

PERSONAL DATA AND INFORMATION NOTICE

CLIENTS AND PROSPECTIVE CLIENTS/ BUSINESS PARTNERS AND PROSPECTIVE BUSINESS PARTNERS

MISC Maritime Services Sdn Bhd (“MMS” or “we”) are committed to protecting and respecting your privacy.

This Personal Data and Information Notice (“Notice”) explains what personal data we collect about our Clients or Prospective Clients/ Business Partners or Prospective Business Partners (including during business development, prospective business relations, pre-Award activities, and existing and during the course of business relations), when and why we collect it, how we use it, the conditions under which we may disclose it to others, and how we keep it secure. You will find more details in the FAQ attached to this Notice.

Our Corporate Privacy Policy is available at <https://www.mmssb.com.my/privacy-policy/>. MMS is required under the data protection laws to notify you of the information contained in this Notice.

Please read the Notice and FAQ carefully to understand our approach and practices regarding your personal data and how we will treat it.

1. Collection of Personal Data

MMS may collect, store, use and otherwise process (each independently or in combination generally refers to as “process”) certain individually identifiable data about you prior to and during the course of your company’s engagement with us and subsequent to such engagement (“**Personal Data**”) to the extent permitted by applicable law, namely your:

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| ✓ Name and address | ✓ background check | ✓ operational data |
| ✓ work and personal contact | information | (transactions, sales, |
| information (email, | ✓ employment history, CVs | purchases, uses, supplier |
| telephone, and other | received from specialists | information, credentials to |
| contact information | for projects | online services and |
| included) | ✓ financial information | platforms, and electronic |
| ✓ NRIC or passport number | (payment card number, | content produced by data |
| ✓ citizenship | bank account number and | subjects using company |
| ✓ photograph, voice | account details, tax | systems, including online |
| recordings and video | returns, salary, assets and | interactive and voice |
| ✓ signature and electronic | income, personal | communications, such as |
| signature | bankruptcy, credit history | blog, chat webcam use |
| ✓ division, department | and credit score) | and network sessions) |
| ✓ position information | | ✓ executed documents in |
| ✓ directorship and | | connection with our |
| shareholding information | | companies’ engagement |

In addition to the Personal Data listed above, MMS may also process limited **Sensitive Personal Data** about:

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| (i) physical and/or medical health including dietary preference | (ii) information in relation to criminal convictions (processed as part of the background check process) |
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Unless otherwise expressly stated, Personal Data would for purposes of this Notice include reference to Sensitive Personal Data.

MMS may collect and process Personal Data both internally and externally from several sources, including public records, former employers, brokers, third party database providers, and referees.

MMS will not collect, use or process any Personal Data that is prohibited by applicable law.

MMS acts as the data controller with respect to the Personal Data described above.

You may contact any of MMS Business Development team or MMS Legal Services at mmscompliance@mmssb.com.my for information regarding data protection matters or refer to the Compliance and Business Ethics page on our website in relation to the Corporate Privacy Policy and this Notice.

2. Processing of Personal Data

MMS stores and otherwise processes Personal Data for the following purposes:

Supply chain management and procurement activities, legal compliance, audits, checks, assessments and analysis, legal proceedings and all other matters relating to your company's engagement with MMS as MMS considers to be necessary including:

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| <ul style="list-style-type: none">✓ business development activities and prospective business relations✓ ship visits, offshore visits, on site and offices visits or meetings✓ clients or prospective clients/ business partners or prospective business partners' management in relation to the business engagement or existing business relation;✓ complying with law enforcement or government authority requests | <ul style="list-style-type: none">✓ any legal proceedings to the above purpose✓ due diligence, assessments, risk assessments, statistical analysis✓ financial, credit and security checks✓ in connection with litigation and similar matters or proceedings to the extent authorised by applicable law✓ contractual or operational matters between clients or prospective clients/ business partners or prospective business partners with us |
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MMS will not use your Personal Data for any other purposes than contractual/working relationship.

MMS may keep your Personal Data for a reasonable period of time after your company ceases to be engaged with us in accordance with legal requirements.

3. MMS' commitments when disclosing Personal Data

As part of normal business operations, MMS may disclose your Personal Data to:

1. third-party service providers in connection with information technology support;
2. third-party including and not limited to advisors, consultants, contractors, shipyards, vendors, ship managers, technology providers, for the purposes described above; and
3. governmental agencies and regulators, courts and other tribunals and government authorities, or to the extent required by applicable legal obligations.

MMS will (i) exercise appropriate due diligence in the selection of such third-party service providers and advisors, and (ii) require via appropriate contracts that such third-party service providers maintain adequate technical and organisational security measures to safeguard Personal Data, and process Personal Data only as instructed by MMS and for no other purposes.

