

PRIVACY AND PERSONAL DATA NOTICE

We, Phillip Capital Sdn. Bhd. (“PCSB”), are committed to protecting the privacy of the investors, in tandem with the Personal Data Protection Act 2010, in conducting our futures and derivatives broking management business. “Personal Data” is information that identifies and relates to you (account holder). In this notice, we describe to you how we handle your Personal Data that we collect through Account Opening Form (the “Account Opening Form”) and through other means (for example, from your written instructions, telephone calls, e-mails and other communications or correspondences with us, as well as from our futures and derivatives broking agents, financial planners, business partners, legal representatives, credit reference agencies, fraud prevention agencies, government agencies, other futures and derivatives broking management companies, or other third parties involved in our business dealings with you). “YOU” IN THIS NOTICE REFERS TO YOU AS PRINCIPAL ACCOUNT HOLDER.

1. About this Notice

- 1.1 This “Notice Concerning Your Personal Data” (“Notice”) is issued pursuant to **Section 7 of Malaysian Personal Data Protection Act 2010 (“Act”)** under the “Notice and Choice Principle”.
- 1.2 **PLEASE NOTE THAT THE ACT IS ONLY APPLICABLE IN RESPECT OF DATA PROVIDED BY INDIVIDUAL APPLICANT(S) (i.e. INDIVIDUAL DATA SUBJECTS) ONLY AND NOT APPLICABLE TO CORPORATE APPLICANTS.**

2. Your Personal Data may include:

- **General identification and contact information**
Your name, address, e-mail and telephone details, gender, race, nationality status, identification card number, date of birth, passwords, educational background, photos, employment history, skills and experience, professional licences and affiliations.
- **Identification numbers issued by government bodies or agencies**
National registration identification number, passport number, tax identification number, military identification number or driver’s or other licence number.
- **Financial information and account details**
Payment card number, bank account number and account details credit history and credit score, assets, income and other financial information.
- **Other sensitive information**
Religious beliefs, political opinions, family medical history or genetic information, criminal record or civil litigation history.
- **Telephone recordings**
Recording of telephone calls to our licensed dealer representatives and customer service call centers.
- **Information enabling us to provide products and services**
Location and identification of your property, ownership or management interest in an organization.
- **Marketing preferences and customer feedback**
Your marketing preferences for entering a contest or prize draw or other sales promotion or respond to a voluntary customer satisfaction survey.

3. Obligatory to supply your Personal Data

It is obligatory for you to supply your Personal Data to us to enable us to use it as described in **Section 4** below. Your failure to provide your Personal Data may cause us to be unable to provide you any of the services described herein.

4. The purposes for which your Personal Data is being or collected and further processed

We collect and process your Personal Data for the following purposes:

- To solicit margin contributions for your futures and derivatives trading account.
- To enter into business transaction with you.
- To deliver the necessary notice, services and/or products in accordance with our agreement with you.
- To communicate with you as part of our client-business relationship.
- To send you important information regarding changes to our policies, other terms and conditions and other administrative information.

- To assess your eligibility for suitable futures and derivatives trading strategies plans, and process your funds and other payments.
- To prevent, detect and investigate crime, including fraud and money laundering, and analyze and manage other commercial risks.
- To provide marketing information to you (including information about other products and services offered by companies within our Phillip Capital Malaysia Group (“PCMG”) and selected third-party partners) in accordance with preferences you have expressed.
- To allow you to participate in contests, prize draws and similar promotions, and to administer these activities. Some of these activities have additional terms and conditions, which could contain additional information about how we use and disclose your Personal Data, which you must read carefully.
- To comply with internal policies and procedures such as for auditing, finance and accounting, IT systems, data and website hosting, business continuity records, document and print management.
- To resolve complaints and handle requests for data access or correction.
- To comply with legal process and respond to requests from public regulatory and governmental authorities.
- To establish and defend the legal rights privacy, safety or property of our company and/or related companies and pursue available remedies or limit our damages.

5. Your right to access your Personal Data and make correction requests, raise questions and concerns

5.1 You shall be given access to your Personal Data held by us and you shall be able to correct that Personal Data where the Personal Data is inaccurate, incomplete, misleading or not up-to-date, except where compliance with a request to such access or correction is refused under the Act.

