

**PRIVACY NOTICE OF ITOCHU MALAYSIA SDN. BHD.**  
**FOR POTENTIAL AND EXISTING CUSTOMERS**

At ITOCHU Malaysia Sdn. Bhd. (Company Registration No. 199001017777 (209446-P)) and our respective related corporations (as the term is defined in the Companies Act 2016), affiliates, and associated companies (“**Company**”, “**we**”, “**us**” or “**our**”), we value your privacy and strive to protect your personal data in accordance with the requirements of the Personal Data Protection Act 2010 (“**PDPA**”).

In keeping with that goal, we have developed this privacy notice (“**Privacy Notice**”) to explain how we may collect, use and share your personal data, and the choices that you have with respect to your personal data.

This Privacy Notice applies to our potential and existing business customers, including the individual representatives who work for, or on behalf of, or who are the shareholders of our customers (“**you**” or “**your**”), particularly, when you:

- (a) interact with us in the course of a prospective or ongoing business relationship to engage us for our services (“**Services**”);
- (b) or when you browse, use or access our website (whose domain names include but are not limited to <https://www.itochumalaysia.com.my/>), and/or other platforms that are developed by, or is under the control of, our Company.

We do not intentionally or knowingly collect personal data directly from, individuals under the age of eighteen (18) years old. Persons under eighteen (18) years old are not permitted to use our Services or submit their personal data to us.

This Privacy Notice does not apply to our shareholders, employees, job applicants, and third party service providers, as they are subjected to separate bespoke privacy notices which may contain different information about how we are processing their personal information.

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## 1. Collection of Your Personal Data

Personal data in this Privacy Notice means any information in our possession that relates directly or indirectly to an individual to the extent that the individual can be identified from that and from other information in our possession. The personal data that we collect may also include sensitive personal data which means any personal data consisting of information as your physical or mental health or condition, your political opinions, religious beliefs or other beliefs of a similar nature, the commission or alleged commission of any offence by yourself, or any other personal data as the Minister may determine.

The personal data that may be collected and processed by us in the course of your dealings with us includes:

- (a) **personal details and contact information** such as your full name, date of birth, nationality, contact number (e.g., home, office or mobile), gender, place of residence (and/or proof of residence), mailing address, e-mail address, details of government-issued identification document (e.g., National Registration Identity Card, passport, visa etc.);
- (b) **identity verification information** such as your photograph, audio recording, fingerprint, utility bills (e.g., internet or mobile phone statements) and any other information deemed necessary for purposes of compliance with our legal obligations;
- (c) **business contact information** such as your company name and details, job designation, nature of employment;
- (d) **financial information** such as your source of funds, bank account information, credit and/or debit card information, transaction history, tax documents, or other proof of income or net worth;
- (e) **transaction information** such as the purpose of transaction, the transaction data that is recorded on your account that is registered with us and information on the recipient of any transaction conducted using your account with us;
- (f) **information obtained from third parties** such as your credit information, online identifiers relating to fraud prevention, suspected criminal activity, sanction information or other personal information about you provided by a service provider appointed to help us provide our services;
- (g) **technical information or metadata** such as cookies, geolocation information, browser name and version information, IP address information, device fingerprint data, authentication data and click-stream data; and
- (h) **any other personal data** you provide to us or collected by us in the course of your dealings with us.

(collectively, "**Personal Data**".)

We may collect and receive your Personal Data in a variety of ways, for instance:

- (a) **directly from you, when you choose to give it to us** such as when you engage our Services on behalf of your company, or when you register for a business account with us to use our Services on behalf of your company, or from your business name card, our contracts with you, or when you communicate with us by email, chat, telephone or any other means; and

- (b) **indirectly, when we obtain information from third parties** such as identity verification services, credit reporting agencies, regulatory and enforcement agencies, public databases or sources, third parties that are connected to you, and from such other sources to which you have given your consent to disclose your personal data.

## **2. How We Use Your Personal Data**

We will process your personal data in accordance with the PDPA, its applicable regulations, guidelines and/or orders, taking into account the latest amendments to the foregoing, this Privacy Notice and any privacy terms contained in your agreement(s) or terms with us.

We may process your personal data by collecting, recording, holding, storing, using and/or disclosing it from the following purposes:

- (a) to communicate with you;
- (b) to process, facilitate, administer and/or provide you or your company with our Services;
- (c) to manage and maintain your or your company's account with us;
- (d) to carry out, manage and/or maintain your or your company's commercial relationship or any other form of commercial dealings with us;
- (e) to process orders, payments, including providing billing to you or your company, maintaining financial records, assessing or verifying credit / debit card details and facilitating payments of any amount due to us;
- (f) to provide you or your company with our service support, management and optimisation, customer support and other related services, including responding to your inquiries, concerns or complaints;
- (g) to improve our Services, and to develop new services;
- (h) to notify you about benefits and changes to the features of our Services;
- (i) to conduct market research or surveys, internal marketing analysis, planning and statistical analysis, including preparation of reports of such analysis and the use of the results of such analysis for various purposes including for the research, development and marketing of our and/or our selected third parties' products and/or services;
- (j) to send you newsletters, seasonal greetings and offers;
- (k) to obtain your credit information and verify your credit history with data obtained from credit reporting agencies or any other source deemed appropriate under any applicable law, regulation, guidelines, regulatory requirement or directive in relation to your transaction with us;
- (l) to perform background screening on you in compliance any applicable laws;
- (m) to fulfill any legal obligations or requirements imposed by law or by any government and regulatory authorities;
- (n) for any kinds of investigation in relation to any litigation case;
- (o) for fraud prevention and security purposes;
- (p) for internal administrative purposes;

- (q) to enforce our terms and conditions, and to protect our rights, privacy, safety or property, and/or that of our affiliates, yours or other parties; and
- (r) any other purposes that are necessary or related to your relationship with us.

