

# **PRIVACY NOTICE**

Tzu Chi Foundation Malaysia is committed to ensuring that personal data is protected and managed in accordance with Malaysia laws, international good practices and individuals' rights. We collect and use personal data to provide individuals with information about our programs and initiatives, as well as to oversee the administration of our activities.

## **Privacy and Personal Data Protection Notice**

The Personal Data Protection Act 2010 ("PDPA") regulates the processing of personal data in commercial transactions.

We recognize the importance of privacy and the sensitivity of your personal data and information about yourself ("Personal Data"). We are committed to treating all Personal Data with due confidentiality, in accordance with the PDPA.

## **Consent to Privacy Notice**

By engaging with us and sharing your Personal Data, you consent to the processing of your information, including sensitive personal data, in accordance with our Privacy Notice.

## **1. Collection of Personal Data**

Personal Data collected by us may include but not limited to the following:

- a) Your name, salutation/ title, date of birth, correspondence/ residential address, age, gender, nationality, country of origin, particulars of identity documents (individual or corporate entity);
- b) Your employment status, company name, job title, income range, work experience, information regarding eligibility status under the Malaysia B40 or M40 category;
- c) Your academic qualification, academic results;
- d) Your marital status, details of spouse, details of children, next of kin, any family members;
- e) Your contact details such as telephone number, mobile number, e-mail address;
- f) Your financial data, credit card/debit card information, bank account information for donation and/or sponsorship purposes; and
- g) Your preferred language, communication channel and activities you wish to participate/support;
- h) Your images and videos in the events and/or activities you participate in.

## 2. Source of Personal Data

We may obtain your Personal Data directly from a variety of sources including but not limited to the sources mentioned below:

### 2.1 Information we collect from you directly:

- a) Official request for information forms provided to you, either physically or virtually;
- b) Any forms for donation, seminar, newsletter subscription, promotional events and/or activities, volunteering work, surveys, feedback, either physically or virtually;
- c) Any queries, emails or any correspondences that we have received from you requesting information or making enquiries;
- d) Business cards that were dropped or given to us;
- e) Any telephone conversations between you and us; and
- f) Any voice and/or image recordings.

### 2.2 Information we collect about you from other sources without your direct involvement, where permitted by law:

- a) From any government agency and/or registry;
- b) From any charitable institutions/organisations and/or foundations including the non-governmental organisations (“NGOs”);
- c) From any referrals that we may have obtained ; and
- d) Through any of your family members and/or any other person duly authorized by you in writing (“**Authorized Person**”). For avoidance of doubt, it is your responsibility to ensure the necessary written authorization is procured, and you shall at all times indemnify us from any liability or responsibility in relation to and/or arising from the procurement of such written authorization which is beyond our control.

Upon receiving your written request, we will provide information about the source from which we obtained your Personal Data if we collected such data from a third party.

### 2.3 There will be instances where we request your Sensitive Personal Data, which will only be collected with your consent. The Sensitive Personal Data may consist of information as to the following:

- a) Physical or mental health or condition;
- b) Religious beliefs and/or other beliefs;
- c) Commission or alleged commission of any offense; and
- d) Work and character reference checks.

2.4 Reference to the term 'you' and 'your' shall include your representatives and agents.

### **3. Refusal and/or failure to provide Personal Data**

The following circumstances may possibly occur in the event your Personal Data is not provided to us and/or if your consent to our use, disclosure, storing, and/or processing of your Personal Data is withdrawn:

- a) We will not be able to provide and/or continue to provide the services needed and requested by you;
- b) We will not be able to provide you with any notices, services and updates that you have requested; and
- c) The progress of the matter in which we have your instructions to conduct on your behalf may be affected.

### **4. Purpose of Us Collecting Your Personal Data**

Your Personal Data will be/is being collected, stored, used and/or processed by us (whether directly or indirectly), and in whatever form for, amongst others, the following purposes but not limited to:

- a) The immediate reason for which you have consented;
- b) To assess, evaluate and review any application for assistance by you;
- c) To facilitate, administer, deal with, maintain and/or provide necessary assistance and support in connection with our missions;
- d) For public sharing through our operated media and organized activities as motivational stories or training;
- e) To process, manage and/or verify your actual identity;
- f) To maintain, upgrade and/or improve our website and/or our services to you from time to time;
- g) To solicit offline and online donations to support our charitable missions;
- h) To enable us to process your requests (e.g. registration, subscription, change of details of your Personal Data, issuance of payment receipts);
- i) To contact you regarding any of our updates, activities, programs and volunteer opportunities;
- j) To respond to enquiries, enrolments / admissions to our programs;
- k) To respond to applications for job / aid / assistance;
- l) To send e-magazines which you have subscribed;
- m) To detect, investigate or prevent any fraudulent or illegal activities or misuse of the website including the online donation system or portal for illegal purpose and/or purposes or intentions that violate the legislation or any governmental policies;

- n) To screen, check or investigate your identity in compliance with existing anti-money laundering and counter financing for terrorism legislations, guidelines and policies;
- o) To send seasonal or festive greetings or messages to you;
- p) To send invitation to you on events or activities organised or jointly organised by us that may be of interest to you;
- q) To transfer, assign and/or validate the rights, interests and/or obligations of parties under any contractual agreement entered between us;
- r) Maintenance and upkeep of internal records of donors, volunteers, administration, management, business development, advertising, continuous professional development, education, research, internal operations, troubleshooting, data analysis, testing, statistical, physical and IT security measures, survey purposes, professional network, employment and social activities;
- s) Meeting any legal or regulatory requirements related to our services and making disclosures under the requirements of any applicable law, regulation, directive, guideline, by-law, code, circular, government authorities and/or court of competent jurisdiction;
- t) To display your name and picture on our website, publications, newsletters, documents, alerts, notifications, and any other materials of similar nature; and
- u) For any other purposes related to our services and work.