5.2 Please note that some Personal Data may be exempted from access, correction, objection, deletion or suppression rights in accordance with the Act. We will notify you when certain circumstances arise as permitted under the Act where we may refuse to comply with your request not later than twenty-one (21) business days from the date of receipt of your request.

6 Security

We shall, when processing your Personal Data, take practical steps to protect your Personal Data from any loss, misuse, modification, unauthorized or accidental access or disclosure, alteration or destruction having considered:

- (a) to the nature of the Personal Data and the harm that would result from such loss, misuse, modification, unauthorized or accidental access or disclosure, alteration or destruction,
- (b) to the place or location where the Personal Data is stored,
- (c) to any security measures incorporated into any equipment in which the Personal Data is stored,
- (d) to the measures taken for ensuring the reliability, integrity and competence of personnel having access to the Personal Data and
- (e) to the measures taken for ensuring the secure transfer of the Personal Data.

7 Retention of Personal Data

Your Personal Data processed for the purposes here shall not be kept longer than is necessary for the fulfilment of that purpose. We shall take all reasonable steps to ensure that all Personal Data is destroyed or permanently deleted if it is no longer required for the purpose for which it was to be processed, as required by Section 108 of the Capital Markets and Services Act 2007 for a period of not less than seven (7) years.

8 Data Integrity

We shall take reasonable steps to ensure that the Personal Data is accurate, complete, not misleading and kept up-to-date by having regard to the purpose, including any directly related purpose, for which the Personal Data has been collected and further processed.

9. Solicitation of Direct Marketing

9.1 We invite you to be in our mailing list for the purposes of Direct Marketing from us. “Direct Marketing” means the communication from us by whatever means of any advertising or marketing material from us which is directed to you. Alternatively, we may cease or not to begin processing your Personal Data for purposes of direct marketing.

9.2 Notwithstanding the foregoing, you may at any time by notice in writing to us requesting us at the end of such period as is reasonable in the circumstances to cease or not to begin processing your Personal Data for the above purposes. If you are dissatisfied with our ability to comply with your notice, whether in whole or in part, you may submit an application to the Commissioner of Personal Data Protection Board, to require us to comply with the Notice.

10. International transfer of Personal Data

10.1 We shall not transfer any of your Personal Data to a place outside Malaysia unless to such place as specified pursuant to the Act.

10.2 Notwithstanding **Section 10.1**, we may transfer your Personal Data to a place outside Malaysia, in secure manner, to our group companies, service providers, business partners and governmental or public authorities, under the following circumstances:

- (a) where you have given your consent to the transfer;
- (b) the transfer is necessary for the performance of a contract between you and us;
- (c) the transfer is necessary for the conclusion or performance of a contract between us and a third party which:
 - (i) is entered into at your request; and (ii) is in your interests.
- (d) the transfer is for the purpose of any legal proceedings or for the purpose of obtaining legal advice or for establishing, exercising or defending legal rights;
- (e) we have reasonable grounds for believing that in all circumstances of the case:
 - (i) the transfer is for the avoidance or mitigation of adverse action against you;
 - (ii) it is not practicable to obtain your consent in writing to that transfer; and
 - (iii) if it was practicable to obtain such consent, you would have given your consent.
- (f) we have taken all reasonable precautions and exercised all due diligence to ensure that the Personal Data will not in that place be processed in any manner which, if that place is Malaysia, would be a contravention of this Act;
- (g) the transfer is necessary in order to protect your vital interests; and
- (h) the transfer is necessary as being in the public interest in circumstances as determined under the Act.

11. Changes to Privacy and Personal Data Policy

We review this Privacy and Personal Data Policy regularly and reserve the right to make changes at any time to take account of changes in our business and legal requirements. We will place updates on our website, <https://www.phillip.com.my/>

12. Any inquiries in respect to your Personal Data

If you have any questions about our use of your Personal Data you can e-mail to our **Customer Service** at pcsb_enquiry@phillipcapital.com.my or call our **Customer Service Hotline** at 03-2162 1628 or write to “Customer Service”, Phillip Capital Sdn Bhd, B-18-6, Block B Level 18 Unit 6, Megan Avenue 2, No. 12, Jalan Yap Kwan Seng, 50450 Kuala Lumpur.