

## **PRIVACY NOTICE TO BE INCLUDED ON THE WEBSITE**

**Effective Date:** 18 January 2023

**Last Reviewed:** 18 January 2023

At Kapital DX Sdn Bhd (Company Registration No. 202001022343 (1378663-V)) (“**KLDX**”, “**we**”, “**us**” or “**our**”), we value your privacy and strive to protect your personal data in accordance with the requirements of the Personal Data Protection Act 2010 (“**PDPA**”).

In keeping with that goal, we have developed this Privacy Notice to explain how we may collect, use and share your personal data, and the choices that you have with respect to your personal data.

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### **[A] Applicability of this Privacy Notice**

This Privacy Notice applies to you when you interact with us in the course of a prospective or ongoing business relationship, or when you browse, use, access, register for an account on, subscribe and/or deal with any Tokens, on our websites (whose domain names include but are not limited to [www.kldx.com](http://www.kldx.com)), platforms and other applications that are developed or is under the control of KLDX (“**Services**”).

We do not offer our Services to, or intentionally or knowingly collect personal data directly from, individuals under the age of 18 years old. Visitors under 18 years old are not permitted to use our Services or submit their personal data to our Services.

This Privacy Notice does not apply to KLDX’s employees, third party service providers and job applicants who are subject to a separate privacy notice.

### **[B] Collection of Your Personal Data**

Personal data in this Privacy Notice means any information in our possession that relates directly or indirectly to an individual to the extent that the individual can be identified from that and from other information in our possession. The personal data that we collect may also include sensitive personal data which means any personal data consisting of information as your physical or mental health or condition, your political opinions, religious beliefs or other beliefs of a similar nature, the commission or alleged commission of any offence by yourself, or any other personal data as the Minister may determine.

The personal data that may be collected and processed by us in the course of your dealings with us includes:

- (i) **personal identification and contact information** such as your full name, title, date of birth, nationality, contact number (e.g., home, office or mobile), gender, place of residence (and/or proof of residence), mailing address, e-mail address, details of government-issued identification document (e.g., National Registration Identity Card (“**NRIC**”) or Passport);
- (ii) **identity verification or biometric identification information** such as your photograph, the selfie you provide us when creating your account, evidence of yourself with your identification documentation;
- (iii) **information required by tax, financial, securities and anti-money laundering laws** such as information required for politically exposed person (PEP) declaration and US Foreign Account Tax Compliance Act (FATCA) declaration;
- (iv) **employment information** such as your employment status, occupation type, name of employer or nature of self-employment, nature of industry of employment;
- (v) **financial information** such as your source of income, source of wealth, source of funds, estimated net worth, income level, bank account information, tax documents, or other proof of income or net worth;
- (vi) **investor profile** such as investor type, investment holding strategy, purpose of investment, annual anticipated investment amount;
- (vii) **transaction information** such as the purpose of transaction, the transaction data that is recorded on your account that is registered with us and information on the recipient of any transaction conducted using your account with us;
- (viii) **information obtained from third parties** such as your credit information, online identifiers relating to fraud prevention, suspected criminal activity, sanction information or other personal information about you provided by a service provider appointed to help us provide our services;
- (ix) **technical information or metadata** such as cookies, geolocation information, browser name and version information, IP address information, device fingerprint data, authentication data and click-stream data;
- (x) **information relating to your activities, habits, preferences and interests** arising from your use of our Services including your views or opinions made known to us via feedback or surveys;
- (xi) **information from your correspondence** such as information provided to us when engaging with our customer support and/or responses to surveys; and
- (xii) **any other personal data** you provide to us or collected by us in the course of your dealings with us.

We may collect and receive your personal data in a variety of ways, for instance:

- (i) **directly from you, when you choose to give it to us** such as when you use our Services or when you register for an account to use our Services, when you take part in

any activities or events organized by us, or when you communicate with us by email, chat, telephone, social media channels or any other means; and

- (ii) **indirectly, when we obtain information from third parties** such as identity verification services, credit reporting agencies, regulatory and enforcement agencies, public databases or sources, third parties that are connected to you (e.g., other customers that are related to you), and from such other sources to which you have given your consent to disclose your personal data.

