



**KOD TATAAMALAN
PERLINDUNGAN
DATA PERIBADI**

***THE PERSONAL DATA
PROTECTION CODE
OF PRACTICE***

UNTUK SEKTOR UTILITI (ELEKTRIK)

FOR THE UTILITIES SECTOR (ELECTRICITY)

23 JUN 2016 / 23rd JUNE 2016

PESURUHJAYA PERLINDUNGAN DATA PERIBADI

Ref. No.

CoP_UTL(E)

IN exercise of the powers conferred by Section 23(3) of the Personal Data Protection Act 2010 (Act 709), I hereby register the Code of Practice for the Utilities (Electricity) Class of Data User and it is applicable to all data users under the said class with immediate effect.

Dated: 23 June 2016



(MAZMALEK BIN MOHAMAD)
Personal Data Protection Commissioner, Malaysia



TABLE OF CONTENTS

ITEM	SUBJECT MATTER	PAGE
1.0	OVERVIEW OF THIS CODE	3
1.1	Introduction	3
1.2	Status	4
2.0	IMPLEMENTATION OF PDPA PRINCIPLES	6
2.1	Background	6
2.2	General Principle (Section 6 of the PDPA) <ul style="list-style-type: none"> • General • Consent • Consent given on behalf of the Data Subject 	7 7 8 9
2.3	Notice and Choice Principle (Section 7 of the PDPA) <ul style="list-style-type: none"> • Method of Communicating the PDP Notice 	9 10
2.4	Disclosure Principle (Section 8 of the PDPA) <ul style="list-style-type: none"> • Permitted Disclosures • Extent of Disclosure of Personal Data • Permitted Disclosure as requested by regulatory, statutory authority or as required by a court order 	11 11 11 12
2.5	Security Principle (Section 9 of the PDPA) <ul style="list-style-type: none"> • Data Processor 	13 14
2.6	Retention Principle (Section 10 of the PDPA) <ul style="list-style-type: none"> • Retention of Personal Data • Destruction of Personal Data 	15 15 15
2.7	Data Integrity Principle (Section 11 of the PDPA) <ul style="list-style-type: none"> • Reasonable Steps • Personal Data is Accurate, Complete, Not Misleading and Kept Up-To-Date • Complying with the Data Integrity Principle 	16 16 17 17
2.8	Access Principle (Section 12 of the PDPA)	18
3.0	RIGHTS OF DATA SUBJECT	19
3.1	Right of Access to Personal Data (Section 30 of the PDPA) <ul style="list-style-type: none"> • DAR Processing 	19 20
3.2	Right to Correct Personal Data (Section 34 of the PDPA)	22

ITEM	SUBJECT MATTER	PAGE
3.3	Right to Prevent Processing Likely to Cause Damage or Distress (Section 42 of the PDPA)	24
3.4	Right to Prevent Processing for Purposes of Direct Marketing (Section 43 of the PDPA)	25
3.5	Right to Withdraw Consent to the Processing of Personal Data (Section 38 of the PDPA)	27
4.0	SPECIFIC ISSUES	28
4.1	Personal Data	28
4.2	Sensitive Personal Data	28
4.3	Refund of Deposits	30
4.4	Appointment of Meter Reader	30
4.5	Certificate of Registration	31
4.6	Transfer of Personal Data	31
4.7	Installation of CCTV	32
4.8	Retention of Identification Documents	33
4.9	Electricity Bill or Tax Invoice	33
5.0	EMPLOYEES	35
5.1	Policies and Procedures	35
5.2	Training and Awareness	35
5.3	Control Measure	35
6.0	COMPLIANCE	37
6.1	Compliance	37
6.2	Monitoring	37
6.3	Amendment	38
7.0	CONCLUSION	39
Appendix I	Definitions	40
Appendix II	Personal Data Processing Flowchart	45
Appendix III	What Should Be Done under the PDPA	46
Appendix IV	What Should Not Be Done under the PDPA	48
Appendix V	List of Disclosures	49
Appendix VI	Data Access Request / Data Correction Request Form	52
Appendix VII	Important Contact Details	56

