



PERSONAL DATA PROTECTION & CONFIDENTIALITY POLICY

Effective Date: March 2023
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1.0 INTRODUCTION

- 1.1 LMS Compliance Ltd. and its subsidiaries and associate companies ("LMS Compliance") is committed in protecting the privacy of the data provided by you.
- 1.2 This Personal data protection & confidentiality policy sets out and provides understanding on how LMS Compliance collect, use, disclose and/or process the personal data provided to LMS Compliance.
- 1.3 LMS Compliance shall process the Personal Data in strict compliance with the Personal Data Protection Act 2010 and applicable regulations, guidelines, orders, codes of practices made under or pursuant to the Personal Data Protection Act 2010 including statutory amendments or re-enactments made thereto from time to time ("PDPA") as well as this Policy.
- 1.4 By interacting with LMS Compliance or providing your Personal Data to LMS Compliance and/or continuing access to LMS Compliance' website ("Site"), you are deemed that you have read this Policy and unconditionally consent, agree and allow LMS Compliance to process your Personal Data in accordance with the manner as set out in this Policy.
- 1.5 LMS Compliance reserve the right to modify, update and/or amend this Policy from time to time. LMS Compliance will announce any changes on the Site or other appropriate means. You are encouraged to visit the Site from time to time for updates so that you are aware of LMS Compliance latest policies in relation to personal data protection. Any amendments or updates shall be effective immediately upon announcement or posting on the Site or other appropriate means.

2.0 DEFINITION

- 2.1 "Associated External Parties" refers to all associated external parties acting on behalf of or for LMS Compliance whom has, or plans to establish, some form of business relationship, including but not limited to, agents, contractors, consultants, suppliers, service providers, associate companies, business partners and joint venture partners or entities.
- 2.2 "Confidential Information" includes but not limited to :-
 - a) the individuals' personal information held by LMS Compliance;
 - b) unpublished financial information, data of our Associated External Parties, patents, formulas or new technologies, existing and prospective customer lists;
 - c) LMS Compliance' intellectual property, products and strategies;



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- 2.3** "Employee" means all employees of LMS Compliance, including full time or permanent employees, part time employees, contract employees, employees on probation, trainees and interns, employees on secondment and personnel on fixed-term contracts.
- 2.4** "Family member", in relation to a person, refers:
- a) A spouse of the person;
 - b) A brother or sister of the person, or their spouses;
 - c) A brother or sister of the spouse of the person;
 - d) A lineal ascendant or descendant of the person (e.g. parents or children);
and
 - e) A lineal ascendant or descendant of a spouse of the person (e.g. parents-in-law).
- 2.5** "Personal Data" means information such as name, address, telephone number, identification/passport number, date of birth, photograph, nationality, race & gender, marital status, email address, household information, bank account information and any information which may identify you that has been provided to LMS Compliance as well as sensitive personal data as defined under the PDPA, which includes but is not limited to, information pertaining to the physical or mental health or condition and religious beliefs.

3.0 COLLECTION OF PERSONAL DATA

- 3.1** The types of Personal Data collected shall depend on the purpose of such collection. LMS Compliance may "process" your Personal Data by way of collecting, recording, holding, storing, using and/or disclosing it.
- 3.2** Your Personal Data may be collected from you during your course of dealings in any way or any manner including but not limited to any transactions and/or communications made from/with LMS Compliance. LMS Compliance may also collect your Personal Data from a variety of sources, including without any limitation, at any events, seminars, customer satisfaction surveys organised, participated and/or sponsored by LMS Compliance, as well as from online search tools, information obtained from third parties through lawful sources and publicly available sources.
- 3.3** In addition, LMS Compliance may also receive, store and process your Personal Data which are provided or made available by any third parties, credit reference bodies, regulatory and law enforcement authorities, for reasons including delivery of LMS Compliance' products and/or services, performance of



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conditions of agreements and/or to comply with LMS Compliance' legal and regulatory obligations.