### **[C] How We Use Your Personal Data**

We will process your personal data in accordance with the PDPA, its applicable regulations, guidelines and/or orders, taking into account the latest amendments to the foregoing, this Privacy Notice and any privacy terms contained in your agreement(s) or terms with us.

We may 'process' your personal data by collecting, recording, holding, storing, using and/or disclosing it for the following purposes:

- (i) to process, facilitate, administer and/or provide you with our Services;
- (ii) to manage and maintain your account with us;
- (iii) to carry out, manage and/or maintain your relationship with us, your commercial transactions and dealings with us;
- (iv) to process your orders, payments, including providing billing to you, maintaining financial records, administering your account, assessing or verifying your bank account information and facilitating payments of any amount due to us;
- (v) to provide you with service support, management and optimization, customer support and other related services, including responding to your inquiries, concerns or complaints;
- (vi) to improve our products and services, and to develop new products and services;
- (vii) to notify you about benefits and changes to the features of our products and services;
- (viii) to provide you with general and/or personalized advertising and marketing materials;
- (ix) to respond to your enquiries and to resolve disputes;
- (x) to carry out profiling based on your usage, activity or preferences, including by analysing how you use our Services on a personalized or aggregated basis in order to gather information on demography, interests, and behaviours so that we can better understand you and can tailor our Services in accordance with your preferences;
- (xi) to conduct market research or surveys, internal marketing analysis, product analysis, customer profiling activities, analysis of customer patterns, behaviours and choices, planning and statistical analysis, including preparation of reports of such analysis and the use of the results of such analysis for various purposes including for the research, development and marketing of our and/or our selected third parties' products and/or services;
- (xii) to promote our products and/or services, or promote products and/or services of third parties which we think may be of interest to you, including to personalize our products

and/or services for you, including directing certain marketing communications, campaigns or promotions to make them more relevant to you or to analyse request and usage patterns so that we may improve our products and/or services or for any related market research purposes, either internally or through third parties;

- (xiii) to contact you to discuss our services and/or products (and any changes to them);
- (xiv) to send you newsletters, seasonal greetings and offers;
- (xv) to obtain your credit information and verify your credit history with data obtained from credit reporting agencies or any other source deemed appropriate under any applicable law, regulation, guidelines, regulatory requirement or directive in relation to your transaction with us;
- (xvi) to verify your identity in accordance with Know Your Customer (“**KYC**”), Anti-Money Laundering (“**AML**”) and Counter-Terrorist Financing (“**CFT**”) requirements;
- (xvii) to perform sanctions screening on you in compliance with all required sanctions screening processes imposed by, for example, the United Nations, European Union, UK Treasury and US Office of Foreign Assets Control (“**OFAC**”) and to take measures to prevent transacting with individuals, companies and countries appearing on these sanctions lists;
- (xviii) to fulfill any legal obligations or requirements imposed by law or by any government and regulatory authorities (e.g., the Securities Commission of Malaysia (“**SC**”));
- (xix) for fraud prevention and security purposes;
- (xx) for internal administrative purposes; and
- (xxi) any other purposes that are necessary or related to your relationship with us.

(Collectively referred to as “**Purposes**”).

Please note that we may also anonymise or aggregate your personal data by excluding information (such as your name) that make the data personally identifiable to you (“**Anonymous Information**”). As Anonymous Information is no longer considered personal data for the purpose of the PDPA, our processing of Anonymous Information is not subject to the requirements as stated in this Privacy Notice.

#### **[D] Cookies and Similar Technologies**

When you access our websites, we use cookies and other similar technologies that automatically collect information from your device or web browser when you access or interact with our websites. Example information that may be collected through such technologies include your IP address information, language preference, and your device or web browser identification information.

The information collected is used to distinguish you from other users, to provide a better experience when you browse our website, and to improve the website’s performance and usefulness.

If you prefer that we do not collect your information through the use of cookies and other similar technologies, you can set your web browser or device to refuse to accept cookies,

delete our cookies after visiting our website or browse our website using your web browser's anonymous usage settings.

**[E] Consequences of Providing Incomplete Personal Data**

It is necessary for us to collect and process your personal data. If you do not provide us with your personal data, we will not be able to effectively provide our Services to you or process your personal data for any of the Purposes, if at all.