MMS may from time to time transfer Personal Data to any of its subsidiaries or affiliated companies or any other entity directly or indirectly controlled by MMS and/or to its holding company and the subsidiaries, affiliated or controlled entities of said holding company (each and all being referred herein to as 'the Group'), for the purposes described above.

MMS may also from time to time transfer Personal Data from within the European Economic Area ("EEA") to a country outside of the EEA, for the purpose described above. Such a transfer will be made with adequate level of data protection within the meaning of the General Data Protection Regulation ("GDPR"). Please refer to the FAQ attached for more information on this matter.

4. Client or Prospective Client/ Business Partners or Prospective Business Partners' Rights in Relation to Personal Data

MMS is hereby seeking for your consent to collect, use, store and process your Personal Data as said consent is required under applicable law.

In addition, MMS will only process Sensitive Personal Data where (i) you have given your explicit consent to the processing of your Sensitive Personal Data for specific purposes, or (ii) such processing is legally required by, or necessary for MMS or for you to exercise rights under, applicable law.

MMS will maintain Personal Data for as long as MMS is required to do so by applicable law(s), or for as long as necessary for the purpose(s) for which it was collected. MMS will delete Personal Data when it is no longer needed in accordance with applicable law.

However, there are instances where we have the rights to process any of your Personal Data without your consent such as for our legitimate interests or on the basis of other lawful grounds or legal claims.

4.1 Withdrawal rights

Where MMS rely on your consent for processing your Personal Data, you may withdraw your consent to this processing at any time, by writing to any MMS Business Development team or MMS Legal Services at mmscompliance@mmssb.com.my.

Please note, however, that withdrawing your consent will not affect the lawfulness of any processing of your Personal Data that took place before you withdrew consent.

4.2 Rectification rights

You are entitled to obtain access to or to request the rectification or deletion of Personal Data that MMS holds about you. You may also object, on grounds relating to your particular situation, to the collection and processing of your Personal Data, and, in certain circumstances, you may request that MMS restricts the processing of your Personal Data. You have the right at any time to request a transfer of your Personal Data to you, or, if technically feasible, directly to a third party, to the extent such information was collected by automated means. If you would like to request access to, modification or deletion of, ask any questions about, object to, or request a restriction of the processing of your Personal Data, or discuss a transfer of your Personal Data, please contact our Business Development team. Should you wish to make a complaint in relation to MMS processing of your data, you may contact your relevant data protection supervisory authority.

We reserve the right to update this Notice at any time, and we will provide you with a new Notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

CORPORATE PRIVACY POLICY – Personal Data and Information Notice

Frequently Asked Questions (FAQs)

1. To whom this Notice applies?

This Notice applies to all clients or prospective clients/ business partners or prospective business partners of MMS group of companies.

2. What are Personal Data?

Personal Data, or personal information, means any information about individual from which that person can be identified. It does not include data where the identity has been removed.

3. How will we use your Personal Data?

We will only use your Personal Data when the law allows us to. Most commonly, we will use your Personal Data in the following circumstances:

- (i) Where we need to perform the contract we have entered or in relation to potential contract with your company.
- (ii) Where we need to comply with a legal obligation.
- (iii) Where it is necessary for your legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- (iv) For any other purpose that is incidental or ancillary to the above purpose.

We may also use your personal information in the following situations, where we need to protect your interests (or someone else's interest).

- (i) Where it is needed in the public interests or for official purposes.

4. MMS may also collect limited sensitive Personal Data. What are the Sensitive Personal Data and what is the purpose in providing these sensitive personal data?

These are certain information which requires a higher level of protection, the Sensitive Personal Data which include:

- (i) information about your health including physical and/or medical health (including to obtain your dietary preference for MMS stakeholder management events, ship visits, offshore visits, on site and offices visits or meetings);
- (ii) information in relation to criminal convictions (processed as part of the background check process);

Please refer to clause 4 of the Notice.

5. In what instances does MMS process the Personal Data for MMS' legitimate interests or on the basis of other lawful grounds?

Because we have established a relationship with your company and need to process your Personal Data in order to provide your company with the information and/or services your company have requested or in relation to our engagement with your company, without having obtained your consent – this applies where our processing activities are governed by the applicable laws of certain jurisdictions in which we operate that do not require consent to have been obtained where there are other lawful grounds to process the relevant Personal Data.

