

PERSONAL DATA PROTECTION POLICY

1. Background

The Personal Data Protection Act 2010 (“**PDPA**”) comes into force on 15 November 2013. It marks the introduction of a data privacy regime in Malaysia. The PDPA seeks to protect the handling of personal data of individuals which is in the possession of third parties who collect and process those personal data in respect of commercial transactions.

2. Objective

Subject to its scope of application as set out in Section 3 below, this Personal Data Protection Policy (“**Policy**”) is intended to notify all individuals who are applying to be, are or were, scholars of Malaysia Professional Accountancy Centre (“MyPAC”) (“**Applicants/Scholars**”) of how his or her personal data, including sensitive personal data (as defined under the PDPA) (“**Personal Data**”) is collected, used, disclosed, transferred, processed and retained by MyPAC.

MyPAC adheres to the personal data protection principles as contained in the PDPA and this Policy has been drawn up with the intention to regulate the handling and processing of Personal Data and to safeguard the rights of Applicants/Scholars in relation thereto.

3. Scope

This Policy applies to and is limited to, the collection, processing and retention of Personal Data of Applicants/Scholars. This Policy does not cover data rendered anonymous where individual persons are no longer identifiable, or identifiable only with a disproportionately large expense in time, cost, or labor, or situations in which pseudonyms are used. (The use of pseudonyms involves the replacement of names or other identifiers with substitutes, so that identification of individual persons is either impossible or at least rendered considerably more difficult). If data rendered anonymous becomes no longer anonymous (i.e., individual persons are again identifiable), or if pseudonyms are used and the pseudonyms allow identification of individual persons, then this Policy shall apply.

4. Types and Sources of Personal Data

Your Personal Data that MyPAC receive may include but not be limited to:

- (a) **Personal Details:** Name, date and place of birth, work and home contact details (email, phone numbers, physical address) language(s) spoken, gender, date of birth, national identification number, marital status, domestic partners, dependents, disability status, emergency contact information and photograph.
- (b) **Documentation Required:** Citizenship documents, passport data, details of residency or student permit.
- (c) **Academic History:** Official transcript(s) from any colleges, universities or any educational institutions you have attended in the past, curriculum vitae detailing both academic and professional achievements, education and credential verification and other background information on you as may be required by MyPAC for purposes in relation to the processing and evaluation of your application for participation in MyPAC’s programme.
- (d) **Position:** Description of employment information, current position, job title,

corporate status, management category, job code, salary plan, pay grade or level, job function, company name and code (legal employer entity), branch/department, location, employment status and type, full-time/part-time, terms of employment, employment contract, work history, hire/rehire and termination date and reason, length of service, retirement eligibility, promotions and disciplinary records, date of transfers, and reporting manager information.

- (e) **Other Information:** Details contained in application form (previous employment background, education history, accountancy professional qualification, other professional qualifications, language and other relevant skills, certification, certification expiration dates), information necessary to complete a background check, details on performance management ratings, skills and experience, development programs planned and attended, e-learning programs, performance and development reviews and discussion ratings and comments, including dates for the foregoing, willingness to relocate, driver's license information, opinions expressed about you, and information that you have shared with the Company to populate employee biographies, including your likes, dislikes and interests.

MyPAC may receive Personal Data concerning its Applicants/Scholars directly from you, your referees as identified by you or otherwise through other means.

5. Purposes of Collection, Use and Processing of Personal Data

Your Personal Data is collected, used and processed by MyPAC for our record and monitoring purposes including maintaining your commitment to all the engagements organised by MyPAC. Such purposes include but not limited to:-

- (a) **Managing Applicants/Scholars :** Providing you with services, processing your application or registration under MyPAC's programme and/or activities organised or conducted by MyPAC or any other parties or in connection with your participation in MyPAC's programme, managing activities including planning and monitoring of participation in MyPAC's programme and career development activities and skills, and record keeping purposes.
- (b) **Communications and Emergencies:** Facilitating communication with you, providing references, protecting the health and safety of Applicants/Scholars and others, safeguarding IT infrastructure, office equipment and other property, facilitating communication with you and your nominated contacts in an emergency.
- (c) **Business Operations:** Operating and managing our IT and communications systems, strategic planning, project management, compilation of audit trails and other reporting tools, maintaining records relating to business activities, budgeting, financial management and reporting, communication, use in publications and publicity materials concerning MyPAC.
- (d) **Compliance:** Complying with laws, complying with any applicable legal, governmental or regulatory requirements, record-keeping and reporting obligations, conducting audits, compliance with government inspections and other requests from government or other public authorities, responding to legal process such as subpoenas, pursuing legal rights and remedies, defending litigation and managing any internal complaints or claims, conducting investigations and complying with internal policies and procedures.

