

## **Privacy Notice**

SF Direct Sdn Bhd (“**we**”, “**us**”, or “**our**”) takes our responsibilities under applicable privacy laws and regulations seriously and is committed to respecting the personal data protection rights in accordance therewith. This Privacy Notice describes how we process your personal data in line with the Personal Data Protection Act 2010 (“**PDPA**”).

By providing your personal data to us, you agree to the provisions of this Privacy Notice and the processing of your personal data as described in this Privacy Notice.

For the purposes of this Privacy Notice, the expression “**Personal Data**” and “**processing**” have the meaning ascribed to them in the PDPA (and the expression “**process**” shall therefore be construed accordingly).

### **1. What kind of Personal Data do we collect**

In order to enable us to provide you (or your organisation or company) with any products and/or services, we may need to process Personal Data about you.

Personal Data under the Personal Data Protection Act which in broad terms refers to any information that relates directly or indirectly to you, from which you may be identified, and includes sensitive Personal Data and expressions of opinion about you.

Personal Data which we may collect includes (without limitation) the following:

- Contact details such as addresses, e-mail address, telephone number, mobile number, facsimile number, etc.
- Information in connection with services provided by us or you have registered your interest with use for information, updates, inquiries, engagement, etc.
- Billing and payment status and record.
- Other information that are, have been or may be collected by us or which you provide to us, from time to time, in connection with any service, transaction, survey, questionnaire or communications with us.
- CCTV recording of image or images of individuals representing you or acting on your behalf, when you or such individuals visit our premises including our branches.
- When you visit our website, there is automatic collection of some information about your computer such as IP addresses, web browser software and other information about your visit.

- Personal Data from credit reporting agencies, government agencies, credit bureau reports, etc.
- financing activity as well as personal, financial and social security details, commission or alleged commission of offence, personal information to establish suitability for any of our products or services applied for (if required).

## **2. When and how do we collect your Personal Data**

We may collect your Personal Data from yourself and from a variety of sources, including without limitation:

- (a) through your (or your organisation's or company's) relationship with us, such as when you access and/or use our services or other products or services, information provided via application forms, when using our products or services, taking part in surveys, promotions and reviews and enquiries about our products and/or services;
- (b) through your verbal and written communications with us and/or our authorised agents;
- (c) from any information that is supplied and/or collected when you visit our websites, such as your mobile device, computer's IP address or from any information that is collected via cookies in some of our websites;
- (d) call our helpdesk or representatives;
- (e) third party background checks, any registered credit reporting agency, any financial institution, any regulatory authorities, any authority, central depository or depository agent from a counterparty to whom you are providing (or involved, in any capacity, in providing) goods or services;
- (f) from a counterparty to whom you are providing (or involved, in any capacity, in providing) goods or services; and
- (g) from such other sources where you have given your consent for the disclosure of Personal Data relating to you, and/or where otherwise lawfully permitted.

## **3. What we may use your Personal Data for**

In order for us to provide our services effectively and efficiently, we will collect Personal Data manually and/or electronically and further process Personal Data, where required, in connection to the delivery of our service, including the following but not limited to: We may process your Personal Data for any of the following purposes:

- (a) To verify your identity;

- (b) to assess your eligibility or suitability for our products or services applied for and verify your financial standing through credit reference or reporting checks;
- (c) in connection with an enquiry or application for our products and services;
- (d) in connection with any contract, agreement, arrangement, or transaction entered or to be entered into between you (or your organisation or company) and us;
- (e) to notify and/or update on new features or development of our products and services which may be of interest to you;
- (f) to administer offers, competitions and promotions;
- (g) to support our business, financial and risk monitoring, planning and decision-making;
- (h) to respond to your enquiries and complaints and to generally resolve disputes;
- (i) in connection with the agreements, terms of services and/or our rules and policies with respect to our products or service (including, but not limited to, monitoring compliance and enforcement of rights);
- (j) to update, consolidate and improve the accuracy of our records;
- (k) to produce data, reports and statistics which have been anonymised or aggregated in a manner that does not identify you as an individual;
- (l) to conduct research for analytical purposes including, without limitation, knowledge discovery in data and analysis of transactions with us;
- (m) the compliance and disclosure requirements of any governmental and/or quasi-governmental departments, agencies or regulatory and/or statutory bodies;
- (n) for the purpose of record-keeping in the ordinary course of our business;
- (o) complying with any legal obligation binding on us under any law, rule, regulation, by-law, order, guideline, directive, policy and such other requirements in force and as amended from time to time;
- (p) for audit, compliance and risk management purposes;
- (q) to assess financial and insurance risks;
- (r) to transfer or assign any of our rights vis-à-vis you (or your organisation or company);

