

## PRIVACY POLICY

This privacy policy (“**Privacy Policy**”) describes how Orpheus Capital Sdn Bhd (“**we**”, “**us**” or “**our**”) collect, use, maintain and disclose your personal data and how we safeguards the personal data. This Privacy Policy should be read along with our Terms and Conditions posted on our website or any platform provided by us (“**Platform**”) and all other operating rules and additional terms and conditions published on our platform.

Kindly note that references to “**we**”, “**us**” and “**our**” include Orpheus Capital Sdn Bhd’s employees; and any entity controlled by, under common control with, or controlling, Orpheus Capital Sdn Bhd.

### 1. **Personal Data**

For purposes of this Privacy Policy, the expression “personal data” shall bear the meaning as defined in the Personal Data Protection Act 2010 (“**PDPA 2010**”), and may include “sensitive personal data” (also defined in the PDPA 2010).

### 2. **Your Consent**

- (a) When you register an account and apply for our financing through the Platform, you may be required to provide us with your personal data. In doing so, you consent to its use by us in accordance with this Privacy Policy. In this context, the term “you” or “your” in this Privacy Policy extends to any individual whose personal data has been provided to us.
- (b) We reserves the right to update this Privacy Policy at any time by posting an updated version on the Platform and you are deemed to have accepted the current version each time you use the Platform. We encourage you to periodically review this page for the latest information on our privacy practices.
- (c) If we make a material change to our Privacy Policy we will post a notice of those changes on the Platform or notify you by email (sent to the email address specified in your account) to keep you informed of the information we collect, how we use it and under what circumstances we may disclose it, prior to the change becoming effective.
- (d) You have the choice, at any time, not to provide your personal data or to revoke your consent to us processing of your personal data. However, failure to provide such personal data or revocation of your consent may result in us being unable to provide you with effective and continuous Services.

### 3. **Types of personal data collected and how it is collected**

- (a) Personal data refers to any information that relates directly or indirectly to an individual, who is identified or identifiable from that information or from that and other information in our possession, including any sensitive personal data and expression of opinion about the individual.

- (b) We collect most of the personal data when an application is made for financing with us where you will be required to provide your personal data. For invoice factoring and contract factoring facilities, the paymaster or contract awarder's personal data may be collected. We may also verify or source personal data about you from third party sources (both public and private) such as credit reporting agencies, Companies Commission of Malaysia, and Insolvency Department.
- (c) The Platform is designed so that it will be clear to you when we are collecting personal data.
- (d) When you create an account on the Platform, we may ask, among other things, for your name, National Registration Identity Card Number (NRIC No.), username, email address, postal address, phone number, password, and payment information including credit card information.
- (e) You shall notify us in writing of any change in any personal data provided. You may request in writing for access to and to request for correction of personal data in accordance with the PDPA 2010. In the event of such request, or if you have an inquiry or complaint in respect of our handling of such personal data, you may contact us at the email address provided below.

#### **4. IP Address**

An IP address is a number that is automatically assigned to your computer when you signed up with an Internet service provider. When you visit our website, your IP address is automatically logged in our server. We use your IP address to help diagnose problems with our server, and to administer the Platform. From your IP address, we may identify the general geographic area from which you are accessing our website. Generally we do not link your IP address to anything that can enable us to identify you unless it is required by law and regulation.

#### **5. Information on Cookies**

A cookie is an element of data that a website can send to your browser, which may then be stored in your system. We may use cookies in some of our pages to store our visitors, guest, users and/or customers' preferences and record session information. The information that we collect is then used to ensure a more personalised service level for our visitors, guest, users and/or customers'. You can adjust settings on your browser so that you will be notified when you receive a cookie. Please refer to your browser documentation to check if cookies have been enabled on your computer or to request not to receive cookies. Generally we do not link cookies to anything that can enable us to identify you unless it is required by law and regulation.