1.0 OVERVIEW OF THIS CODE

1.1 Introduction

- 1.1.1 The Personal Data Protection Act 2010 (PDPA), which came into effect on 15 November 2013, requires a separate code of practice for each specific class of data users.
- 1.1.2 In this Code, certain words are used. The meaning of those words are explained in Appendix I (Definitions) of this Code.
- 1.1.3 This Code:-
- (a) is developed by the Data User under Section 23(1)(b) of the PDPA and is applicable to the Utilities Sector (Electricity);
 - (b) regulates Processing of Personal Data by Data User and safeguards the rights of the Data Subject and the Personal Data;
 - (c) provides operational approach to the principles of data protection under the PDPA; and
 - (d) applies to all Personal Data and/or Sensitive Personal Data Processed by Data User.
- 1.1.4 The PDP Commissioner recognises that each Data User has different business practices and operates from different business locations. The PDP Commissioner grants each Data User the discretion and general flexibility to respond to issues arising under this Code, provided that the PDP Commissioner must be consulted before any Data User implements any action outside the scope of this Code. The PDP Commissioner shall notify the Data User of any decision within reasonable period after consultation, failing which, it is deemed approved by the PDP Commissioner.
- 1.1.5 This Code governs the relationship between:-
- (a) a Data User and a Data Subject;
 - (b) a Data User and a Data Processor; and
 - (c) a Data User and its employees who Process Personal Data.
- 1.1.6 As an explanatory note:-
- (a) TNB is licensed under the Electricity Supply Act 1990, to generate, transmit and distribute electricity throughout Peninsular Malaysia to all consumers of electricity, whether individual or corporate;

- (b) SESB is licensed under the Electricity Supply Act 1990, to generate, transmit and distribute electricity throughout Sabah and Federal Territory Labuan to all consumers of electricity, whether individual or corporate;
- (c) SESCO is licensed under Sarawak Electricity Ordinance (Chapter 50), to generate, transmit and distribute electricity throughout Sarawak to all consumers of electricity, whether individual or corporate; and
- (d) a Data User will not be regarded as having breached this Code, if a Data User is required to comply with all relevant or applicable laws, rules and regulations governing the electricity supply industry.

1.2 Status

- 1.2.1 This Code is effective once it is registered by the PDP Commissioner.
- 1.2.2 This Code applies to all Personal Data that is in the possession or under the control of, or kept by a Data User.
- 1.2.3 A Data User who fails to comply with this Code may be regarded having committed an offence, and once convicted, be liable to a fine not more than RM100,000 or to imprisonment for a term not more than one year or to both, under Section 29 of the PDPA.
- 1.2.4 Data User must also comply with the minimum requirements of the security standards, retention standards, integrity standards and any standard(s) as may be issued by the PDP Commissioner from time to time.
- 1.2.5 For the avoidance of doubt, in the event of any conflict between:
 - (a) the standards issued by the PDP Commissioner;
 - (b) this Code;
 - (c) any other standard(s) (or their equivalent) set by the Industry Regulator of the Utilities Sector (Electricity); and/or
 - (d) any other standard(s) (or their equivalent) as may be prescribed by the law; the document setting the higher standard will prevail to the extent of the conflict.
- 1.2.6 In the event of any conflict between this Code and:-
 - (a) any laws, rules or regulations applicable to the electricity supply industry; or
 - (b) the terms or conditions of any licence or approvals issued or conditions imposed by the Industry Regulator;

Data User is expected to comply with all laws, rules and regulations applicable to the electricity supply industry.

