

## **Privacy Notice of Pearl**

Pearl (hereinafter “Pearl”, “we”, “us”, or “our”,) as a White Label (as defined hereinafter) partner of ManagePay Services Sdn Bhd (“MPay”) values your privacy and we are committed to protecting all personal information kept by us in accordance with the relevant laws (including the Personal Data Protection Act, 2010), this Privacy Notice and our Terms of Use.

The following terms and conditions (“Privacy Notice”) shall govern your access and use of our website, app and all information, content, products, services, and functionality available at or through our website (“www.penangpearl.my”). This website and app are owned by Majlis Bandaraya Pulau Pinang (“MBPP”) and operated by us, a company incorporated under the laws of Malaysia with its business address at Wisma MPSB, Lot 113, Jalan USJ 21/10, 47630 Subang Jaya, Selangor, Malaysia.

For the avoidance of doubt, unless the context requires otherwise, the words used in this Privacy Notice shall have the same meanings as stipulated in the Terms of Use.

By using our website and app, you agree to this Privacy Notice, and you will be deemed to have consented to the collection, use and disclosure of your personal information in accordance with this Privacy Notice. You also agree to obtain consent from your customers, employees, agents, and affiliates (“Representatives”) for the use and access of their personal data by us and other third parties.

### **What is this Policy about?**

This Privacy Policy (“Policy”) explains who we are, how we collect, share, and use personal data about you and/or your Representatives, and how you and/or your Representatives can exercise your privacy rights. This Policy applies to interactions we have with you via our website, app and other products and services including to register as a merchant, where you otherwise contact us and where we otherwise display or link to this Policy (“Services”). You may also have certain rights with respect to your personal data under the applicable laws in Malaysia. Third parties that link from or to our Services, or from whom we collect personal data may have their own privacy policies and practices. Please review their policies to learn more about their practices. For more information about Pearl, please see the “About Us” section of our website.

### **What personal information does Pearl collect and why?**

The information that we collect from or about you – some of which is personal data under applicable data protection laws – falls into the following broad categories:

#### **1. Information that you provide to us**

As part of our Services, you may provide certain information to us, which shall include:

- Personal information from you or information of your company, available upon your access or use of our website and app, and any other information which you directly give us through this website and app (including, but not limited to User Content that you send through this website and app).
- Information about your interactions with this website and app.
- Information, if any, is necessary to complete a transaction through this website and app.
- Information from written communications when you provide us feedback and correspondence, or you contact us.

## **2. Information that we collect from you automatically**

For example:

- Information from you, including your web browser type, Internet Protocol (IP) address (a number that is automatically assigned to your computer when you use the Internet, which may vary from session to session), domain name, user profiles, and/or a date/time stamp for your visit, and, with respect to your mobile phone, the unique device identifier.
- Information from you when using our mobile application, including contact list and image information, device information, and connection to our services, which will help us to enable services such as fund transfer, bill payment, and mobile reload; and provide features like automatic product updates, personalized content, and customized search results.
- Information from third-party service providers, with your consent, which may include your profile content or other types of personally identifiable information.
- Information from corresponding technologies used in connection with mobile phones, including the Android ID, to record date, time, search and viewing information related to your mobile phone.
- Information about how you use and interact with this website and app.
- This app collects location data to enable location tracking for our emergency services even when the app is closed and not in use.

## **3. Information that we obtain from other sources**

We may receive personal information about you from other sources. Where you register as a user, we may endeavor to check that these third parties have your consent or are otherwise legally permitted or required to disclose your personal information to us.

### **How does Pearl use my personal data?**

**For general use.** In addition to the purposes stated above, we may use your personal data either to respond to requests that you make or to aid us in serving you better, whether or not through technological means, for one or more of the following purposes:

- to provide you the access to this website and app;
- to identify you as a user in our system;

- to provide improved administration of our website and app;
- to develop and update our services;
- to notify visitors about updates to our website and app;
- to promote our website, app; or products, services and special offers of third parties whose products and services we think may be of interest to you;
- to track your location to be able to deliver location-based services to you;
- to improve and customize the quality of experience when you interact with our website and app;
- to send you administrative e-mail responses or notifications, such as security or support and maintenance advisories;
- to respond to your inquiries related to our products as stated on the website, app or other requests;
- to send offers and promotional materials related to our website, app and for other marketing purposes;
- to improve and customize the quality of experience when you interact with this website, and this website.
- for the purposes of enforcing or defending our legal rights and/or obtaining legal advice;
- to assist in the prevention, detection or investigation of crime or possible criminal activities or for the administration of justice;
- for security and internal audit purposes;
- for such other purposes as may be directed or consented to by you; and
- for all other purposes in relation to or incidental to the above.

### **What is our legal basis for processing personal information?**

Generally, we collect personal data from you where: we have your consent to do so; we need your personal data and company information to perform a contract with you (for example, to register as a merchant with us) where permitted under applicable data protection laws.

The legal basis for the processing of your data can be:

- your consent;
- our legitimate interest, which can be:
- improvement of our products and services: more specifically, our business interests to help us better understand your needs and expectations and therefore improve our services, websites, products, app for our customers' benefit;
- securing our tools: to keep tools used by you (our websites/apps/devices) safe and secure and to ensure they are working properly and are continually improving;
- the performance of a contract: more specifically to perform the services you request from us;
- legal grounds where processing is required by law.

## **Location Sharing & Services**

Pearl app collects location data to enable location-based services even when the app is closed or not in use, and it is also used to support advertising.

