



Inisiatif Oleh:



PRIVACY NOTICE

Privacy Notice

Bay Supply Chain Technology Sdn. Bhd. (a company under the CapBay group of companies) together with Selangor Advance (“**Selangor Fintech Sdn. Bhd.**”) have partnered to create the Selangor Advance Platform, a joint initiative platform and financing programme to promote commercial and business growth in the state of Selangor. To this end, CapBay as the recognised market operator is committed to the protection of your personal data and privacy.

This Privacy Notice describes how CapBay collects, handles and uses your personal data in accordance to the Personal Data Protection Act 2010.

This Notice is issued by Bay Group Holdings Sdn. Bhd. (Company No.: 1189545-D) and its subsidiaries Bay Commercial Services Sdn. Bhd., Bay Supply Chain Technology Sdn. Bhd., Bay Smart Capital Ventures Sdn. Bhd. or other subsidiaries or associated company(ies) as defined in the Companies Act 2016 (collectively, “**CapBay**”), as a data user pursuant to the Personal Data Protection Act 2010 (“**PDPA**”). For the purposes of this Notice, the expression “personal data”, “data subject”, “data user” and “data processor” shall have the meaning as defined in the PDPA.

Personal Data We Collect

During the course of our activities we may collect, record, hold, store and/or process personal data about our platform users, customers, suppliers and other third parties in any medium whether electronically or otherwise, for the purposes of the Platform Agreement and the financing agreements, Terms of Service, the transactions and any other purposes permitted under the law and the PDPA, and we recognise that the correct and lawful treatment of this data will remain confidential in the organisation.

Personal data includes name, address, copies and details of identification documents, contact details, employment history, credit and references check, marital status, commission or alleged commission of offence, data on the Platform, Platform activity, financing activity, financial position on the Platform, personal, corporate financial and social security details, provided to us from time to time.

We may also collect your information from other sources, including but not limited to third party background checks, any registered credit reporting agency, any regulatory authorities and any authority, central depository or depository agent. Data processors include any person or organisation that is not a data user that processes personal data on our behalf and/or on our instructions.

What we use your Personal Data for

In using this website, CapBay’s P2P and multi-bank supply chain financing platforms (“**Platform**”) you hereby acknowledged, confirmed and consented that we may collect, record, hold, store, process, and/or distribute your personal data for the following purposes:

- (a) in all matters pertaining to the contract entered or to be entered into between you and us;
- (b) processing any application to become a user of the CapBay Platform;
- (c) to ascertain the eligibility of invoices to be listed on the CapBay Platform;
- (d) facilitating the supply chain finance transaction;
- (e) performing contracts with third-parties;
- (f) monitoring compliance with the agreements on the Platform including and not limited to the Platform Agreement, Terms of Services, financing agreements, and/or our rules and policies with respect to the usage of the CapBay Platform and any other applicable laws;
- (g) the compliance and disclosure requirements of any and all governmental and/or quasi-government departments, agencies, regulatory and/or statutory bodies;
- (h) complying with any legal obligation binding on us under any law, rule, regulation, by-law, order, guideline, directive, policy and such other requirements in force and as amended from time to time;
- (i) enforcing our rights under the Platform Agreement and financing agreements, and/or our rules and policies with respect to the usage of the CapBay Platform or any other applicable laws to defend our rights;
- (j) for the purpose of record-keeping in the ordinary course of our business; and
- (k) any purposes relating to the transactions on the CapBay Platform.

Specifically for Platform users or Participants (as defined in the Platform Agreement) who have signed up with an introductory reference code or who have been introduced by an introducer or partner of CapBay, the user consents to its data on the Platform being used, processed, shared and distributed to the partner for any purpose pursuant to the performance of the agreement(s) between CapBay and the partner.

Disclosure of Personal Data

Personal data held by us relating to our platform users, customers, suppliers and other third parties will be kept confidential and we may provide such information to the following parties for the purposes set out above:

- (a) any agent, partner, contractor, service provider, professional adviser or third party who provides services to us;
- (b) our affiliates and associated companies;

- (c) any person to whom we are under an obligation to make disclosure under law, rule, regulation, by-law, order, guideline, directive, policy; any court and/or officer of the court; our auditors;
- (d) any credit bureau, credit reporting agencies, rating agencies, and third-party due diligence database service providers;
- (e) our legal advisers and compliance professionals;
- (f) our banks and financial service providers; and
- (g) our service providers and vendors.

Accuracy of your Personal Data

You are responsible for ensuring that the personal data that you provide to us is accurate, complete and not misleading and that such personal data is kept up-to-date, and you shall promptly keep us informed in the event the data is inaccurate, incomplete, misleading or not up-to-date and you shall provide us the true, accurate, complete, and updated data. If you give us personal data or information about another person, you confirm that he/she has appointed you to act for him/her, to consent to the processing of his/her personal data and to receive on his/her behalf any data protection notices.

Platform users, participants, buyers, customers, suppliers and other third parties, whether past, current or prospective, shall be aware that failure to supply the relevant data to us may affect our ability to perform our obligations with relevant parties and/or affect the platform users, customers, suppliers and third parties' ability to enjoy their respective benefits from us.

We will retain any personal data supplied by you for as long as necessary for the fulfilment of the purposes set out in this Notice or as is required to satisfy any legal, regulatory and/or accounting requirements. Your continued membership on the CapBay Platform is deemed consent for us to collect, record, hold, store and/or process the personal data.

Your Rights

You may request access to and correction of your personal data and/or limit the processing of your personal data, or make any enquiries or complaints in respect of your personal data, by contacting us at our office address, presently at: Unit 13A01, Level 13A, Tropicana Gardens Office Tower, No. 2A Persiaran Surian, Tropicana Indah, 47810 Petaling Jaya, Selangor Darul Ehsan, or by emailing us at contact@capbay.com.

Changes to the Privacy Notice

We reserve the right to modify, update or amend this Notice at any time and will ensure that a notice of such amendments will be made available to you through the CapBay Platform or through any other mode we view appropriate and suitable.