- (e) **Others:** any other purpose that is incidental or ancillary or in furtherance to the above purposes and to MyPAC's programme.

MyPAC will not use your Personal Data for any other purpose incompatible with the purposes as described in this Policy, unless it is required or authorised by law, or expressly authorised by you, or is in your own vital interest (e.g. in the case of a medical emergency).

6. Disclosure and Transfers of Personal Data

All personnel within MyPAC will generally have access to your general information such as your personal information, accountancy professional qualification, employment information, education information, position, telephone number, postal address, e-mail address and other required information. From time to time, MyPAC may need to make Personal Data available to all relevant partners of MyPAC and third parties, among others, for purposes such as but not limited to:

- (a) **Professional Advisors:** Accountant, auditors, lawyers, insurers, bankers, and other outside professional advisors.
- (b) **Service Providers:** Companies that provide products and services to MyPAC, training service providers and other parties and individuals that MyPAC may identify in connection with MyPAC's programme.
- (c) **Public and Government Authorities:** Entities that regulate or have jurisdiction over MyPAC such as regulatory authorities, law enforcement, public and judicial bodies.

Third party service providers and professional advisors are expected to protect the confidentiality and security of Personal Data, and only use Personal Data for the provision of the services and in compliance with applicable law.

If MyPAC is contacted by any organisation or institution, including banks and advocates, solicitors or other parties, to verify your participation in MyPAC's programme and your Personal Data thereto for commercial purposes, you consent to MyPAC verifying and disclosing the same.

7. Sensitive Personal Data

Due to your relationship with MyPAC, MyPAC may collect and process your sensitive personal data such as your physical or mental health and condition, political opinions, religious beliefs or other beliefs of a similar nature and the commission or alleged commission of any offence (if any) ("**Sensitive Personal Data**"). MyPAC collect this information for specific purposes, such as health/medical information in order to accommodate a disability or illness and to provide benefits, and in order to comply with legal obligations and internal policies, if applicable, and for other purposes in connection with MyPAC's programme.

8. Security of Personal Data

MyPAC are committed to maintaining the security of your Personal Data, and have taken steps to ensure that reasonable steps and measures have been put in place to prevent unauthorised access, disclosure, loss or theft of information to Personal Data in both physical and electronic environment.

MyPAC takes appropriate security measures to protect Personal Data that are consistent with applicable privacy and data protection laws and regulations, including requiring service providers to use appropriate measures to protect the confidentiality and security of personal information.

All Applicants/Scholars have the responsibility to protect against unauthorised access and disclosure of Personal Data. In relation to this, Applicants/Scholars must comply with the guidelines and undertakings that MyPAC have put in place.

9. Data Integrity and Retention

MyPAC will take reasonable steps to ensure that the Personal Data processed is reliable for its intended use and is accurate, complete, not misleading and kept up-to-date for carrying out the purposes described in this Notice.

MyPAC expect Applicants/Scholars to notify MyPAC of any changes to their personal particulars. Upon receiving notification of any changes to your Personal Data, MyPAC will use reasonable efforts to update the information as appropriate.

MyPAC retains Applicants/Scholars' Personal Data only for as long as may be necessary, unless a longer retention period is required or permitted by law. Personal Data of individuals who have ceased participation in MyPAC's programme with MyPAC are generally retained for a period of seven years from the time the participation in MyPAC's programme relationship ceases. In certain exceptional circumstances, MyPAC may decide to retain such Personal Data for a longer period of time if MyPAC are of reasonably of the view that this retention is justifiable.

MyPAC will take reasonable steps to ensure that the Personal Data is destroyed or permanently deleted if it is no longer required for its purposes as determined by MyPAC.