Location sharing allows us and our third-party solution partners to gather and use information based on the current location of your device to provide a variety of location-based services. For example, the app might use your location data and location search query to help us identify the nearest emergency centre based on your current location.

The features that use location sharing include but are not limited to the following:

- Clinics, AED, Ambulance, Hospitals, Water Level, Fire Stations, Veterinary centres, and Police Stations under Emergency services;
- Smart Counter & MBPP Office under City Council (Majlis Bandaraya Pulau Pinang) services;
- Link Bike under Transport services;
- Attractions under the Travel category;
- and Pearl Order, Pearl Store Partner, and JBO@MBPP under the Shop category.

By enabling Location Services for your devices, you agree and consent to the transmission, collection, maintenance, processing, and use of your location data and location search queries by Pearl and its partners to provide and improve location-based products and services.

You can disable Location Services at any time. To do so, go to Settings > Apps > App Info > Permissions > Location, and tap Deny to switch off the Pearl app location-sharing function on your mobile device.

## **Usage of Contact List**

Pearl app do not upload your contact list information to our servers, and all usage of your contact list is strictly local.

We may use your contact list information solely to provide you with personalized and relevant content, such as suggestions for friends or connections who you may know, or to improve our contact service.

We do not share your contact list information with any third parties unless required by law or as outlined in this privacy policy.

We may also use your contact list to invite your friends or colleagues to use our service, but only if you have given us explicit permission to do so.

You can disable the usage of contact list at any time. To do so, go to Settings > Apps > App Info > Permissions > Contacts, and tap Deny to switch-off Pearl app contact list sharing function on your mobile device.

## **Disclosure to Third Party**

Your personal data may be disclosed and transferred amongst our holding companies, affiliates, subsidiaries, associate companies and jointly controlled entities, and in doing so we will comply with all applicable laws and regulations.

## **Use of Cookies**

The website uses “cookies” to identify a user’s session on the website and thereby offers continuity as the member moves around the site. Cookies are only used on the website to store on-critical data. Cookies are pieces of information that websites transfer to your computer’s hard drive for record-keeping purposes. Cookies allow websites to maintain user information across connections. They are small strings of characters used by many websites to deliver data to your computer, and in certain circumstances, return the information to the website. Cookies contain only information that members volunteer, and they do not have the capability of infiltrating a user’s hard drive and stealing personal information. The simple function of a cookie is that of helping the user navigate a website with as little obstruction as possible.

## **Google DoubleClick DART Cookie**

Google is one of a third-party vendor on our site. It also uses cookies, known as DART cookies, to serve ads to our site visitors based upon their visit to [www.website.com](http://www.website.com) and other sites on the internet. However, visitors may choose to decline the use of DART cookies by visiting the Google ad and content network Privacy Policy at the following URL – <https://policies.google.com/technologies/ads>

## **How does Pearl keep my personal data secure?**

Personal data is our asset and therefore we place great importance on ensuring the security of your personal information. We regularly review and implement up-to-date technical and organizational security measures when processing your personal data. In processing your personal data, we will take practical and reasonable steps to protect the personal data from any loss, misuse, modification, unauthorized or accidental disclosure, alteration, or destruction.

We will notify you about any security incident involving your personal data through email, correspondence, telephone, push notification or other means.

## **For how long does Pearl retain personal data?**

We will retain your personal data in compliance with the applicable laws of Malaysia, this Privacy Notice and the terms and conditions of your agreement(s) with Pearl for the duration of your relationship with us, for such period as may be necessary for the fulfilment of its purpose and/ or for the purpose of protecting the interests of Pearl and/or its customers as may be deemed necessary, where otherwise required by the law and/or where required by Pearl’s relevant policies.

When your personal data is no longer needed, we will take all reasonable steps to ensure that all the personal data is destroyed or deleted.

### **What are your data protection rights?**

You have the right:

- To access your personal data that is processed by us with reasonable notice.
- Request the correction of your personal data that is held by us with reasonable notice. Your request for correction and/or update of your personal data that is inaccurate, incomplete, or out-of-date.
- To limit our processing of your personal data by expressly withdrawing your consent given previously in full, including for direct marketing purposes, or using the information for scientific or historical research purposes or statistical purposes.
- Not to be subject to a decision based on solely automated processing and to have safeguards put in place if you are being profiled based on your personal information.
- Not to be discriminated against for exercising any of the above rights.
- To make inquiries or complaints regarding personal data, you may contact the relevant department as follows: -

Complaints Management Unit

Address: Lot 107-113 Wisma MPSB, Jalan USJ 21/10, 47630 Subang Jaya, Selangor.

Contact No.: 1700-81-6729

Email: [callcenter@mpay.my](mailto:callcenter@mpay.my)

### **Changes to Privacy Notice**

We may review and update the Privacy Notice from time to time to reflect changes in the laws, our business practices, procedures, and structure.

The latest version of the Privacy Notice will be made available on this website. Where we consider, at our sole discretion, that the revisions made on the Privacy Notice are substantive, and where appropriate, will notify you of such changes by e-mail.

If you do not agree to the changes in our use of your Personal Information, you must notify us immediately and stop accessing and using this website. Continued use of our website, following notice of such changes, shall indicate your acknowledgement of such changes and agreement to be bound by the terms and conditions of such changes.

### **Disclaimer**

The accuracy and completeness of your personal data depend on the information you provide. We assume that the information you have provided is accurate, up to date and complete unless you inform us otherwise.