(Collectively, “**Purposes**”).

Please note that we may also anonymise or aggregate your personal data by excluding information (such as your name) that make the data personally identifiable to you (“**Anonymous Information**”). As Anonymous Information is no longer considered personal data for the purpose of the PDPA, our processing of Anonymous Information is not subject to the requirements as stated in this Privacy Notice.

### **3. Consequences of Providing Incomplete Personal Data**

It is necessary for us to collect and process your Personal Data. Failure to provide us with the information required may negatively affect our ability to communicate with you, or our ability to enter into a contract with you / your company or to effectively provide our Services to you or your company and/or process your Personal Data for any of the Purposes, if at all.

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

We will not disclose any of your Personal Data to any third party without your consent, except to the following categories of persons (whether within or outside Malaysia):

- (a) credit reporting agencies;
- (b) any other entities within our group of companies;
- (c) our professional advisers, vendors, suppliers, agents, contractors, third party service providers, companies providing services relating to marketing and consultancy to us, business partners, insurance companies, investors, banks, financial institutions, in connection with any of the Purposes above;
- (d) successor(s) in title to us;
- (e) any governmental agencies, regulatory authorities and/or statutory bodies;
- (f) assignees, transferees or any other parties involved in any corporate exercise (e.g., proposed or actual mergers and/or acquisitions, joint venture, restructuring, transfer, funding exercise, asset sale or any other matter of such nature which relates to our Company); and
- (g) and where necessary, to any party who undertakes to keep your personal data confidential in carrying out the Purposes mentioned above or to persons whom we are compelled or required under the law to make such disclosure to.

### **5. Security Measures to Protect Your Personal Data**

The security of your Personal Data is very important to us. As such, we take appropriate technical and organizational measures to protect your personal data from loss, misuse, and unauthorised access or disclosure. These steps take into account the sensitivity of the information we collect, process and store, and the current state of technology.

We store your Personal Data in hard and/or soft copy. Soft copy data is stored on, amongst others, the file server, e-mail server, personal computers, notebooks, tapes, and compact disc.

There are security policies and procedures in place which restrict access to your Personal Data to authorised personnel only which includes, amongst others, personnel from the information technology, human resource, administration, finance, sales and/or customer service divisions, management and/or other employees of the Company. In any case, only personnel who have the “need to know” are permitted access.

## **6. Retention of Your Personal Data**

We will retain your Personal Data that is required for the purposes of conclusion and execution of agreements with our business customers, during the duration of such commercial or contractual relationship and up to a certain amount of time afterwards for such period as may be necessary for our business purposes, to protect our interests and that of our customers, as required by law and as per the PDPA permits.

Personal Data may be held for a shorter period where the individual objects to the processing of their Personal Data and there is no longer a legitimate business purpose to retain it.

## **7. Your Rights**

You have the following rights under the PDPA in respect of your Personal Data that is held by us:

- (a) the right to check whether we hold or use your Personal Data and to request for access to, and to obtain a copy of, your Personal Data;
- (b) the right to request to update or correct your Personal Data that is inaccurate, incomplete or out-of- date;
- (c) to request that your Personal Data is retained by us only as long as necessary for the fulfilment of the purposes for which it was collected;
- (d) to request that we specify or explain our policies and procedures in relation to Personal Data and the categories of Personal Data processed by us; and
- (e) the right to withdraw your consent for, or otherwise to limit, the processing and use of your Personal Data (including Personal Data relating to other persons who may be identified from that Personal Data), by contacting us via the contact details stated below, subject to any applicable legal restrictions. For example, you may receive marketing communications and offers on behalf of the relevant business customers. On all occasions, you will be given the opportunity to unsubscribe or to stop receiving such communications.

However, please note that your abovementioned rights under the PDPA is subject to our right to rely on any statutory exemptions and/or exceptions to collect, use and disclose your Personal Data.

If you wish to exercise any of the above rights, please submit your request in writing to the contact details below.

## **8. Contact Us**

If you have any query or complaints in relation to this Privacy Notice or how we handle your personal data, please contact us via the details below:

### **Administration Department (Risk Management)**

Address : 26th Floor, Menara Boustead,  
69, Jalan Raja Chulan,  
50200 Kuala Lumpur, Malaysia.

Contact No. : +603-2116 0888

Fax No. : +603-2116 0999

Email Address: [privacy@itckul.com.my](mailto:privacy@itckul.com.my)

## **9. Amendments to this Privacy Notice**

We reserve the right to update and amend this Privacy Notice from time to time. We will notify you of any amendments to this Privacy Notice via announcements on our website or other appropriate means. If we amend this Privacy Notice, the amendment will only apply to personal data collected after we have posted the revised Privacy Notice.

## **10. Language**

This Privacy Notice is issued in both English and Bahasa Malaysia pursuant to the requirements prescribed by Section 7(3) of the PDPA. In the event of any inconsistencies or discrepancies between the English version and the Bahasa Malaysia version, the English version shall prevail.

## **11. Your Consent**

By engaging us for our Services or by providing your Personal Data to us, you agree that you have read and understood this Privacy Notice and you consent to us processing your Personal Data in accordance with this Privacy Notice. You confirm 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.

To the extent that you have provided (or will provide) personal data about your directors, shareholders, employees, representatives, agents (if you are a corporate entity/an organisation) and/or other individuals, you confirm that you have explained (or will explain) 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 Notice.

**Effective Date:** 22 September 2023

**Last Updated:** 22 September 2023