



**FAHRI, AZZAT  
& CO.**

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**Contractual Terms**

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## 1. Privacy Notice

1.1 We want you to know that when you use our Firm and our website you can trust us with your information. We are determined to ensure that your rights and interests are protected.

1.2 Should we ask you to provide certain information by which you can be identified when using our Firm and our website, then you can be assured that it will only be used in accordance with this privacy notice.

1.3 This Privacy Notice describes the information we collect about you, how it is used and shared, and your rights regarding it.

## 2. Law

2.1 Data Protection Law means the Personal Data Protection Act 2010 (the 'PDPA'), including as amended, extended or re-enacted from time to time and all rules, regulations and orders made under the Act.

2.2 The PDPA is the primary legislation dealing with the protection of your personal data.

## 3. Data Controller

3.1 We are registered with the Department of Personal Data Protection (the 'DPDP') as a Data Controller for the personal data that we hold and process.

3.2 A Data Controller is simply a person who determines the purposes and means of the processing of personal data.

3.3 Our DPDP registration number is MK12042018-00003.

3.4 Our registered address is 15, Jalan PJU 7/16A, Mutiara Damansara, 47800 Petaling Jaya, Selangor Darul Ehsan.

3.5 The person responsible for our data protection compliance is the Head of Chambers, Fahri Azzat who can be contacted at office@fahriazzatco.com.

## 4. Our Lawful Basis For Processing Your Information

4.1 The PDPA requires all organisations that process personal data to have a lawful basis for doing so.

4.2 The lawful basis identified in the PDPA are:

4.2.1 consent of the data subject;

4.2.2 performance of a contract with the data subject or to take steps to enter into a contract;

4.2.3 compliance with a legal obligation;

4.2.4 to protect the vital interests of the data subject;

4.2.5 the administration of justice;

4.2.6 the exercise of any functions conferred under any law; and

4.2.7 processed for a lawful purpose directly related to an activity of the data user.

4.3 Examples of 'lawful purpose' include:

4.3.1 where the data subject is a client or in the service of the Data Controller;

4.3.2 transmission within a group of undertakings for internal administrative purposes;

4.3.3 processing necessary to ensure network and information security, including preventing unauthorised access;

4.3.4 processing for direct marketing purposes, or to prevent fraud; and

4.3.5 reporting possible criminal acts or threats to public security.

## 5. Data Collection

5.1 The vast majority of the information that we hold about you is provided by yourself when you seek to use our services. We will tell you why we need the information and how we will use it.

5.2 We process the following personal information if you are a visitor to the website:

5.2.1 name;

5.2.2 contact information including e-mail address;

5.2.3 other information relevant to the provision of our services.

5.3 We process the following personal information if you are an individual client in receipt of our Firm's services or a prospective individual client or are making an enquiry:

5.3.1 name;

5.3.2 contact information including e-mail address;

- 5.3.3 payment information;
- 5.3.4 other information relevant to provision of our services;
- 5.3.5 information that you provide to us as part of our providing the services to you.
- 5.3.6 relevant information as required by relevant statute and regulation such as the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001. This may possibly include evidence of source of funds, at the outset of and possibly from time to time throughout our relationship with clients, which we may request and obtain from third party sources. The sources for such verification may comprise documentation which we request from the prospective client or through the use of online sources or both.

5.4 We process the following personal information if you are a potential recruit to the Firm:

- 5.4.1 name;
- 5.4.2 contact information including e-mail address;
- 5.4.3 curriculum vitae, your education, employment history and similar matters and similar information that you may provide to us;
- 5.4.4 other information relevant to potential recruitment to our Firm.

**6. Data Utilisation: Fulfilment of Services**

6.1 We may use your personal information for the purpose of the fulfilment of services. Please note also that our General Terms and Conditions for the Supply of Legal Services by the Firm to Clients also apply when we provide such services. These can be found on our Firm’s website. We also collect, maintain and process personal information on other individuals as a result of providing services to others.

6.2 If we use your personal information for this purpose, we may share personal information with a variety of the following categories of third parties as necessary when providing the service:

- 6.2.1 clients;
- 6.2.2 arbitrators;
- 6.2.3 solicitors;
- 6.2.4 adjudicators;
- 6.2.5 mediators;

- 6.2.5 clerks and support staff;
- 6.2.6 pupils, mini-pupils and work shadow students;
- 6.2.7 agents and contractors working for the Firm;
- 6.2.8 witnesses and potential witnesses;
- 6.2.9 third party funders;
- 6.2.10 costs draftsmen;
- 6.2.11 insurers;
- 6.2.12 ombudsmen, regulators/tax authorities/corporate registries;
- 6.2.13 other counsel;
- 6.2.14 court;
- 6.2.15 opposing party and other parties to litigation, including their solicitors;
- 6.2.16 translators;
- 6.2.17 document review platforms;
- 6.2.18 transcribers;
- 6.2.19 process servers;
- 6.2.20 couriers;
- 6.2.21 experts;
- 6.2.22 family and associates of clients;
- 6.2.23 employers or prospective employer;
- 6.2.24 any other party if necessary.