4.0 PURPOSE OF COLLECTING PERSONAL DATA

4.1 The Personal Data as provided/furnished by you to LMS Compliance or collected by LMS Compliance from you or through such other sources as may be necessary for the fulfilment of the purposes at the time it was sought or collected, may be processed for the following purposes ("Purposes"):

- To maintain and improve customer relationship;
- To assess, process and provide products, services and/or facilities to you;
- To administer and process any payments related to products, services and/or facilities requested by you;
- To establish your identity and background;
- To respond to your enquiries or complaints and to resolve any issues and disputes which may arise in connection with any dealings with LMS Compliance;
- To provide you with information and/or updates on LMS Compliance' products, services, findings, solutions, test, analysis, laboratory specification (including but not limited to environmental, safety and health, food safety or industry compliance) and/or events organised by LMS Compliance (and selected third parties which may be of interest to you from time to time);
- For direct marketing purposes via SMS, phone call, email, mail, social media and/or any other appropriate communication channels;
- To facilitate your participation in, and LMS Compliance' administration of, any events including contests, competition or campaigns;
- To maintain and update internal record keeping;
- For internal administrative purposes;
- To send you seasonal greetings messages, newsletters, articles, write-ups and other updates, distribute information of events, conferences, talks and seminars which may be of interest to you from time to time;
- To send you the invitation to join LMS Compliance' events and promotions and product launch events;
- To conduct credit reference checks and establish your credit worthiness, wherever necessary, in providing you with the products, services and/or facilities;



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- To conduct market research or surveys, internal marketing analysis, customer profiling activities, planning and statistical and trend analysis in relation to LMS Compliance' products and/or services;
- For audit, risk management and security purposes;
- For detecting, investigating and preventing fraudulent, prohibited or illegal activities including without limitation to money laundering, terrorism and fraud prevention, detection and prosecution;
- For meeting 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 LMS Compliance;
- To carry out verification and background checks as part of any recruitment and selection process in connection with your application for employment with LMS Compliance.

5.0 CONSEQUENCES OF NOT CONSENTING TO THIS POLICY

The collection of your Personal Data by LMS Compliance may be mandatory or voluntary in nature depending on the Purposes for which your Personal Data is collected. Where it is obligatory for you to provide LMS Compliance with your Personal Data, and you fail, refuse and/or omit or wilfully choose not to provide LMS Compliance with such data, or wilfully withhold your consent to the above or this Policy, LMS Compliance will not be able to provide products and/or services or otherwise have any dealings with you.

6.0 DISCLOSURE TO THIRD PARTIES

LMS Compliance shall not disclose any of your Personal Data to any third party without your consent. However, LMS Compliance may be legally required to disclose your Personal Data to the following third parties, for one or more of the above Purposes;

- LMS Compliance' Successors in title;
- Any person under a duty of confidentiality to which has undertaken to keep your Personal Data confidential which LMS Compliance has engaged to discharge LMS Compliance' obligations to you;
- Any party in relation to legal proceedings or prospective legal proceedings;



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- LMS Compliance' auditors, consultants, lawyers, accountants or other financial or professional advisers appointed in connection with LMS Compliance' business on a strictly confidential basis, appointed by LMS Compliance to provide services to LMS Compliance;
 - 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 LMS Compliance has a legitimate common interest;
 - Data centres and/or servers located within or outside Malaysia for data storage purposes or otherwise;
 - Payment channels including but not limited to financial institutions for purpose of assessing, verifying, effectuating and facilitating payment of any amount due to LMS Compliance in connection with your purchase of LMS Compliance' products and/or services;
 - Government agencies, law enforcement agencies, courts, tribunals, regulatory 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 judgement of a court or tribunal or queries from the relevant authorities;
 - Associated External Parties, investor, assignee, or transferee to facilitate business asset transaction, third-party product and/or service providers, suppliers, vendors, contractors, data processors, analyst or agents, that provide related products and/or services in connection with LMS Compliance' business or discharge or perform one or more of the above purposes and other purposes required to operate and maintain LMS Compliance' business, including but not limited to call centres, telecommunication companies, logistics companies, information technology companies and data centres; insurance companies for the purpose of applying and obtaining insurance policy(ies), if necessary;
 - 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 transactions with LMS Compliance;
 - To third-party credit reporting or employment agencies as part of the recruitment and selection process and/or otherwise in connection with your application for employment with LMS Compliance;
 - In the event of a potential, proposed or actual sales/disposal or any of LMS Compliance' business or interest, merger, acquisition, consolidation, re-



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organisation, funding exercise or asset sale relating to LMS Compliance ("Transaction"), your Personal Data may be required to be disclosed or transferred to a third party as a result of, or in connection with, the Transactions.

You hereby acknowledge that such disclosure and transfer may occur and permit LMS Compliance to disclose and transfer your Personal Data to such third party and its advisors/representatives and/or other person reasonably requiring the same in order for LMS Compliance to operate and maintain LMS Compliance' business or carry out the activities set out in the Purposes.