- 1.2.7 In the event of any conflict between the English and National Language versions of the Code, the English version shall prevail.
- 1.2.8 Examples provided in this Code are not intended to be exhaustive but are included for context and purposes of illustration.
- 1.2.9 Appendix V provided in this Code are not intended to be exhaustive but may be amended from time to time as approved by the PDP Commissioner.
- 1.2.10 Recommendations provided in this Code specifically under Appendix III and IV are not mandatory but are a guide on good practices that Data User is encouraged to adopt.



2.0 IMPLEMENTATION OF PDPA PRINCIPLES

2.1 Background

2.1.1 Personal Data of the Data Subject includes:-

- (a) name;
- (b) address;
- (c) telephone number;
- (d) email address;
- (e) identification documents, such as Official Identification Documents, and information contained on it;
- (f) photograph or video image;
- (g) audio recording;
- (h) all other information, whether verbal or Written, which identifies the Data Subject; and
- (i) all other contact details or information related to item (a) to (k) provided by the Data Subject.

In addition to the above list of Personal Data, the Data User may collect the following Personal Data from the employees of the Data User;

- (a) fingerprint or DNA profile;
- (b) information on education or work background; and
- (c) medical records or information.

2.1.2 Personal Data is Collected by Data User through:-

- (a) account opening forms;
- (b) account closing forms;
- (c) change of particulars forms;
- (d) electricity supply agreements;

- (e) image recorded through CCTV or other electronic media; and
- (f) other information or documents provided by a Data Subject in Writing, over the telephone, electronically by Instant Messaging, email, or through the Data User's Corporate Website.

2.1.3 Section 5 of the PDPA sets out seven principles to be complied with by Data User when Processing:-

- (a) General Principle;
- (b) Notice and Choice Principle;
- (c) Disclosure Principle;
- (d) Security Principle;
- (e) Retention Principle;
- (f) Data Integrity Principle; and
- (g) Access Principle.

2.2 General Principle (Section 6 of the PDPA)

General

2.2.1 Under the General Principle:-

- (a) consent should be obtained, except for situations described under 2.2.2;
- (b) explicit consent is required for the Processing of Sensitive Personal Data as described under 4.2; and
- (c) Personal Data must only be Collected or Processed;
 - (i) for a lawful purpose directly related to an activity of a Data User;
 - (ii) necessary for or directly related to that purpose; and
 - (iii) adequate but not excessive in relation to that purpose.

Example A: When submitting an application form for electricity supply, the Data Subject must provide the names of Data Subject's family member and this will not be considered as excessive.

Consent

2.2.2 Consent is not required if Processing is:-

- (a) requested by the Data Subject with a view to enter into a contract;

Example A: Where a Data Subject applies for electricity supply, he must enter into a contract with the Data User.

Example A1: Where a contractor appointed by the Data Subject, collects, submits and processes the Data Subject's Personal Data to apply for electricity supply on behalf of the Data Subject.

- (b) for the performance of a contract to which the Data Subject is a party;

Example B: Where a Data Subject enters into a contract with a Data User in order to obtain electricity supply.

- (c) to comply with any legal obligation to which the Data User is the subject, other than an obligation imposed by a contract;

Example C: The consent of the Data Subject is not required if the Processing is due to a written request made to the Data User, by the Federal or State Government or other law enforcement authorities, to provide Personal Data of Data Subject, and such request complies with Malaysian laws or statutory rules and regulations.

For example, a request from the Royal Malaysian Police, Inland Revenue Board of Malaysia, Malaysian Anti-Corruption Commission, Ministry of Domestic Trade, Co-operatives and Consumerism, Royal Malaysian Customs Department and Malaysia Department of Insolvency to obtain the Data Subject's Personal Data for the purpose of investigation

- (d) to protect the vital interests of the Data Subject;

Example D: The consent of the Data Subject is not required if the Processing is due to the written request by the Royal Malaysian Police or the Data Subject's spouse, parents and children in matters relating to life, death or security of the Data Subject.

- (e) for the administration of justice; or

Example E: The consent from the Data Subject is not required, if the Processing is for the purpose of litigation, mediation, arbitration, conciliation proceedings or any similar in nature.

