

# Privacy Policy

The Personal Data Protection Act 2010 (“PDPA”) which regulates the processing of personal data in commercial transaction applies to TONE EXCEL SDN BHD, TONE PLUS SDN BHD and its related corporations (hereinafter referred to as “TONEGROUP”, “our”, “us” or “we”). Kindly note that your access to and use of our products, services and its contents (the “Service”) is subject to the terms and conditions of this Privacy Policy (“Privacy Policy” or “Policy”), and all applicable laws. By accessing and using this Service, you accept and agree to these without any limitation or qualification. For the purpose of this Privacy Policy, the terms “Personal Data” and “processing” shall have the meaning prescribed in the PDPA.

TONEGROUP will occasionally update this Privacy Policy to reflect TONEGROUP, our customers’ and our users’ feedback.

## 1 SCOPE

This Privacy Policy applies to all operations and business units and associated parties of TONEGROUP. To the extent any operations or business unit of TONEGROUP already has a data protection notice in place; this Privacy Policy shall supersede and replace any such notice.

## 2 EFFECTIVE DATE

This notice is effective as at 1st March 2014.

## 3 PERSONAL DATA PROTECTION PRINCIPLES

### 3.1 General Principle:

3.1.1 This Privacy Policy serves to inform you that TONEGROUP is processing your Personal Data. The Personal Data processed by us include name, identification number and residential address.

3.1.2 By continuing to use TONEGROUP’s services and/or products, you hereby consent to TONEGROUP’s processing of your Personal Data in accordance with this Privacy Policy.

3.1.3 If you are under 18, you should ensure that you obtain the consent of your parents or legal guardian before using our services and/or products.

### 3.2 Notice and Choice Principle:

3.2.1 Please be informed that TONEGROUP may process your Personal Data for the following reasons:-

- for the performance of TONEGROUP ’s contract with you;
- to provide you with goods and/or services;
- for profiling your Service preferences;
- to assess your needs and provide better service;
- for compliance with any legal and/or regulatory obligations;
- for maintaining financial records, assessing or verifying credit and facilitating payments of any amount due to TONEGROUP;
- to establish and maintain a common database of customers or processing of data as an outsourced entity both within and outside Malaysia;
- to send you information, promotions and updates including marketing and advertising materials in relation to our goods and services and those of organizations selected by TONEGROUP unless you have otherwise notified TONEGROUP that you do not wish for TONEGROUP to process your Personal Data for such purpose ;
- to recover any amount due to TONEGROUP;
- for purposes associated with the detection or prevention of crime and/or fraud;
- for purposes of any legal proceedings related to the Services;
- to protect TONEGROUP ’s vital interests;
- for the administration of justice;
- for the exercise of any functions conferred on any person by or under any law. Such other purposes as may be related to the foregoing. (collectively known as “Purposes”)

3.2.2 TONEGROUP collects your Personal Data from customer application forms, prepaid registration forms, customer relationship managements systems and our network systems.

3.2.3 It is obligatory that you supply TONEGROUP with the Personal Data marked with asterisk in the relevant forms above. Should you fail to supply TONEGROUP with the above Personal Data or subsequently withdraw your consent to TONEGROUP’s processing of your Personal Data, TONEGROUP may not be able to continue providing you with certain Services and/or process your Personal Data for any one above Purposes (save and except for the purposes of direct marketing).

### 3.3 Disclosure Principle:

3.3.1 TONEGROUP may disclose your Personal Data to certain third parties for the purposes of complying with any with government agency notification requirements; and/or for the Purposes above. Such third parties include without limitation TONEGROUP’s service providers, agent, contractors, regulatory bodies and government authorities.

3.3.2 In addition to the aforesaid, TONEGROUP is obliged to disclose your cell phone number to other network operators to enable the use of the Services.

