

## PRIVACY POLICY

### 1. INTRODUCTION

- 1.1 This Privacy Policy describes how Sofax Sdn. Bhd. ("**Sofax**") manages Personal Data (as defined in paragraph 2.0 below) which is in our possession or under our control in accordance with applicable data protection laws and regulations, including where applicable the Malaysia Personal Data Protection Act 2010 of Malaysia ("**PDPA**").
- 1.2 By using our services pursuant to your agreement(s) with us, including but not limited to creating an account with us, accessing the website, SofaX platform or using the mobile applications operated by us ("**Service**"), submitting information to or communicating with us, you are taken to have agreed to Sofax Sdn. Bhd, its related corporations and affiliates (collectively referred to herein as "**us**", "**we**" or "**our**") collecting, using, processing, disclosing and sharing amongst themselves of your Personal Data in accordance with this Privacy Policy.
- 1.3 This Privacy Policy does not supersede or replace any other consents you may have previously or separately provided to us in respect of your Personal Data, and your consent to this Privacy Policy is in addition to any other rights which we may have at law to collect, use, process or disclose your Personal Data.
- 1.4 This Privacy Policy shall be governed by, and shall be construed in accordance with, the laws of Malaysia, without regard to the conflict of laws principles. Any dispute, controversy or claim arising out of or relating to these Terms, shall be referred to and finally resolved by arbitration administered by the Asian International Arbitration Centre ("**AIAC**") located in Kuala Lumpur in accordance with the Arbitration Rules of the AIAC for the time being in force, which rules are deemed to be incorporated by reference in this clause. The seat of arbitration shall be Kuala Lumpur, Malaysia. The Tribunal shall consist of one arbitrator. The language of the arbitration shall be in English.

### 2. COLLECTION OF PERSONAL DATA

- 2.1 "**Personal Data**" is defined in the PDPA refers to any information in respect of commercial transactions, that relates directly or indirectly to an individual, who is identified or identifiable from that information which is in our possession and includes any sensitive personal data and expression of opinion about the individual. We will collect, use, disclose, transfer, sell and otherwise process Personal Data in accordance with this Privacy Policy.
- 2.2 The Personal Data that we collect or may collect include:
  - a) your name, NRIC, passport or other identification number, telephone number(s), residential address, mailing address, email address and any other information relating to you which you have provided us in any forms you may have submitted to us, or in other forms of interaction with you;

- b) occupation, education and income levels;
- c) financial and banking information;
- d) your IP address and information associated with such address;
- e) browsing history, patterns or other unique information; and
- f) any other personal data reasonably required in order for us to provide the services requested by you.

2.3 The Personal Data has/or will be obtained from the following sources, where applicable, or such other sources which we may see fit from time to time:-

- a) Information provided or submitted by you through among others, your dealings and agreements with us, which includes information provided by you when registering an account with us, interacting with our customer service officers, contacted by and respond to, our marketing representatives and agents; responded to our request for additional Personal Data, being included in our email or other mailing list; referring by our business partners and third parties; or submitting your Personal Data to us for any other reason;
- b) Information and content that you submit, post to, or create in our Services, including the photos, comments, reviews, searches, discussions, project details and costs, or style preference;
- c) as applicable, publicly available or publicly accessible information; and
- d) such other written, electronic or verbal communications or documents delivered to us prior to and during the course of our contractual or pre-contractual dealings with you.

2.4 Our mobile applications that are distributed through various “app” stores e.g. Apple iTunes Store and Google Play Store also request permission to automatically collect other information from your mobile device, including your email address. We only collect this information with your authorization in accordance with your device operating system’s permission process.

2.5 We also obtain information from other sources and combine that with information we collect through the Services. For example, if you create or log into your account through a social media site, we will have access to certain information from that site, such as your name, account information, profile picture, phone number, email address, gender, date of birth and friends lists, in accordance with the authorization procedures determined by such social media site.