- (f) for the exercise of any functions conferred on any person by or under any law.

Example F: The consent from the Data Subject is not required, if the Processing is to comply with the court order.

2.2.3 The PDP Regulations provide that consent, whether express or implied, must be obtained in any method capable of being recorded and maintained by a Data User.

Examples of such methods include:-

- (a) signatures or clickable box indicating consent;
- (b) deemed consent;
- (c) verbal consent; or
- (d) consent by conduct/performance.

2.2.4 Consent is deemed given by way of conduct/performance if:-

- (a) the Data Subject does not object to the Processing;
- (b) the Data Subject voluntarily Discloses Data Subject's Personal Data; or
- (c) the Data Subject proceeds to use the services of the Data User.

2.2.5 Verbal consent should be recorded either digitally (such as, through the use of call logger and recorder software) or by issuing a communication (such as, a letter, a form or an email from the Data User's Corporate Website) to the Data Subject confirming that consent was given.

2.2.6 For transactions between a Data User and a company, society, partnership, organisation or any other legal entity ("the Legal Entities") which involves any Personal Data, it is the Legal Entities' responsibility to obtain prior consent from the owner of the Personal Data. For avoidance of doubt, the Legal Entities shall warrant that consent from the owner of the Personal Data has been obtained in accordance with PDPA.

Consent given on behalf of the Data Subject

2.2.7 Any consent given to a Data User shall bind the Data Subject if given:-

- (a) by the parent(s), legal guardian(s) or person(s) who has parental responsibility on the Data Subject, if the data subject is under the age of 18; or
- (b) by a person who is appointed by a court to manage the affairs of the Data Subject or a person authorized in writing by the Data Subject to act on his behalf.

2.3 Notice and Choice Principle (Section 7 of the PDPA)

2.3.1 Data User must Disclose their PDP Notice to Data Subject before or as soon as practicable after Collecting and Processing of Personal Data.

2.3.2 The PDP Notice must contain:-

- (a) that Personal Data of the Data Subject is being Processed by or on behalf of the Data User, and its description
- (b) the purposes for which the Personal Data is being, or is to be, Collected and Processed;
- (c) any available information on the source of Personal Data;
- (d) the Data Subject's right to access and to correct Data Subject's Personal Data and how to contact the Data User for any inquiries/complaints. Data User shall at least provide the following:
 - (i) designation of the contact person;
 - (ii) phone number;
 - (iii) fax number (if any);
 - (iv) email address (if any); and
 - (v) such other related information.
- (e) a description of Third Parties as described in Appendix V to whom Personal Data may be Disclosed and the reasons for Disclosure
- (f) the choices and means the Data User offers the Data Subject for limiting the Processing of Data Subject's Personal Data, including Personal Data relating to other persons who may be identified from that Personal Data;
- (g) a statement whether the Disclosure of Personal Data is compulsory or voluntary; and
- (h) if the Disclosure of Personal Data by Data Subject is compulsory, the consequences of failing to do so.

2.3.3 The PDP Notice must be issued by Data User in English and in National Language.

Method of Communicating the PDP Notice

2.3.4 The service of PDP Notice to the Data Subject shall be effected, by using one or more of these methods:-

- (a) by delivering the PDP Notice to the Data Subject; or
- (b) by leaving the PDP Notice at the last-known address of residence or place of business of the Data Subject in a covered address to that Data Subject; or
- (c) by forwarding the PDP Notice by posted in and A.R registered at later addressed to the Data Subject at Data Subject's last-known address of residence of place of business; Where a person refuses or neglects to take

delivery of an A.R. registered letter, such PDP Notice shall be deemed to have been served to the Data Subject.

- 2.3.5 The PDPA does not require proof that the PDP Notice is received and/or accepted by the Data Subject.

2.4 Disclosure Principle (Section 8 of the PDPA)

- 2.4.1 The Disclosure Principle is related to the Notice and Choice Principle and for the purpose for which Personal Data is Collected.