10. Access and Correction Requests, Queries and Complaints

Subject to the limitations and exceptions as provided under the PDPA, you may exercise the right accorded to you under the PDPA to request for access to your Personal Data which MyPAC retain about you, provided that the request is made in writing and upon payment of the prescribed fee. When making an access request, you must provide MyPAC with sufficient details to enable MyPAC, with reasonable effort, to identify and locate the information in respect of which the request is made, in order to enable MyPAC to process the request.

Please also note that your right to access of your Personal Data under the PDPA is not absolute and MyPAC may under certain legitimate circumstances refuse to comply with any data access requests, among others, where the burden or expense of providing access to you is disproportionate to the risks to your privacy, or where the rights of others may also be violated. In the event that there are any circumstances which arise to restrict disclosure, MyPAC may sever the information that are not permitted to or not required to disclose, and may provide access only to the remaining information. It may also be the case that the Personal Data to which you may be requesting to access may not have been retained by MyPAC or may have been destroyed, erased or made anonymous in accordance with MyPAC data retention policies and practices.

In the event that MyPAC are unable to provide you with access to the requested Personal Data, MyPAC will endeavour to inform you of the reasons why, subject to any legal or regulatory restrictions.

The PDPA also accords to you the right to request for correction and amendment to be made to any information about you which is inaccurate, incomplete, misleading or not up-to-date. Therefore MyPAC would expect Applicants/Scholars to take steps to inform MyPAC of any changes to your Personal Data, as and when it changes, in order to enable MyPAC to make the necessary correction and/or amendment to the data about you.

If you would like to make a data access or correction request, or if you have any queries, complaints or disputes regarding the manner in which MyPAC handles or protects your Personal Data, or if you would like to limit the processing of your Personal Data, or if you have any questions about the applicability or administration of this Policy, please bring it to the attention of *[insert your details]*, who can be contacted by e-mail at *[insert e-mail address]* or by phone at *[insert telephone number]* or by fax at *[insert fax number]*.

11. Review of and Changes to this Policy

This Policy will be reviewed from time to time. MyPAC reserves the right to modify and amend this Policy from time to time, consistent with applicable data protection and privacy laws and principles. In the event that MyPAC modifies or amends the terms of this Privacy Policy, MyPAC will communicate a revised version of this Policy to you.

When MyPAC deems it appropriate, other forms of notice may be also given concerning any changes to this Policy.

12. Compliance

(a) Current/Post Participation in MyPAC's Programme Stage

You are required to read, understand, sign and submit the Acknowledgement, Consent and Undertaking (Appendix A).

(b) Pre-Participation in MyPAC's Programme Stage

You are required to acknowledge and submit the Applicant's Consent Form (Appendix B).

APPENDIX A

ACKNOWLEDGMENT, CONSENT AND UNDERTAKING

I have read and expressly agree to the Personal Data Protection Policy. I understand and expressly agree that MyPAC may collect, process, use, transfer, retain and disclose my personal data, including sensitive personal data (as defined in the Personal Data Protection Act 2010 (“**PDPA**”)) (“**Personal Data**”) for the purposes and in the manner as described in the Notice. I also acknowledge that under the PDPA and/or other applicable law, there may be instances where my Personal Data can be collected, processed, used, transferred, retained and/or disclosed without my consent and that MyPAC reserves the right to undertake such activity when appropriate, which may include the transfer and disclosure of my Personal Data to other entities.

To the extent that I have provided (or will provide) Personal Data of third parties (e.g. spouse, family members, children, dependents, beneficiaries and emergency contacts) to MyPAC, I certify by signing below that I have obtained their consent to the use (including transfer and disclosure) of the Personal Data consistent with this Notice and, for any individuals not legally competent to give consent, I consent on their behalf and confirm that I have the authority to do so. Unless this consent is withdrawn by me by written notice subject to the internal policy of MyPAC, my consent shall remain valid and subsisting.