7.0 ACCURACY OF YOUR PERSONAL DATA

LMS Compliance aim to keep all Personal Data as accurate, complete, true and up-to-date and reliable as much as possible. Therefore, the accuracy of your Personal Data depends to a large extent on the information provided by you. As such, in return for LMS Compliance providing the products, services and/or facilities to you, you shall irrevocably undertake that you shall:

- Warrant and declare that all your Personal Data submitted or to be submitted to LMS Compliance are accurate, updated and complete in all respects for purposes of acquiring or using the relevant products, services and/or facilities, and you have not wilfully withheld any Personal Data which may be material in any aspect and that LMS Compliance is authorised to assume the accuracy and up-to-date of the Personal Data given by you when processing such Personal Data; and
- Promptly update LMS Compliance as and when such Personal Data provided earlier to LMS Compliance becomes inaccurate, incomplete, outdated or changes in anyway whatsoever by contacting LMS Compliance at the contact details stated below in Clause 12 herein.

8.0 YOUR RIGHTS

- 8.1** You have the right to request for access to, request for a copy of, request to update, rectify, amend or correct your Personal data held by LMS Compliance. LMS Compliance may charge a reasonable fee to cover the administration costs involved in processing your request to process your request and access your Personal Data.
- 8.2** In respect of your right to access and/or correct your Personal Data, LMS Compliance has the right to refuse your request to access and/or amend your Personal Data for the reasons permitted under the law, such as where the expense of providing access to you is disproportionate to the risks to your



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privacy, or where the rights or others may also be violated, amongst other reasons.

- 8.3** You have the right at any time to request LMS Compliance to limit the processing and use of your Personal Data (for example, requesting LMS Compliance to stop sending you any marketing and promotional materials or contacting you for marketing purposes).
- 8.4** In amplification thereto, you have the right to inform LMS Compliance of your withdrawal (in full or in part) of your consent given previously to LMS Compliance by serving to LMS Compliance a prior seven (7) days written notice. However, your withdrawal of consent could inevitably result in LMS Compliance being unable to provide you with the services that you require and/or communicate effectively with you.

9.0 RETENTION OF YOUR PERSONAL DATA

Any of your Personal Data provided to LMS Compliance is retained for as long as the Purposes for which the Personal Data was collected continues and for a period of time as required by local law, rules, regulations; the Personal Data is then destroyed from LMS Compliance' records and system in accordance with LMS Compliance' retention policy in the event your Personal Data is no longer required for the Purposes unless its further retention is required to satisfy a longer retention period to meet LMS Compliance' operational, legal, regulatory, tax or accounting requirements.

10.0 SECURITY OF PERSONAL DATA AND CONFIDENTIAL INFORMATION

- 10.1** LMS Compliance is committed in ensuring that your Personal Data is stored safely and securely. In order to prevent any unauthorised access, disclosure and/or other similar risks, LMS Compliance endeavours, 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.
- 10.2** LMS Compliance will reasonably provide updates on LMS Compliance' security measures from time to time and ensure that only authorised third parties shall use your Personal Data for the Purposes set out in this Policy.



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10.3 In view that the Internet is not a secure medium, LMS Compliance will implement various security procedures with regard to the Site and your electronic communications with LMS Compliance.

10.4 LMS Compliance do not accept responsibility or shall not be held responsible for any unauthorised access or interception or loss of Personal Data that is beyond LMS Compliance' reasonable control.

11.0 PERSONAL DATA FROM MINORS AND OTHER INDIVIDUALS

To the extent that you have provided (or will provide) Personal Data about your Family Member, you irrevocably confirm that you have explained to them that their Personal Data will be provided to, and processed by, LMS Compliance and you unconditionally represent and warrant that you have obtained their prior consent to the processing of their Personal Data (including but not limited to the disclosure and transfer of Personal Data) in strict accordance with this Policy and, in respect of minors (i.e. individuals under 18 years of age) or individuals not legally competent to give consent, you hereby confirm that you have been lawfully appointed to act for them, to grant consent for and on their behalf to the processing of their Personal Data (including but not limited to the disclose and transfer of Personal Data) in strict accordance with this Policy.

12.0 CONTACT DETAILS

If you have any enquiries, questions or comments about LMS Compliance' administration of your Personal Data, you may reach out to LMS Compliance' at the contact details below:

Address : 16, Lengkok Kikik 1, Taman Inderawasih, 13600 Perai, Penang.

Email Address : hr_manager@myco2.com.my