We do not seek your consent in such cases largely so that we provide your company with services in an efficient way (or where in some cases it might not be possible for us to seek your consent because we must process Personal Data, for example, for the detection of fraud). Before processing your Personal Data, we will consider your rights and freedoms and will only commence such processing where we do not think your rights will be infringed.

If you fail to provide certain information when requested, we may not be able to enter into business relation with your company or perform the contract we have entered into with your company (such as providing services), or we may be prevented from complying with our legal obligations (such as to ensure the health and safety of our workers).

6. MMS may disclose Clients or Prospective Clients/ Business Partners or Prospective Business Partners' Personal Data to Third-Party service providers in connection with contract administrative-related work. Who would these Third-Party service providers be?

Courier services.

7. MMS may disclose Clients or Prospective Clients/ Business Partners or Prospective Business Partners Personal Data to Third-Party service providers in connection with information technology support. Who would these Third-Party service providers be?

Software maintenance and data hosting.

8. Are there any rights for the Clients or Prospective Clients/ Business Partners or Prospective Business Partners in accessing and control of their Personal Data and Sensitive Personal Data?

Clients or prospective clients/ business partners or prospective business partners have the right to request for access and to keep some control over the Personal Data and Sensitive Personal Data that MMS holds. Other rights include:

- i. Right to request confirmation whether MMS is processing your Personal Data and Sensitive Personal Data;

- ii. Right to request copies of Personal Data and Sensitive Personal Data that are held by MMS;
- iii. Right to ask about the types of processing, purpose for processing, source of Personal Data and Sensitive Personal Data and any third parties to whom MMS shared the data with;
- iv. Right to ask how long the Personal Data and Sensitive Personal Data will be stored;
- v. Right to request for update and/or correction of Personal Data and Sensitive Personal Data;
- vi. Right to be informed of any automated decision-making, e.g. customer profiling; and
- vii. Right to request to limit or restrict processing of Personal Data and Sensitive Personal Data.

9. Can MMS refuse to act upon the request by the Clients or Prospective Clients/ Business Partners or Prospective Business Partners?

MMS may refuse to act on request by the clients or prospective clients/ business partners or prospective business partners if such request is manifestly unfounded or excessive or where the request is frivolous or vexatious.

10. What if I choose not to share the data with MMS?

One of the reasons for collecting and processing your data is to allow MMS to carry out its duties in line with contract administration of our business or prospective business engagement with your company. Inadequate data may result in MMS being unable to perform those duties such as entering into business relationship with your company or ensuring effective business engagement with your company.

11. Who are the Data Protection Supervisory Authority in Malaysia?

The Data Protection Supervisory Authority in Malaysia is Department of Personal Data Protection (“JPDP”).

For your information, the Data Protection Authority in other jurisdictions are as follows:

No	Country	Data Protection Authority
1.	Japan	Personal Information Protection Commission (PPC)
2.	Philippines	National Privacy Commission (NPC)
3.	Netherlands	Dutch Data Protection Authority (Dutch DPA)
4.	United Kingdom (UK)	Information Commissioner’s Office (ICO)

No	Country	Data Protection Authority
5.	United States of America (USA)	Federal Trade Commission (FTC)
6.	Brazil	National Data Protection Authority (ANPD)
7.	Singapore	Personal Data Protection Commission

12. MMS may from time to time transfer any Personal Data from within the European Economic Area (“EEA”) to a country outside of the EEA subject to the General Data Protection Regulation (“GDPR”) for the purposes described above. What are transfers of Personal Data outside of the EEA?

The GDPR prohibits the transfer of Personal Data from within the EEA to a country outside of the EEA that has not been recognised by the EU Commission as providing an adequate level of data protection within the meaning of the GDPR. Such transfer will be made subject to “appropriate safeguards” being in place to ensure the protection of your Personal Data (such as data transfer agreements based on the EU Commission standard contractual clauses for the transfer of data to third countries or other legal agreements between public authorities or bodies, binding corporate rules).

In the absence of an adequacy decision and where appropriate safeguards are unavailable, transfers may take place on the basis of your consent. In such a situation, we will inform you of the possible risks associated with such a transfer. Alternatively, we may transfer your personal data where necessary (i) in connection with our prospective business relationship with your company or with the performance of our business engagement with your company, (ii) for reasons of public interest, or (iii) in connection with a legal claim.

13. How long will MMS use my Personal Data for?

To determine the appropriate retention period for Personal Data, we consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorised use or disclosure of your Personal Data, the purposes for which we process your Personal Data and whether we can achieve those purposes through other means and the applicable legal requirements.

14. What happens to my Personal Data once my company is no longer in a business relationship with MMS?

We will retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. MMS will delete personal data when it is no longer needed in accordance with applicable law.