Permitted Disclosures

- 2.4.2 Subject to 2.4.3, no Personal Data shall be disclosed without the consent of the Data Subject for any purpose other than:-

- (a) the purpose declared at the point of Collection; or

Example A: In the Process of supplying electricity, Data Subject's Personal Data has to be provided to the Third Party to whom the Data User has outsourced some of its activities.

- (b) for a purpose directly related to the purpose declared at the point of Collection (for example, a purpose closely associated to the primary purpose); or

Example B: A Data Subject defaults on Data Subject's electricity bill or tax invoice. The Data User Discloses the relevant particulars of the Data Subject and Data Subject's debt to a solicitor or debt collection agent to recover the amounts outstanding.

- (c) to any party other than a third party of the class of third parties as specified in Appendix V. The Data User shall keep and maintain a list of Disclosure to third parties for the purposes of this paragraph in relation to Personal Data of the Subject Data that has been or is being Processed by the Data User.

Extent of Disclosure of Personal Data

- 2.4.3 Personal Data may be Disclosed for any purpose or to any person not mentioned under the PDP Notice under the following circumstances:-

- (a) the Data Subject has given Data Subject's consent to the Disclosure;

Example A: The Data User realises that consent is required and proceeds to write to the Data Subject requesting for such consent, which is then provided by the Data Subject.

- (b) to prevent or detect a crime, or for investigations;

Example B: Where there has been a security breach within the Data User's organization or premises, and the Data User proceeds to Disclose the information to a forensics specialist for internal investigation.

- (c) authorized by any law or court order;

Example C: Where Disclosures are made by a Data User to regulatory authorities having jurisdiction over the Data User, or where Disclosure by the Data User is necessary to comply with a court order.

- (d) the Data User acted in the reasonable belief that the Data User had in law the right to Disclose the Personal Data to the other person;

Example D: An injunction is served on the Data User in respect of a Data Subject's account, requesting the Data User to Disclose Personal Data.

Example D1: Where there is proclamation of sale, the Data User may Discloses Data Subject's Personal Data to the successful bidder and/or Data Subject's solicitor.

- (e) the Data User reasonably believed that the Data Subject will consent;

Example E: For the payment of electricity bill or tax invoice, the Data User Discloses Personal Data to Data Subject's family members.

- (f) the Disclosure was made in the public interest as determined by the Minister;

Permitted Disclosure as requested by regulatory, statutory authority or as required by a court order

2.4.4 If a request for Disclosure is directed to a Data User by any regulatory or statutory authority, or where the Disclosure is required or authorised by or under any law or by an order of court, the Data User must:-

- (a) release the requested Personal Data upon receipt of Written request citing the relevant legal basis of the request; and
- (b) wherever appropriate, set conditions stipulating the permitted use of Personal Data and its return.

2.5 Security Principle (Section 9 of the PDPA)

- 2.5.1 Under the Security Principle, Data User should take practical steps in order to safeguard the confidentiality, integrity and availability of Personal Data within the control of a Data User. The steps include implementing appropriate administrative, physical and technical measures to protect Personal Data from any loss, misuse, modification, unauthorized or accidental access, Disclosure, alteration or destruction.
- 2.5.2 The meaning of “practical steps” will vary from case to case, depending on the nature of Personal Data being Processed by the Data User and the degree of sensitivity attached to the Personal Data or the harm that the Data Subject might suffer due to its loss, misuse, modification, unauthorized or accidental access, Disclosure, alteration or destruction.
- 2.5.3 Data User should take practical steps in implementing security measures to protect Personal Data within the control of a Data User, by taking into consideration of the following:-
- (a) the nature of Personal Data and the harm that would result from such loss, misuse, modification, unauthorized or accidental access, Disclosure, alteration or destruction;
 - (b) the place or location where Personal Data is stored shall not be exposed to physical and natural threats;
 - (c) any security measures incorporated into any equipment in which Personal Data is stored;
 - (d) the measures taken for ensuring the reliability, integrity and competence of personnel having access to Personal Data; and
 - (e) the measures taken for ensuring the secure transfer of Personal Data.
- 2.5.4 The Data User shall assess their existing policies and implement measures, including but not limited to the following:
- (a) Administrative:-
 - (i) Confidentiality/ Non-disclosure Agreement;
 - (ii) Supervision/ monitoring of personnel;
 - (iii) Training and education plan for personnel;
 - (b) Physical:-
 - (i) Door access system to control entry into and exit from premises where Personal Data is stored;
 - (ii) CCTV (if required);
 - (iii) 24 hours security surveillance (if required);
 - (iv) for Personal Data that is processed manually, the measures include;
 - Filing the Personal Data in organised manner;
 - Keeping files containing Personal Data in locked storage facilities;

