

Privacy and Personal Data Protection Policy

A. INTRODUCTION

1. FRANKY LAND SDN BHD (“FLSB”) a part of the FRANKY Group of Companies (“FRANKY Group”), is committed to protecting the personal data supplied by you to FLSB to ensure compliance with the legal and regulatory requirements in accordance with the Personal Data Protection Act 2010 (“the Act”) which came into effect on 15th November 2013.
2. This Privacy and Personal Data Protection Policy (“Policy”) is issued to all our immediate and/or prospective customers, suppliers and employees (collectively referred to as “Data Subject”) pursuant to the Act.
3. For the purpose of this Policy: -
 - a. “Personal Data” means any personal information relating to FLSB’s Data Subject provided to FLSB or made available to FLSB in the course of commercial dealings with FLSB, that relates directly or indirectly to a Data Subject, who is identified or identifiable from that information. This may include but not limited to name, date of birth, identity card number, passport number, address, gender, race, nationality, contact information, religion, education, work and compensation information currently and historically, tax file identification number, EPF number, SOCSO number, bank account information, credit card details, account balances, payment history and account activity, where permitted by applicable law.
 - b. “Sensitive Personal Data” means any personal data consisting of information as to the physical or mental health or condition, political opinions, religious beliefs or other beliefs of a similar nature, commission or alleged commission of any offence or any other Personal Data determined by law; and
 - c. “Third parties” means a person or a company who is not a party to a contract or a transaction with FLSB, including but not limited to FLSB’s agents, subsidiaries, contractors, sub-contractors and professional advisors.
4. FLSB reserves the right to modify this Policy as required and changes, if any, will be announced through its webpage at www.frankyland.com.my.
5. This Policy is issued in English Language.

B. SCOPE

This Policy applies to all operations and business units of FLSB.

C. RESPONSIBILITY

Our Personal Data Protection Compliance Officer, is responsible for the necessary registration, customer access and collection of personal data, notice and choice process to limit processing of personal data and for the monitoring the administration of this Policy and enterprise-wide compliance.

D. PERSONAL DATA PROTECTION PRINCIPLES

1. General Principle:

- 1.1 During the course of your transaction and dealings with FLSB, you may be requested to furnish from time to time to FLSB, directly or through online forms and/or other electronic methods, your personal data relevant to the purposes listed in Item 2.1 below. The types of personal data collected will depend on the nature of your dealings or transaction with FLSB.
- 1.2 Save in accordance with this Policy and except as permitted or required under any enactment, law, statute or code, FLSB will not collect, record, hold, store, use, share and disclose (“process”) without prior consent of the Data Subject.
- 1.3 FLSB will not intentionally collect Sensitive Personal Data unless legally required to do so. FLSB will only process any Sensitive Personal Data with the explicit consent of the Data Subject or if the processing is necessary. FLSB works to protect the confidentiality and security of such information it obtains in the course of business. Access to such information is limited and policies and procedures are in place designed to safeguard the information from loss, misuse and improper disclosure.
- 1.4 If you are under 18, you should ensure that you obtain the consent of your parents or legal guardian before using our services and/or products.

2. Notice and Choice Principle:

2.1 Purposes of Collection of Personal Data: -

The Personal Data may be processed by us for the following purposes, including but not limited to:

- The delivery of notices and performance of a contract to deliver services and/or products to you;
- In order for you to enter into the necessary agreement and/or contract to purchase the services and/or products from us;

- For marketing and client profiling activities regarding our services and/or products whether present or future, including to send information, invitations, promotions and updates;
- For purposes of establishing, maintaining and administering a database of customers, suppliers or employees / workers;
- For payment processing;
- For the purposes of recovering any amount due to FLSB;
- For compliance with any legal obligations to which FLSB is subject;
- For the exercise of any functions conferred on any person by or under any law;
- For those purposes specifically provided for in any particular service or product offered by us or our partners;
- To consider potential employee's applications for employment;
- For credit assessments, financial and background investigation as and when deemed necessary.

2.2 Source of Personal Data

The Personal Data will be collected, processed and used by us are sourced from wholly legitimate and transparent means such as: -

- Agreements and contracts;
- Official registration forms (either electronic or printed);
- Official Request for Information forms that are provided to you by our employees or agents;
- Any emails or any correspondences that we have received from you requesting for information or making any inquiries;
- Any forms that you have submitted on our website or any websites contracted by us;
- Any referrals from a person which have included their verifiable personal contact details;
- Letters of offer from financial institutions (local and foreign) for pre-approved loans;
- Business cards that were dropped or given to our employees, agents, brokers or associates; or
- Any documents (including but not limited to statutory forms and returns) that were submitted to us for processing.