3.3.3 TONEGROUP may from time to time, contact you on behalf of our external business partners about particular goods, offers or services that may be of interest to you. In those cases, Personal Data that may identify you will not be transferred to the third party. All communication whether from TONEGROUP or TONEGROUP’s business partners will be sent to you by TONEGROUP. You will be given the opportunity to ‘opt-out’ from having your Personal Data processed for such direct marketing purposes at the point where TONEGROUP asks for information. If you do not wish to receive TONEGROUP’S promotional updates you may opt-out of receiving these communications by contacting TONEGROUP at our contact details as prescribed below.

3.3.4 TONEGROUP may also disclose your Personal Data to subsidiaries, its parent company or any other entity for the Purposes.

3.3.5 Save in accordance with this Privacy Policy and except as permitted or required under any enactment, law, statute or code, TONEGROUP will not use or disclose your Personal Data without prior consent.

### 3.4 Security Principle:

TONEGROUP shall take practical steps to safeguard the confidentiality and security of all Personal Data, including appropriate procedural, organizational and technical steps to protect your Personal Data from accidental or unlawful destruction or accidental loss, alteration or disclosure. Procedures for implementing these steps will be communicated to all TONEGROUP’s employees and third party service providers as prescribed in Paragraph 3.3.

### 3.5 Retention Principle:

TONEGROUP shall not retain the Personal Data longer than it is necessary for the fulfilment of the Purposes above. TONEGROUP shall also take reasonable steps to ensure that the Personal Data is destroyed or permanently deleted if it is no longer required.

### 3.6 Data Integrity Principle:

3.6.1 TONEGROUP strives to maintain complete, current, and accurate information about its customers. Any inaccurate information that is brought to TONEGROUP’s attention will be corrected as soon as reasonably practicable after notification. Procedures will be maintained to ensure that any reported inaccuracies are promptly and effectively handled and that customers’ information remains as accurate, current and complete as possible.

3.6.2 Notwithstanding the foregoing, you are responsible for ensuring that the Personal Data you provide to TONEGROUP is accurate, complete and not misleading and that such Personal Data is kept up to date. Failure to provide complete and correct information to TONEGROUP as required in the

relevant forms as prescribed in Paragraph 3.2, may result in your application for Services being rejected, the Services or the relevant agreements being terminated and/or correspondence from TONEGROUP relating to relevant matters may fail to reach you.

### 3.7 Access Principle:

3.7.1 You may access and request for correction of your Personal Data and to contact us with any enquiries or complaints in respect of your Personal Data as follows:

Contact Person: Head of Customer Care  
E-mail address: PDPA@tonegroup.net  
Phone number: +603-90543809  
Fax Number: +603-90540278

In accordance with the PDPA:

- a. We may charge a fee for processing your request for access or correction; and
- b. We may refuse to comply with your request for access or correction to your Personal Data.

## 4 TONEGROUP ’S WEBSITE

4.1 TONEGROUP provides products and services via its various websites. When a customer visits TONEGROUP’s websites the web servers generally record anonymous information such as the time, date and URL of the request. This information assists TONEGROUP to improve the structure of its websites and monitor their performance. From time to time TONEGROUP may also use third parties to analyse this anonymous information.

4.2 For the purpose of using TONEGROUP’s websites TONEGROUP may require standard information such as your Login ID, passwords and other, Personal Data as prescribed above. This information is necessary for TONEGROUP to provide the Services. You are required to maintain the secrecy of your Login ID and Password enabling you to access the TONEGROUP home page. It is strongly stressed that TONEGROUP will not be able to secure the Personal Data if you reveal your Login ID and Password to anyone, and as such, is not liable for any breach of Personal Data.

## 5 IP ADDRESSES AND COOKIES

5.1 TONEGROUP also collects Internet Protocol (IP) addresses. IP addresses are assigned to computers on the Internet to uniquely identify them within the global network. TONEGROUP collects and manages IP addresses as part of the service of providing internet session management and for security purposes.

5.2 TONEGROUP’s websites may transmit to any customer’s computer a “cookie”. A cookie is a package of data that allows TONEGROUP’s server to identify and interact more effectively with the customer’s computer having to spend time on identifying each user, thereby also providing additional login convenience. The customer may configure and personalize its current browser to refuse, reject or delete such cookies.