We will not use your Personal Data for purposes other than what we have informed you or which are permitted under local laws and regulations. Additionally, Personal Data shall not be kept longer than necessary for the fulfilment of the above purposes.

We may **share** your Personal Data within our organization for the purposes of promoting our missions, continuous professional development, education, research, data analysis, testing, statistical and survey purposes, professional network, and activities related to or arising from our missions. In certain circumstances, Personal Data we collected may be stored or processed outside of Malaysia and therefore will subject to the legal jurisdiction of those countries respectively.

## **5. Disclosing your Personal Data**

We will ensure your Personal Data is kept confidential and will not be disclosed unless compelled by the law or for any other reasons connected with providing you the services you require and the fulfilment of the commercial transactions entered into by you with us.

You hereby consent and authorise us to disclose your Personal Data to the following categories of parties:

- a) Any persons, government agencies, statutory authorities where we are compelled and/or in our opinion should disclose Personal Data pursuant to any law or regulation;
- b) Our affiliates, partners, third parties, service providers, representatives and agents, who may be located within or outside Malaysia, to implement the purposes set out in the Privacy Notice and to provide related and/or support our mission-related activities;
- c) Your immediate family members and/or emergency contact person as may be notified to us or requested by us from time to time;
- d) Any individual or entity that under a duty of maintaining confidentiality, has undertaken such duty to keep your Personal Data in confidential engaged by us;
- e) Our auditors, consultants, accountants or any relevant financial institutions or professional advisers; and
- f) The person who is providing you sponsorship, monetary donation, or any form of aid/assistance under any of our mission-related and/or volunteer programmes.

## **6. Limitation in Processing of Personal Data**

The term “processing” in relation to Personal data comprises the collection, recording, holding, storing, disposing, organising, disclosing, transmitting or destroying, as well as correcting the Personal Data.

You have the right to limit in part or wholly the processing of your Personal Data and to withdraw consent at any time. When consent is withdrawn and communicated to us in writing, we will stop processing your Personal Data.

## **7. Withdrawal of Consent, Access and Correction of your Personal Data**

You are required to email us at [info@tzuchi.my](mailto:info@tzuchi.my) or write to us at Tzu Chi Foundation Malaysia, Legal Office, KL Tzu-Chi Jing Si Hall, No. 359, Jalan Kepong, 52000 Kuala Lumpur, or access any official available platform provided by us, either personally or through your Authorised Person, if you wish to:

### **7.1 Access and Correction of Personal Data**

- a) You may request information about your Personal Data that we have collected or inquire about the ways in which your Personal Data may have been used, disclosed, stored or processed; and
- b) It is important that the Personal Data and information provided by you be accurate and up-to-date. You may request to correct, update or modify your Personal Data if there are any changes to your Personal Data or if

the Personal Data that we have about you is inaccurate, incomplete, misleading, or out of date.

It may be necessary for us to request further information relating to your request. Where permissible under law, we may refuse such correction requests if it deemed vexatious or unreasonable.

## 7.2 Withdrawal of Consent to Continue Use, Disclosure, Storing and/or Processing of Personal Data

- a) You may request us to limit the process of your Personal Data, including Personal data limiting to the persons who may be identified from your Personal Data;
- b) You may request for any briefing and/or explanation of your Personal Data or our Privacy Notice;
- c) You may withdraw your consent to any use of your Personal Data for conducting the matter as instructed by you;
- d) You may partially or fully withdraw your previously given consent, always subject to any applicable legal restrictions, contractual rights, auditing purposes, internal risk management purposes, and a reasonable duration for the withdrawal to take effect; and/or
- e) You may request to be removed from our mailing list.

## 8. Update on Privacy Notice

We reserve the right, at our sole discretion, to amend, modify, update, add and/or remove any parts of our Privacy Notice, at all times. You are required to check the Privacy Notice periodically for any updates and/or changes.

Unless notified otherwise, your consent is deemed to be given to us in processing your personal and sensitive personal data, AND you are deemed to agree and accept the modifications and changes (if any) in our Privacy Notice.

## 9. Protecting the Minor

We generally assume that any person who has attained the age of majority is capable of independently make their own decisions regarding Personal Data and consenting to the Privacy Notice. In the event you are below the age of majority (18 years old), we may be required to confirm your consent with your parent or your guardian.

Photographs, pictures, visual images, videos of minors/children during any of our programmes and/or activities are ensured to be given special care and consent should always be obtained from the parents/guardians.

## **10. Prevailing Language**

In the event of any inconsistencies, errors, mistakes or discrepancies between the English version and other translated versions of this Privacy Notice whether done by us or other unknown third party(ies), the English version shall prevail.

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