2.3 FLSB may disclose personal data to the following class of third parties, including but not limited to: -

- Regulatory and governmental authorities in order to comply with any applicable law or order, direction or regulation of any regulatory appropriate authorities.
- Any related companies and subsidiaries within FRANKY group of companies.
- FLSB's business partners and affiliates
- Information technology (IT) service provider

- Data entry service providers
- Storage facility service providers
- Banks and financial institutions
- Insurance providers
- FLSB's auditors, consultants, accounts, lawyers or other professional advisers
- FLSB's agents, contractors, sub-contractors and third party service or product providers;

2.4 The Personal Data provided to us are wholly voluntary in nature and you are not under any obligation or under any duress to do so. However, to facilitate any of the purposes of Item 2.1 above certain personal details and information are required beforehand. If you fail to supply sufficient personal data as required:

- a. FLSB will not be able to provide you with the necessary notices, services and/or products requested;
- b. FLSB will not be able to process your application or registration for any of the necessary services, products, programs and/or activities; and/or
- c. FLSB will not be able to formalize any contract and/or agreement / tenders / Letter of Awards;
- d. FLSB will not be able to enter into and complete the necessary commercial transaction, agreement or dealing with you or in your favour.
- e. FLSB will not be able to comply with any applicable law, regulation, direction, court order, by laws, guidelines and/or codes applicable to us.

If you do not want FLSB to disclose, transfer, use or process otherwise your personal data for any of the purposes listed in Item 2.1 above or if you wish to withdraw your consent in full or in part or limit the processing of your personal data, you may contact FLSB in writing at the particulars set out in Item 7.5 below.

3. Disclosure Principle:

- 3.1. FLSB will not disclose any Personal Data without the consent of the Data Subject and for the purpose for which the Personal Data is processed.
- 3.2. FLSB will only disclose your Personal Data for any purpose other than the purpose for which the Personal Data was to be disclosed at the time of its collection if your consent has been obtained, the disclosure is necessary for the administration of justice or was required or authorised by or under any law or by the order of a court.
- 3.3. The information that FLSB gathers is not sold, given to, or otherwise shared with other organisations for commercial or any other purposes.

4. Security Principle:

- 4.1. FLSB shall take practical steps to safeguard the integrity, confidentiality and security of all Personal Data, to protect Personal Data from destruction or loss, misuse, alteration or unauthorised and accidental access or disclosure.
- 4.2. These steps include entering into written agreements with subcontractors who process Personal Data in accordance with FLSB's instructions, if any, and incorporating FLSB's own data protection standards as a minimum.
- 4.3. FLSB will employ a number of safeguards, appropriate to the sensitivity of the information, to protect Personal Data such as physical measures, organizational measures and technological measures, for example locked filing cabinets, restricted access to offices, security clearances and limiting access on a "need to know" basis only to relevant users for the purpose of performing their official duties and use of passwords and encryption.
- 4.4. Procedures for implementing these measures will be communicated to all FLSB's employees and third parties to ensure compliance with this principle.
- 4.5. FLSB shall ensure that any security policy developed or implemented by FLSB complies with the security standard required under the Act and any applicable law that may from time to time be in force.

5. Retention Principle:

- 5.1. Any personal data supplied by you will be retained by FLSB as long as necessary for the fulfilment of any of the purposes stated in Item 2.1 above or otherwise permitted by any applicable law that may from time to time be in force.
- 5.2. If any personal data is no longer required for the purpose for which it was processed, FLSB shall take all reasonable steps to ensure that it is destroyed or permanently deleted.

6. Data Integrity Principle:

FLSB takes reasonable steps to maintain complete, current, and accurate information about its Data Subject. Any inaccurate information that is brought to FLSB's attention will be corrected as quickly as possible after notification. Procedures will be maintained to ensure that any reported inaccuracies are promptly and effectively handled and that Data Subject's information remains as accurate, current and complete as possible.

7. Access Principle:

- 7.1 Data Subject can have access to his/her Personal Data that FLSB has in its possession or control and may request that his/her Personal Data be amended for purposes of accuracy, completeness and up-to-date, except where compliance with a request to such access or correction is refused under the Act.
- 7.2 In accordance with the Act, an individual may forward a written request to FLSB's Personal Data Protection Compliance Officer to limit or stop processing their personal data, subject to any applicable legal restrictions, contractual conditions and a reasonable time period.
- 7.3 Personal data supplied by you to FLSB must be accurate, complete and not misleading. If you know that your personal data held by FLSB is inaccurate, incomplete, misleading or not up-to-date, you may make a data correction request in writing to FLSB.
- 7.4 You may send your data access request, data correction request or any inquiries to FLSB in writing at the following address:

Attention : Personal Data Protection Compliance Officer

Correspondence Address : B-62B, Ground Floor, Lorong Tun Ismail 8, Sri Dagangan II, 25000, Pahang Darul Makmur.

Email Address : pdpa@franky.com.my

Telephone No. : 09-516 2266

Facsimile No. : 09-516 2277

BY PROVIDING TO FLSB YOUR PERSONAL DATA, YOU HEREBY AGREE THAT FLSB SHALL PROCESS YOUR PERSONAL DATA IN ACCORDANCE WITH ALL OF THE FOREGOING.