**[F] Disclosure of Your Personal Data**

We will not disclose any of your personal data to any third party without your consent, except to the following categories of persons (whether within or outside Malaysia):

- (i) credit reporting agencies;
- (ii) entities within our group of companies (including our subsidiaries, related and/or associated companies);
- (iii) our professional advisers, vendors, suppliers, agents, contractors, third party service providers, companies providing services relating to marketing and consultancy to us, business partners, insurance companies, investors, banks, financial institutions, in connection with any of the Purposes above;
- (iv) successor(s) in title to us;
- (v) any governmental agencies, regulatory authorities and/or statutory bodies;
- (vi) assignees, transferees or any other parties involved in any corporate exercise (e.g., proposed or actual mergers and/or acquisitions, joint venture, restructuring, transfer, funding exercise, asset sale or any other matter of such nature which relates to KLDX); and
- (vii) and where necessary, to any party who undertakes to keep your personal data confidential in carrying out the Purposes mentioned above or to persons whom we are compelled or required under the law to make such disclosure to.

**[G] Security Measures to Protect Your Personal Data**

The security of your personal data is very important to us. As such, we take appropriate technical and organizational measures to protect your personal data from loss, misuse, and unauthorized access or disclosure. These steps take into account the sensitivity of the information we collect, process and store, and the current state of technology.

However, given the nature of communications and information processing technology, KLDX cannot guarantee that information during transmission through the Internet or while stored on our systems or otherwise in our care will be absolutely safe from intrusion by others. When you click a link to a third-party site, you will be leaving our site and we don't control or endorse what is on third-party sites.

You confirm that all personal data provided by you is accurate and complete, and that none of it is misleading or out of date. You will promptly update us in the event of any change to your personal data.

## **[H] Retention of Your Personal Data**

We will retain your personal data, in compliance with this Privacy Notice for the duration of your relationship with us, and afterwards for such period as may be necessary for our business purposes, to protect our interests and that of our customers, as required by law and as per the PDPA permits.

## **[I] Your Rights**

You have the following rights under the PDPA in respect of your personal data that is held by us:

- (i) the right to request for access to and for a copy of your personal data;
- (ii) the right to request to update or correct your personal data; and
- (iii) the right to request us to limit the processing and use of your personal data (for example, requesting us to stop sending you any marketing and promotional materials or contacting you for marketing purposes).

However, please note that your abovementioned rights under the PDPA is subject to our right to rely on any statutory exemptions and/or exceptions to collect, use and disclose your personal data.

If you wish to exercise any of the above rights, please submit your request in writing to the contact details below.

## **[J] Contact Us**

If you have any query or complaints in relation to this Privacy Notice or how we handle your personal data, please contact us as per below:

### **Customer Service Officer**

Address : Unit A-11-8 & A-11-9, Level 11, Tower A,  
Menara UOA Bangsar,  
No. 5, Jalan Bangsar Utama 1,  
59000 Kuala Lumpur.

Contact No. : +603- 2276 3253

Email Address: [support@kldx.com](mailto:support@kldx.com)

## **[K] Amendments to this Privacy Notice**

We reserve the right to update and amend this Privacy Notice from time to time. We will notify you of any amendments to this Privacy Notice via announcements on our website or other appropriate means. If we amend this Privacy Notice, the amendment will only apply to personal data collected after we have posted the revised Privacy Notice.

## **[L] Language**

This Privacy Notice is issued in both English and Bahasa Malaysia pursuant to the requirements prescribed by Section 7(3) of the PDPA. In the event of any inconsistencies or discrepancies between the English version and the Bahasa Malaysia version, the English version shall prevail.

**[M] Acceptance**

By using our Services or by providing your personal data to us, you agree that you have read and understood this Privacy Notice and you consent to us processing your personal data in accordance with this Privacy Notice. You confirm that all personal data provided by you is accurate and complete, and that none of it is misleading or out of date. You will promptly update us in the event of any change to your personal data.

To the extent that you have provided (or will provide) personal data about your directors, shareholders, employees, representatives, agents (if you are a corporate entity/an organisation) and/or other individuals, you confirm that you have explained (or will explain) to them that their personal data will be provided to, and processed by, us and you represent and warrant that you have obtained their consent to the processing (including disclosure and transfer) of their personal data in accordance with this Privacy Notice.