- 2.6 As the accuracy of your Personal Data depends largely on the information you provide to us, you should inform us as soon as practicable if there are any errors in the Personal Data or if there have been any changes to the Personal Data. We intend to keep the Personal Data accurate and up-to-date, and retain the Personal Data no longer than necessary for the above purposes or as required or permitted by any applicable law.
- 2.7 If you provide personal data of any third party to us, you represent and warrant that you have obtained the necessary consent from that third party to share and transfer his/her personal data to us, and for us to collect, use and disclose that data in accordance with this Privacy Policy.

### **3. PURPOSES FOR THE COLLECTION, USE AND DISCLOSURE OF YOUR PERSONAL DATA**

- 3.1 We may use your Personal Data for our business purposes, including the following purposes (“**Purposes**”):
- a) provide, maintain and improve the Services provided by us;
  - b) personalize and improve the Services and provide advertisements, contents, suggested connections or features that match your profiles and activities;
  - c) to understand your needs and preferences;
  - d) responding to your queries or requests and provide customer service;
  - e) matching any Personal Data held which relates to you for any of the purposes listed herein;
  - f) selling the Personal Data to any interested third parties;
  - g) verifying your identity for the purposes of providing services to you;
  - h) improving the content, appearance and utility of our Services;
  - i) to manage and develop our business operations;
  - j) to comply with any applicable laws or any request from any relevant governmental or regulatory authority;
  - k) enforcing obligations owed to us;
  - l) seeking professional advice, including legal advice;
  - m) any other reasonable purposes in connection with the provision of the Services or authorized by any applicable laws; or

n) fulfilling any purpose directly related to the above Purposes.

3.2 In addition, where permitted under the data protection laws and regulations, we may also collect, use and disclose your Personal Data for the following additional purposes:

- a) providing services, products, and benefits to you, including promotions, loyalty and reward programmes;
- b) matching Personal Data with other data collected for other purposes and from other sources (including third parties) in connection with the provision or offering of products and services, whether by us or other third parties;
- c) administering events, campaigns, contests, competitions and awards, including, where necessary, in order to announce the results of these events, campaigns, contests, competitions and awards and identify and contact the winners, and in order to publicise and conduct marketing strictly related to these events, campaigns, contests, competitions, awards;
- d) sending you details of products, services, special offers and rewards, either to our customers generally, or of particular products and services which may be of interest to you; and
- e) conducting market research, understanding and determining customer location, preferences and demographics for us to review, develop and improve our services and also develop special offers and marketing programmes.

3.3 You may, at any time, withdraw your consent to receive marketing information from us by notifying us via email to [appsupport@sofax.com](mailto:appsupport@sofax.com)

#### **4. DISCLOSURE OF PERSONAL DATA**

4.1 We will take reasonable steps to protect your Personal Data against unauthorised disclosure. Subject to the provisions of any applicable law, this Personal Data may be disclosed, for the purposes listed above (where applicable), to the following third parties, whether they are located in Malaysia or otherwise, in which the Personal Data was collected, and you hereby consent to such transfer of your Personal Data to such third parties, including where such third parties are located outside Malaysia:

- a) any of our directors, officers, employees, representatives, agents or delegates;
- b) any of our shareholders or related corporations, and any of their successors or assigns, and their directors, officers, employees, representatives, agents or delegates;

- c) our professional advisers, consultants and auditors;
- d) any service providers, agents, contractors, sub-contractors, delegates, suppliers or third parties which we may appoint from time to time to provide us with services in connection with the Services that we offer to you, and their directors, officers, employees, representatives, agents or delegates;
- e) anyone who takes over or may take over all or part of our rights or obligations under any agreement we have with you or anyone (or any part thereof) which is transferred to or may be transferred to;
- f) any other person, body, governmental or regulatory authority of any applicable laws or order, direction or regulation of any regulatory or appropriate authorities;
- g) parties which assist us in carrying out the Purposes laid out above in this Privacy Policy; and
- h) any person to whom we are, in our belief in good faith, under an obligation to make disclosure as required by any applicable laws,

provided that in the case of disclosures under any of the circumstances in (a) to (d), we shall procure that the recipient is subject to the same duty of confidence.