- (s) to conduct anti-money laundering checks;
- (t) for crime detection, investigation, prevention and prosecution; to comply with any sanction requirements;
- (u) to enforce and/or defend any of our rights;
- (v) to communicate marketing and advertising materials with you in relation to our products and/or services (only with your consent);
- (w) to operate our premises in manner which is physically safe, secure and befitting of health and safety requirements;
- (x) for business planning and development;
- (y) for any other purpose that is required or permitted by any law, regulations, guidelines and/or relevant regulatory authorities; and
- (z) for such other purposes that is incidental or ancillary or in furtherance to the above purposes.

#### **4. Disclosure of Personal Data**

We may disclose your Personal Data to any of the following parties:

- (a) your organisation or company whom you are representing in connection with our products or services;
- (b) your advisers and/or agents (including but not limited to brokers, accountants, auditors, lawyers, financial advisers or other professional advisers) where authorised by you;
- (c) our related corporations;
- (d) companies and/or organisations that act as our agents, affiliates, service providers, business partners, professional advisers, banks and/or financial institution, within or outside Malaysia, where necessary;
- (e) any person to whom we are under an obligation to make disclosure under law, rule, regulation, by-law, order, guideline, directive, policy; any court and/or officer of the court; our auditors;
- (f) any credit bureau, credit reporting agencies, rating agencies and third-party due diligence database service providers;

- (g) companies and/or organisations that assist us in processing and/or otherwise fulfilling transactions or services that you have requested (whether on your own behalf or on behalf of your organisation or company);
- (h) companies and/or organisations that provide services to us in communicating our products and services to you;
- (i) any other person notified by you as authorised to give instructions or to use the products or services on your (or your organisation's or company's) behalf;
- (j) any person intending to settle any moneys outstanding under the facility(ies) granted to you;
- (k) any guarantors or security providers for the facility(ies) granted to you;
- (l) any third party as a result of any restructuring of facilities granted to you, sale of debts, transfer of rights granted by you (or your organisation or company) or the acquisition or sale of any company by us, provided that any recipient uses your information for the same purposes as it was originally supplied to us and/or used by us;
- (m) any rating agency, insurer or insurance broker or direct or indirect provider of credit protection;
- (n) government bodies and agencies, to meet our legal and regulatory obligations;
- (o) law enforcement agencies, for the purpose of preventing and/or detecting crime, investigations and/or the apprehension or prosecution of offenders and/or protection of national security and/or any purpose that is required or authorised by or under any law, order or judgment of a court; and
- (p) any person connected to the enforcement or preservation of any of rights under an arrangement or our rights under your agreement(s) with us,

subject to any laws (including regulations, guidelines and/or obligations) which apply to us (whether in or outside Malaysia). The aforementioned third parties may be located outside of Malaysia.

## **5. Accuracy of your Personal Data**

You are responsible for ensuring that the Personal Data about yourself and any other person that you provide to us is accurate, complete and not misleading and that such Personal Data is kept up to date. This obligation is a condition to the provision of our products and/or services to you and/or any other person authorised or permitted by you or your organisation or company to use such products and/or services. You shall promptly keep us informed if such

Personal Data is inaccurate, incomplete, misleading or not up-to-date and you shall provide us true, accurate, complete and updated data. If you give us Personal Data about another person (for example where you are the designated person in charge (from an organisation or company)), you confirm that you: (i) have notified the relevant individual of the purposes for which data will be collected, processed, used or disclosed; (ii) informed them to read this Privacy Notice; (iii) have obtained such individual's consent for, and hereby consents on behalf of such individual to, the collection, processing, use and disclosure of his/her Personal Data; (iv) have been authorised by such individual to provide such consent on his/her behalf; and (v) will immediately notify us upon becoming aware of the withdrawal by the relevant individual of his/her consent to such collection, processing, use and/or disclosure.

## **6. Integrity of Personal Data**

We will take reasonable steps to make sure that Personal Data it collects uses or discloses is accurate, complete, not misleading and up-to-date.