In consideration for my desire for participation in MyPAC’s programme with MyPAC, I hereby undertake:

1. To take all reasonable steps to ensure that all information which constitutes my Personal Data held by MyPAC are correct and accurate, and shall inform MyPAC accordingly of any changes or correction to my Personal Data;
2. To hold all Personal Data to which I have access in the course of my participation in MyPAC’s programme, whether or not being of a confidential and/or sensitive nature, in trust and strict confidence and to take all reasonably necessary steps, not to disclose or procure the disclosure of, and to prevent the disclosure of such Personal Data to any third party, unless authorised by MyPAC or required by law;
3. To ensure that all Personal Data to which I have access in the course of my participation in MyPAC’s programme shall be used strictly for the purposes required to fulfil my participation in MyPAC’s programme obligations only, and shall not be used for any other purpose, unless authorised by MyPAC or required by law;
4. To keep and handle any Personal Data which are in my control and/or possession securely, and to take all reasonably necessary steps to protect such Personal Data from unauthorised use, access, modification, reproduction, disclosure or destruction; and
5. To comply with the provisions of the PDPA, all other applicable privacy laws and regulations, and to abide by all of MyPAC’s written policies and established controls and processes as well as those by MyPAC which apply to the collection, use, processing and disclosure of Personal Data.

Signature:

.....

Name:

Date:

APPENDIX B

APPLICANT'S CONSENT FORM FOR COLLECTION OF PERSONAL DATA FROM THIRD PARTIES

The purposes of this letter are to explicitly inform you and to obtain your express consent to the collection of your personal data, including your sensitive personal data (as defined in the Personal Data Protection Act 2010 ("**PDPA**")) ("**Personal Data**") by MyPAC from third parties in relation to your application for participation in MyPAC's programme and at any time throughout the programme.

MyPAC may obtain your Personal Data by conducting searches and verification on your background information, which may include information concerning your personal details and your academic history, curriculum vitae detailing both academic and professional achievements, education and credential verification, your civil and criminality records, directorship information, directorship disqualification information, property ownership information, credit records, driver's license offence records, driver's license verification, education and credential verification, and other background information on you as may be required by MyPAC (the "**Collected Personal Data**") for purposes in relation to MyPAC's programme.

You hereby authorise MyPAC and/or agents engaged by MyPAC (the "**Agents**") to contact various government agencies, any relevant corporations, current and former employers, educational institutions, consumer credit information agencies, law enforcement agencies, the courts and other contributors (the "**Contributors**") in order to obtain the Collected Personal Data for the purposes as set out above.

MyPAC may release this consent form (as signed by you) to the Contributors and such other persons as may be necessary for the purposes of performing such searches and verification. The Agents may, further to their collection of the Collected Personal Data on MyPAC behalf, furnish to MyPAC a report containing the Collected Personal Data (the "**Report**"). The Report shall be the property of the MyPAC

The use and processing of the Collected Personal Data shall be consistent with the terms set out in MyPAC's Personal Data Protection Notice.

In signing this form, you confirm that your consent is given voluntarily and shall remain valid and effective until and unless it is withdrawn by you by written notice.

Signature:

.....

Name:

Date:

APPENDIX C

ADDENDUM TO INFORMED CONSENT TO APPENDIX A AND B OF MyPAC'S PERSONAL DATA PROTECTION POLICY

(All terms defined in MyPAC's Personal Data Protection Policy shall have similar meaning in this Appendix C.)

I hereby consent to the release and sharing of my Personal Data between MyPAC and the relevant MyPAC centre of excellence institution ("**CEC**") and BPP Professional Education Limited (a UK training company) ("**BPP**").

By signing this acknowledgement, consent and undertaking, I agree to BPP controlling and processing my Personal Data (including sensitive personal data) in accordance with BPP's Privacy Policy (available at www.bpp.com/privacy as may be amended by BPP from time to time).

In particular, I agree that BPP may use my Personal Data (including sensitive personal data) for the purpose of providing MyPAC with details of my examination results (both mock and actual) relating to any course of study sponsored by MyPAC or a CEC or any third party, including but not limited to:-

- (a) my attendance records relating to any course of study sponsored by MyPAC or a CEC or any third party; and
- (b) any information generally relating to, but not limited to, my progress and behaviour on any course of study sponsored by MyPAC or a CEC or any third party.

Participant's Name	:	_____
Participant's Signature	:	_____
Date	:	_____