6.3 If we use your personal information for this purpose, our legal bases are:

- 6.3.1 it is necessary for us to use your personal information to perform our obligations in accordance with any contract that we may have with you;
- 6.3.2 taking necessary steps to enter into a contract;
- 6.3.3 obtaining legal advice;
- 6.3.4 establishing, exercising or defending legal rights.

## 7. Data Utilisation: Client Services

7.1 Our website uses various user interfaces to allow you to request information about our services including printed and electronic enquiry forms and a telephone enquiry service. Such services will request contact information together with details of other personal information that is relevant to your services enquiry. This information enables us to respond to your requests.

7.2 We would only share your personal information with:

- 7.2.1 clerks and support staff;
- 7.2.2 solicitors;
- 7.2.3 pupils, mini-pupils and work shadow students.

7.3 Our legal basis is providing the very best client service we can to you or others.

## 8. Data Utilisation: Legal Obligation

8.1 We use your personal information for the following business administration and legal compliance purposes:

- 8.1.1 to comply with our legal obligations including any Bar Council, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 or similar obligations;
- 8.1.2 to enforce our legal rights; and
- 8.1.3 to protect rights of third parties.

8.2 We would only share your personal information with professional advisers such as attorneys, accountants and appropriate governmental or regulatory authorities.

8.3 Our legal basis is our legal obligation to use your personal information to comply with any legal obligations imposed upon us.

## 9. Data Utilisation: Recruitment

9.1 We use your personal information for the following recruitment purpose. That is to say, to assess your suitability for any position for which you may apply at the Firm including advocate & solicitor positions, pupillage positions, mini-pupillage and also any business support or services role, irrespective of whether such application has been received by us online, by e-mail, by hard copy, via a third party recruiter or in person.

9.2 We will only share your personal data with:

- 9.2.1 clerks and support staff;

9.2.2 solicitors.

9.3 Our legal basis for such use is to take steps at your request to enter a contract we may have with you.

## 10. Data Utilisation: Alumni

10.1 We use your personal information to manage your ongoing relationship between the Firm and you as part of our lifelong community of members of the Firm including keeping in touch with you and keeping up to date on your achievements.

10.2 Our legal basis is maintaining a continuous relationship between the Firm and you.

## 11. Transfers to third countries

11.1 There are situations where it may be necessary to transfer personal data to third countries or international organisations. Such situations include international litigations. All such transfers will be:

- 11.1.1 made with the individual's consent; and
- 11.1.2 necessary for the Firm to use in connection with legal claims.

11.2 We are mindful of the provisions and safeguards required for international transfers and we will satisfy ourselves that such transferred data is fully protected and safeguarded as required by the PDPA and we will ensure that the organisation receiving the personal data has provided adequate safeguards.

## 12. Data Retention

12.1 We retain your personal data while you remain a client, pupil, student, employee, unless we agree to delete it at your request.

12.2 The personal data processed for any purpose shall not be kept longer than is necessary for the fulfilment of the purposes above.

12.3 We will delete or anonymise your information at your request unless:

- 12.3.1 there is an unresolved issue, such as claim or dispute;
- 12.3.2 we are legally required to keep it; or
- 12.3.3 there are overriding legitimate business interests, including but not limited to fraud prevention and protecting customers' safety and security.

## 13. Your Rights

13.1 The PDPA gives you specific rights around your personal data.

13.2 These rights include:

13.2.1 being informed about the information we hold and what we use it for;

13.2.2 you can ask for a copy of the personal information we hold about you;

13.2.3 you can ask us to correct any inaccuracies with the personal data we hold;

13.2.4 you can ask us to stop sending you direct mail or e-mail;

13.2.5 in some circumstances you can ask us to stop processing your details.

13.3 If we do something irregular or improper with your personal data you can make a complaint to the Personal Data Protection Commissioner. You can find out more information from the DPDP's website: <https://www.pdp.gov.my/jpdpv2/public/data-peribadi/?lang=en>.

13.4 The Department of Personal Data Protection is the organisation that you can complain to if you are unhappy with how we deal with your personal data.

#### **14. ACCESSING AND CORRECTING OUR INFORMATION**

14.1 You may request access to, correction of, or a copy of your information by contacting us at [office@fahriazzatco.com](mailto:office@fahriazzatco.com).

#### **15. Cookies**

15.1 A cookie is a small file which asks permission to be placed on your computer's hard drive.

15.2 We only use strictly necessary cookies that are essential for the operation of the website.

15.3 For more details on cookies and similar technologies please visit All About Cookies' website: <http://www.allaboutcookies.org/>.

15.4 A cookie does not give us access to your computer or any information about you, other than any data you choose to share with us through entering it in a form on the website.

#### **16. Consent**

16.1 By using our website, you consent to the processing of data about you in the manner and for the purposes set out above.

16.2 Where our use of your personal information requires your consent, you can provide such consent implicitly or explicitly:

16.2.1 at the time we collect your personal information following the instructions provided;

16.2.2 by informing us by e-mail or post using the contact details set out in paragraph 3 above.

#### **17. Update**

17.1 We will occasionally update our Privacy Notice and the updated notice will be published on our website.

#### **18. Date of this Privacy Notice**

18.1 This Privacy Notice was agreed by the Firm on 29 June 2021.