## **7. Protection of Personal Data**

- We will take reasonable steps to protect the Personal Data it holds from loss, misuse, modification, unauthorised or accidental access or disclosure, alteration or destruction.
- We will review, on an ongoing basis, its collection and storage practices to ascertain how improvements to security and protection of Personal Data can be achieved.
- Your Personal Data is protected when it comes into our possession regardless of whether it is in electronic or hard copy format, in accordance with the Personal Data Protection Act and industry accepted security standards which are implemented by us. This includes physical security at our premises and storage electronically on a server which is situated in protected and controlled facilities.
- You should note that, except in the case of certain encrypted information, the information you transmit across public internet or other facilities may not be secure and we will not be responsible for or liable for any loss you suffer during transmission. Once the Personal Data you have transmitted to us has passed through our firewall or otherwise into our control, it is then our responsibility to ensure that it is treated in the manner required under this Privacy Notice. If we transfer your Personal Data to another entity, we will only do so in accordance with this Privacy Notice and in a manner that is secure as between us and that other entity.
- We will, to the extent technically practicable, destroy or de-identify Personal Data once it is no longer required by us for use, within as short a time as is reasonably possible (taking into account any specific requirements of its clients), unless the law requires otherwise.

- We will only allow our employees and contractors access to your Personal Data in order to perform their duties and obligations and we will take all reasonable steps to ensure that those employees and contractors handle your Personal Data in a manner that is consistent with this Privacy Notice and our legal responsibilities in relation to privacy including performing contract with the contractors.
- You should note that whilst our website may link to other websites, those other websites are not under our control and we are not responsible for the conduct of the operator of those websites including how they handle and protect your Personal Data. Before accessing those websites, we recommend you review the terms and conditions of or access to such websites including the relevant privacy policy or provisions.

Nevertheless, you are required to ensure the security of your password and not to disclose it to another party to reduce the risk of data breaches.

## **8. Refusal to provide Personal Data**

Where indicated (for example in registration or application forms), it is obligatory to provide your Personal Data to us to enable us to process your application for our products and/or services. Should you decline to provide such Personal Data, we may not be able to process such applications, or provide and/or continue to provide our products and/or services.

## **9. Retention of Personal Data**

We will retain any Personal Data supplied by you for as long as necessary for the duration of your (or your organisation's or company's) relationship with us, for such period as may be necessary to protect our interests as may be deemed necessary, where otherwise required by the law, regulatory requirement or demand and/or where required by our policies.

## **10. Transfer of Personal Data**

We may transfer your Personal Data to places outside Malaysia (including, without limitation, where: (i) any of our service providers or partners who are involved in providing part of our product and/or service; or (ii) outsourced data storage or data processing services for and on behalf of us is located outside Malaysia or has servers and/or related equipment outside Malaysia). You consent to us transferring your Personal Data to places outside Malaysia in these instances. We may also transfer your Personal Data to places outside Malaysia where permitted by law.

## **11. Your rights to access and correct personal information**

You may request access to and correction of your Personal Data and/or limit the processing of your Personal Data (including Personal Data relating to other persons who may be identified from that Personal Data), or make any enquiries or complaints in respect of your Personal

Data, by contacting us at [DataProtectionOfficer@swap-asia.com](mailto:DataProtectionOfficer@swap-asia.com) In relation to either a data access request or a data correction request, you should quote your name, address and phone or account number and provide brief details of the information you want a copy of or, as the case may be, you want to have corrected, in any such request. Please note that we may decline to comply with your data access request in accordance with the PDPA. We shall be entitled to charge a fee (where permitted under the applicable law) for any data access request.

## **12. Know Your Rights**

Your rights in relation to the Personal Data provided to us are as follows:-

- Right to access your Personal Data provided to us;
- Right to correct and/or update your Personal Data;
- Right to withdraw your consent for us to process your Personal Data, in which the consequences are, we may not be able to provide you with our required services or to consider you for the employment opportunities;
- Right to prevent processing likely to cause damage or distress; and
- Right to prevent processing for purposes of direct marketing.

In exercising your rights, you may complete and submit us the request form as set forth or contact us directly at the email address set out under “Contact Details” section given below.

## **13. Changes to Privacy Notice**

We reserve the right to modify, update or amend this Privacy Notice at any time and the updated version shall apply and supersede any and all previous versions, including, leaflets and hard copy versions. You are encouraged to check our website and re-visit this Privacy Notice periodically for our most up-to-date Privacy Notice.

## **14. Languages**

This Privacy Notice is available in English language and Bahasa Malaysia. In the event of any inconsistency, conflict, or discrepancy between the two versions, the English language version will prevail.

## **15. Contact Details**

Please contact us at [DataProtectionOfficer@swap-asia.com](mailto:DataProtectionOfficer@swap-asia.com) should you have any concerns or complaints about this Notice or our practices on our collection, use or retention of the Personal Data.