

PDPA Notice

This Personal Data Notice (“Notice”) describes how Marks & Clerk (Malaysia) Sdn. Bhd. (a company incorporated under the laws of Malaysia with its place of business at Unit 6, Level 20, Tower A, Menara UOA Bangsar, 5 Jalan Bangsar Utama 1, Taman Bangsar, 59000 Kuala Lumpur, Malaysia) (“Marks & Clerk”) uses your Personal Data.

By engaging Marks & Clerk to provide services or by interacting with Marks & Clerk either at our events, conferences, seminars, talks or otherwise, or by using the Marks & Clerk website <https://www.marks-clerk.com/> (“Website”), you consent to the processing of your Personal Data by Marks & Clerk and all persons involved in the provision of services by Marks & Clerk.

In the event of any conflict between the English and other language versions, the English version shall prevail. Marks & Clerk shall have the right to modify, update or amend the terms of this Notice at any time by placing the updated Notice on the Website. By continuing to communicate with Marks & Clerk or by continuing to use Marks & Clerk’s services following the modifications, updates or amendments to this Notice shall signify your acceptance of such modifications, updates or amendments.

Collection of Personal Data

1. “Personal Data” means information about you which you have provided to Marks & Clerk, such as your name, address, telephone number, NRIC, email address, your personal preferences, particulars of your spouse or family members and bank account information and any information which may identify you, your spouse or family members that has been or may be collected, stored, used and processed by Marks & Clerk from time to time.
2. In addition to the Personal Data you provide to Marks & Clerk directly (i.e. during your communications with Marks & Clerk and/or when you engage Marks & Clerk to provide services), Marks & Clerk may also collect your Personal Data from a variety of sources, including without limitation at any events, conferences, seminars or talks organised or sponsored by Marks & Clerk and/or from the cookies used on the Website.
3. The provision of your Personal Data is voluntary. However, if you do not provide your Personal Data, Marks & Clerk may not be able to (i) communicate with you; (ii) provide you the services you require or (ii) access certain sections of the Website where log in is required.
4. If you do not wish for your Personal Data to be collected via cookies on the Website, you may deactivate cookies which can be viewed at <https://aboutcookies.org>.

Purposes of Processing

5. Marks & Clerk may use and process your Personal Data for the purposes relating to the services you have requested and for the business activities of Marks & Clerk which shall include, without limitation:-
 - a) to communicate with you;
 - b) to respond to questions and comments from you;
 - c) for internal administrative purposes;
 - d) to provide information to regulatory and governmental authorities in order to comply with statutory and government requirements, including disclosure to the Unclaimed Money Management Division of the Accountant General's Department of Malaysia of your information as required pursuant to the Unclaimed Moneys Act 1965 and regulations in the event of any unclaimed monies on your part;
 - e) for Marks & Clerk to comply with its obligations under law, including compliance with laws relating to evidence;

and you agree and consent to Marks & Clerk using and processing your Personal Data in the manner as identified in this Notice.

Other purposes

6. Marks & Clerk may also use and process your data for other purposes such as:-
 - a) to send you materials such as newsletters, articles, write-ups as well as other updates;
 - b) to distribute information or details of events, seminars, conferences and talks which may of interest to you;
 - c) to send as potential referees to (i) editors/researchers in ranking legal publications and journals; (ii) potential clients who request for referees of past work in Requests for Proposals, tenders, submissions;

by way of email or mail.

7. If you do not consent to Marks & Clerk processing your Personal Data for the purposes listed in Section 6, please notify Marks & Clerk using the contact details stated in Section 10 below.

Transfer of Personal Data

8. As Marks & Clerk's information technology storage facilities and servers may be located in other jurisdictions, your Personal Data may be transferred to, stored, used and processed in a jurisdiction other than Malaysia. Further, your personal data may be transferred out of Malaysia for the purposes as described in Section 6(c) where such ranking legal publications and journals and/or potential clients are located outside of Malaysia. You understand and consent to the transfer of your Personal Data out of Malaysia as described herein.

Disclosure to Third Parties

9. Marks & Clerk may engage other companies, service providers or individuals to perform functions on Marks & Clerk's behalf, and consequently may provide access or disclose to your Personal Data to the third parties such as those listed below (not exhaustive):
 - a) information technology (IT) service providers;
 - b) data entry service providers;
 - c) storage facility providers;
 - d) banks and financial institutions;
 - e) insurance providers;
 - f) any professional advisors and external auditors;
 - g) regulatory and governmental authorities in order to comply with statutory and government requirements, including to the Accountant General's Department for the purposes as described in Section 5 above.

Access & Correction Requests and Inquiries

10. Subject to any exceptions under applicable laws, you may at any time hereafter request for access to, or for correction or rectification of your Personal Data or limit the processing of your Personal Data, or seek further information from Marks & Clerk by contacting:-

Dr. Chris Hemmingway

Unit 6, Level 20, Tower A, Menara UOA Bangsar,
5 Jalan Bangsar Utama 1, Taman Bangsar, 59000 Kuala Lumpur, Malaysia
Email: chemingway@marks-clerk.com.my
Telephone No.: +603 2283 8986 Facsimile No.: +603 2283 7898

11. In respect of your right to access and/or correct your Personal Data, Marks & Clerk has the right to refuse your requests to access and/or make any correction to your Personal Data for the reasons permitted under law, such as where the expense of providing access to you is disproportionate to the risks to your privacy.