## **5. USE OF COOKIES**

- 5.1 Our Services use cookies where a small text file placed on your computer, system or mobile device when you visit a web site or use an app. Cookies collect information about users and their visit to the website or use of the app, such as their IP address, how they arrived at the web site (for example, through a search engine or a link from another web site) and how they navigate within the website or app. We use cookies and other technologies to facilitate your usage of our Services, offer you products and/or services according to your preferred settings, track use of our Services and to compile statistics about activities carried out on our Services.
- 5.2 A pixel tag, also known as a web beacon, is an invisible tag placed on certain pages of our Services but not on your computer. Pixel tags are usually used in conjunction with cookies and are used to monitor the behaviour of users visiting the website or app.
- 5.3 You may set up your web browser or your mobile device to block cookies which will, in turn, disable the pixel tags from monitoring your website or app visit. You may also remove cookies stored from your computer or mobile device. However, if you do block cookies and pixel tags, you may not be able to use certain features and functions of our Services.

- 5.4 We may also use analytics programmes for web analytics purposes to manage and improve our Services. Accordingly, your information may be collected for reports such as impression reporting, demographic reporting, interest reporting and to assist with tailoring our online advertising to provide you with a better experience.

## **6. SAFEGUARDS**

- 6.1 We are not accepting any responsibility of unauthorised access or loss of your Personal Data, save in accordance with this Privacy Policy.
- 6.2 We have put in place various security procedures, rules and technical measures to protect your Personal Data from any loss, misuse, modification, unauthorized or accidental access or disclosure, alteration or destruction. All of our employees and data processors, who have access to and are associated with the processing of personal data, are obliged to respect the confidentiality of your Personal Data.
- 6.3 While we cannot guarantee that loss, misuse or alteration of data will not occur, we make reasonable efforts to prevent such unfortunate occurrences. Personal Data that we collect from you will be stored and backed up securely in a restricted and controlled location.

## **7. WITHDRAWAL, ACCESS AND CORRECTION OF YOUR PERSONAL DATA**

- 7.1 You may withdraw your consent to use of your Personal Data or obtain access to or make corrections to your Personal Data records or request deletion of your personal data, or should you have any queries or concerns relating to our handling of your Personal Data, please contact our Personal Data Protection Officer at [appsupport@sofax.com](mailto:appsupport@sofax.com), and we will process such requests in accordance with this Privacy Policy and our obligations under the Privacy Laws and other applicable law.
- 7.2 We reserve the right to charge a reasonable administrative fee for retrieving your personal data records. If so, we will inform you of the fee before processing your request. We will respond to your request as soon as reasonably possible. If we are unable to respond to your request within thirty (30) days from the date of your request, we will inform you in writing. If we are unable to provide you with any personal data or to make a correction requested by you, we shall generally inform you of the reasons why we are unable to do so (except where we are not required to do so under the applicable data protection laws).
- 7.3 It is important that the personal data you provide to us is accurate and complete for you to continue using the Platform and for us to provide the Services. You are responsible for informing us of changes to your personal data, or in the

event you believe that the personal data we have about you is inaccurate, incomplete, misleading or out of date.

- 7.4 Please note that if you withdraw your consent to any or all use of your Personal Data, depending on the nature of your request, we may not be in a position to continue to provide Services to you or administer any contractual relationship in place, and this may also result in the termination of any agreements with us and your being in breach of your contractual obligations or undertakings, and our legal rights and remedies in such event are expressly reserved.

## **8. RETENTION OF PERSONAL DATA**

- 8.1 We will only retain your personal data for as long as we are either required to by law or as is relevant for the purposes for which it was collected.
- 8.2 We will cease to retain your personal data, or remove the means by which the data can be associated with you, as soon as it is reasonable to assume that such retention no longer serves the purposes for which the personal data was collected, and is no longer necessary for any legal or business purpose.

## **9. MODIFICATION**

- 9.1 This Privacy Policy may change from time to time. We will post any privacy policy changes on our Services, for which you will be notified. If you continue to use our Services, operate any account maintained with us, access to our Services, and/or otherwise provide information to or communicate with us, you are deemed to have agreed to such changes without reservation.