- Keeping storage keys in a secure place/area; and
- Recording the movement of storage keys.

(c) Technical:-

- (i) Access authorisation systems;
- (ii) Back-up/ Recovery System;
- (iii) Anti-virus and anti-malware software; and
- (iv) Encryption (if required).

2.5.5 In addition, a Data User should consider implementing disaster recovery plans and business continuity plans to effectively secure Personal Data against any possible disaster and business interruption. Periodical review and testing should be conducted by Data User to ensure the effectiveness of their disaster recovery and business continuity plans. Records of such review and testing should be maintained by Data User.

Data Processor

2.5.6 If a Data Processor is appointed by the Data User, such as an outsourced service provider, vendor or supplier, it is recommended that Data User uses reasonable efforts to include in its agreement with the Data Processor (whether in the form of a contract, letter or any formal written document):-

- (a) confidentiality, non-disclosure and security requirements;
- (b) conditions under which Personal Data may be Processed;
- (c) representations, undertakings, warranties and/or indemnities which are to be provided by the Data Processor;
- (d) security measures governing the Processing to be carried out as may be contained in the Data User's internal security policy and/or standards.

2.5.7 Access to Data User's premises or equipment must be on a need to basis and must not be given to anyone who is not an employee of the Data Processor, or for a purpose not related to the Processing of Personal Data, unless agreed by an employee authorised by the Data User.

2.6 Retention Principle (Section 10 of the PDPA)

Retention of Personal Data

- 2.6.1 The PDPA does not specify the applicable durations that Personal Data may be retained by a Data User as long as it is necessary to fulfil the purpose for which it was collected and in relation to the Data User's business needs.
- 2.6.2 If Personal Data is to be destroyed, Data User is required to permanently destroy or delete manual and electronic versions of Personal Data.
- 2.6.3 In cases where a Data User needs to retain Personal Data beyond a specified statutory period, the Data User should be able to show a reasonable need to retain Personal Data beyond the applicable statutory period.

Example A: The commencement of legal proceedings or investigations concerning the Data Subject would qualify as grounds for continuing to retain the Personal Data until the disposal/closure of the matter and the expiry of the retention period specific to the matter itself.

- 2.6.4 The PDPA does not replace other provisions of Malaysian law that require the retention of information or documents for a specified minimum duration, such as, the Companies Act 1965, Income Tax Act 1967, Employment Act 1955, Sabah Labour Ordinance, Sarawak Labour Ordinance, the Limitation Act 1953, Sarawak Limitation Ordinance, and Sabah Limitation Ordinance (Cap 72). The PDPA and other applicable laws must be read together.
- 2.6.5 Personal Data may be retained as long as it is required for the following purposes:-
- (a) legal proceedings or a regulatory or similar investigation or obligation to produce the said information;
 - (b) a crime is suspected or detected; or
 - (c) information is considered to be of potential historical importance,

Provided that Data User shall not use the Personal Data retained for any other purposes. This requirement applies to both manual and electronic copies of documents containing Personal Data-

Destruction of Personal Data

- 2.6.6 "Destruction" is applicable to paper based Personal Data and "Permanent Deletion" is applicable to electronic based Personal Data.

