transferred to entities located outside Malaysia or where you access the Company's website from countries outside Malaysia. Please note that these foreign entities may be established in countries that might not offer a level of data protection that is equivalent to that offered in Malaysia under the laws of Malaysia. You hereby expressly consent to us transferring your personal data outside of Malaysia for such purposes. We shall endeavour to ensure that reasonable steps are taken to procure that all such third parties outside of Malaysia shall not use your personal data other than for that part of the Purposes and to adequately protect the confidentiality and privacy of your personal data.

## **12. Conflict**

In the event of any conflict between the Policy in the English language and the Policy in the Bahasa Malaysia (if issued), the terms in the English language version shall prevail.

## **13. Changes to Personal Data Protection Policy**

The Company reserves the right to change the Policy from time to time without prior notice. The Company advises that you check the latest Policy at our website on regular basis.

Updated as at 28 November 2018