#### **6. Purpose of personal data processing**

- (a) We may process your personal data for the following reasons:
- (i) to provide you with the financing facilities (“**Services**”);
  - (ii) to assess and/or approve your application for any of the Services;
  - (iii) to process your invoice and payment;
  - (iv) to disburse facility payment to you;
  - (v) to verify your financial standing through credit reference checks;
  - (vi) to manage and maintain your account;
  - (vii) to communicate with you;
  - (viii) to send you relevant updates, notices and news;
  - (ix) to provide customer support;
  - (x) for internal functions such as evaluating the effectiveness of the Platform, statistical analysis and modelling, reporting, audit and risk management and to prevent fraud;
  - (xi) for the fulfilment of any regulatory requirements and for any other reasons connected with providing you the Services you require and fulfilment of any terms of the Terms and Conditions and/or the specific financing agreements entered into by you with us; and
  - (xii) to enable us to comply with its obligations under any applicable laws.
- (b) We may also share your personal data in relation to your affairs (including your financial and other obligations to us) and the receivables purchased by us and financing agreements entered by us with you to any of your bankers, auditors or any guarantor/indemnifier of your obligations.
- (c) We may also provide personal data to companies that provide services to us. These companies are authorised to use personal data only as necessary to provide these services to us and are obliged to keep your personal data confidential.
- (d) From time to time, we may share your personal data with other entities within Orpheus, our agents, strategic partners and other third parties (“**other entities**”) as we deem fit and you may receive marketing communication from us or from these other entities about products and services that may be of interest to you. If you no longer wish to receive these marketing communications, simply click on the unsubscribe link included in every email or please notify us to withdraw your consent and we will stop processing and sharing your personal data with these other entities for the purpose of sending you marketing communications.
- (e) Please take note that once we receive confirmation that you wish to withdraw your consent for marketing or promotional materials/communication, it may take up to fourteen (14) working days for your withdrawal to be reflected in our systems. Therefore, you may still receive marketing or promotional materials/communication during this period of time. Please note that even if you opt out from receiving marketing or promotional materials, we may still contact you for other purposes in relation to the accounts, facilities or services that we provide you.

## **7. To whom do we disclose your personal data**

- (a) Your personal data held by us shall be kept confidential. However, in order to provide you with effective and continuous Services and to comply with any legal and regulatory requirements, we may need to disclose your personal data to:
  - (i) other entities within Orpheus.
  - (ii) your bankers, auditors or any guarantor/indemnifier of your obligations.
  - (iii) our agents and service providers with whom we may have contractual agreements for some of our Services.
  - (iv) credit reference agencies and our lawyers.
  - (v) our merchants and strategic partners.
  - (vi) parties authorised by you.
  - (vii) enforcement regulatory and governmental agencies as permitted or required by law, authorised by any order of court or to meet obligations to regulatory authorities.
  
- (b) The disclosure of your data may involve the transfer of your personal data to places outside of Malaysia, and by providing us your personal data you agree to such a transfer where it is required to provide you the Services you have requested, and for the performance of any contractual obligations you have with us (if any) including for storage purposes.

## **8. What are your rights**

- (a) Generally the personal data that we request from you is necessary to perform our functions and activities in relation to the purpose for which your data is collected. If you refuse to provide the data or wish to limit the personal data you disclose, we may not be able to proceed further with your matter.
  
- (b) You may stop us from processing your personal data generally or for specified purposes or in a specified manner so that the processing does not cause unwarranted and substantial damage or distress to you or another person. However the extent in which we can comply with your request without affecting our mutual rights and obligations in relation to the transaction, depend on the stage of the transaction. If such rights or obligations are impacted for e.g. the transaction is being managed by our collection team, we will not be able to stop processing your personal data.

## **9. Protection of Personal Data**

The security of your personal data is our priority. We take all physical, technical and organisational measures needed to ensure the security and confidentiality of personal data. If we disclose any of your personal data to our authorised agents or service providers, we will require them to appropriately safeguard the personal data provided to them.

**10. Data Retention Period**

We will only retain your personal data for as long as necessary to fulfil the purpose(s) for which it was collected or to comply with legal, regulatory and internal requirements. Afterwards we will destroy or permanently delete your data.

**11. Privacy Enquiries**

If you have questions, comments, concerns or feedback regarding this Privacy Policy or any other privacy concern, send an email to [oc@orpheuscapital.com.my](mailto:oc@orpheuscapital.com.my)

[End of Privacy Policy]