- 2.6.7 Personal Data which is physically archived is still subject to the provisions of the PDPA and will continue to remain so until it is destroyed, permanently deleted or anonymised. The Data User's retention policies should address restricted access to and the destruction of Personal Data.
- 2.6.8 Data User will need to utilise proper means to destroy Personal Data, such as, using a shredder machine or incinerating the discarded Personal Data.
- 2.6.9 In terms of Personal Data stored on an electronic medium, the "permanent deletion" of the Personal Data will require the electronic media (such as, hard drive or a USB thumb drive) to be wiped clean once the data has been deleted. Data User is to take reasonable effort to permanently delete Personal Data from electronic media.
- 2.6.10 Personal Data may also be retained for statistics or analysis basis provided that the Data Subject's Personal Data has been anonymised.
- 2.6.11 For inactive Personal Data, the Data User should have a disposal schedule for a period of 24 months. The disposal schedule should be properly maintained.
- 2.6.12 The Data User should dispose personal data collection form which is used for commercial transaction within the period of 14 days, unless the form has legal value that relates to the commercial transaction.

2.7 Data Integrity Principle (Section 11 of the PDPA)

- 2.7.1 Under the Data Integrity Principle, Data User must take reasonable steps to ensure that Personal Data is "*accurate, complete, not misleading and kept up-to-date*", having regard to the purpose for which Personal Data was Collected and Processed. Data User are not required to verify the accuracy and completeness of Personal Data.

Reasonable Steps

- 2.7.2 These "*reasonable steps*" depend on the circumstances of each case and the purpose why Personal Data was Collected.

Example A: Where Personal Data is retained by the Data User for issuing monthly electricity bills or tax invoices to the Data Subject, it is reasonable for the Data User to ensure that the Personal Data remains correct by way of verifying the Personal Data based on Official Identification Documents from the Data Subject. However, it is unreasonable to expect the Data User to ensure that the address of the Data Subject is always kept up-to-date.

***Example B:** The Data User may remind the Data Subject to update the Personal Data by notifying the Data Subject through the electricity bill or tax invoice and/or Data User's Corporate Websites. But it is the responsibility of the Data Subject to notify the Data User of any changes to the Personal Data.*

Personal Data is Accurate, Complete, Not Misleading and Kept Up-To-Date

2.7.3 The Data Subject must take reasonable steps to ensure that Personal Data Processed in relation to a Data Subject is:-

- (a) Accurate – meaning that the Personal Data is captured correctly.
- (b) Complete – meaning that there is no omission of details in the Data Subject Personal Data; for example, the information recorded by the Data User must correctly reflect the information given by the Data Subject.
- (c) Not misleading – meaning that Personal Data Processed should not be ambiguous, deceiving or an oversight; for example, the marital status of the Data Subject should not be falsely reflected by the Data User.
- (d) Kept up-to-date – meaning that the Data User should ensure that the Personal Data is the latest data given by the Data Subject; for example, the change of address made by the Data Subject must be recorded by the Data User.

Complying with the Data Integrity Principle

2.7.4 The following steps may be considered by Data User to comply with the Data Integrity Principle:-

- (a) The Data User may require the Data Subject to inform the Data User of any change to Data Subject's Personal Data. The Data User will not be in breach of the Data Integrity Principle if the Data User is not informed by the Data Subject of changes to Data Subject's Personal Data.
- (b) The Data User will provide a Data Correction Request to update or correct Data Subject's Personal Data at branches of the Data User and at other points of contact with Data Subject.

2.7.5 The Data User will not be in breach of the Data Integrity Principle if the Personal Data provided by the Data Subject is inaccurate, incomplete, misleading and not up-to-date.

2.7.6 The Data User need not update or correct Data Subject's Personal Data based on information given by any party other than the Data Subject.

2.7.7 The Data Integrity Principle will not be breached if:-

- (a) a Data User retains Personal Data which is historical in nature (for example, the previous address of the Data Subject); and
- (b) a Data User retains Personal Data that records events that happened in error (for example, where a Data Subject's account was accidentally terminated but has since been reinstated, the Data User is permitted to retain all records as it accurately reflect the error).

2.8 Access Principle (Section 12 of the PDPA)

2.8.1 Under the Access Principle, Data Subject shall be given the following rights:-

- (a) the right to access to Data Subject's Personal Data as set out in 3.1; and
- (b) the right to correct Data Subject's Personal Data which is inaccurate, incomplete, misleading or not up-to-date as set out in 3.2.

2.8.2 The right to access under 2.8.1(a) can be refused by the Data User as stated in 3.1.15.

2.8.3 The right to correct under 2.8.1(b) can be refused by the Data User as stated in 3.2.9.

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### 3.0 RIGHTS OF DATA SUBJECT

#### 3.1 Right of Access to Personal Data (Section 30 of the PDPA)

- 3.1.1 Data Subject/Relevant Person has the right to access Data Subject's Personal Data or Data Access Request ("DAR") by;
- (a) using the form as set out in Appendix VI of this Code; and
  - (b) if required, paying the prescribed fee under the PDP (Fees) Regulations as set out in 3.1.9.
- 3.1.2 Data Subject/Relevant Person may only access Data Subject's own Personal Data and must not be granted access to another person's Personal Data.
- 3.1.3 Where a Data Subject/Relevant Person does not require a copy of Personal Data, Data Subject/ Relevant Person shall inform the Data User in writing of the Data Subject's intention upon making a DAR of the Data Subject's Personal Data.
- 3.1.4 Upon receiving the DAR, the Data User shall acknowledge the receipt of such request and must provide to the Data Subject/Relevant Person, a copy of the Data Subject's Personal Data in an intelligible form.
- 3.1.5 However, the Data User has the right to refuse DAR submitted by the Data Subject/Relevant Person as provided under 3.1.16.
- 3.1.6 Data Subject/Relevant Person is entitled to access Data Subject's Personal Data by submitting a DAR at the Data User's premises.
- 3.1.7 Data User need to submit a copy of Personal Data to the Data Subject/Relevant Person, within 21 Days from the date of receipt of such DAR, and shall be taken by the Data Subject/Relevant Person or by authorised representative at the counter where the proposed DAR is submitted.
- 3.1.8 Where the initial 21 Days from the date of receipt of such DAR is insufficient, Data User must notify the Data Subject/Relevant Person in writing of any delay and an extension of not more than 14 Days from the date of receipt of such DAR is automatically granted to the Data User.

3.1.9 Data User is entitled to charge the Data Subject/Relevant Person for each DAR submitted. The maximum fees payable by a Data Subject/Relevant Person for the submission of a DAR are:-

| Item | Description                                | Maximum fee (RM) |
|------|--------------------------------------------|------------------|
| (a)  | For Personal Data with a copy              | 10               |
| (b)  | For Personal Data without a copy           | 2                |
| (c)  | For Sensitive Personal Data with a copy    | 30               |
| (d)  | For Sensitive Personal Data without a copy | 5                |

3.1.10 Where a Data Subject has more than one account with a Data User, and the Data Subject/Relevant Person requests access to Data Subject's Personal Data for more than one account, the Data Subject/Relevant Person is required to submit a separate DAR for each account.

3.1.11 If there is any request for a copy of electricity bill by the Data Subject/Relevant Person, Data User may charge the Data Subject/Relevant Person based on 3.1.9.

#### DAR Processing

3.1.12 Data User has the right to require the Data Subject/ Relevant Person to verify Data Subject's identity to the Data User's satisfaction if:-

- (a) the Data Subject's identification details do not correspond with the Data Subject's details kept by the Data User;
- (b) the Data Subject/Relevant Person does not pay the prescribed fees for the DAR; or
- (c) the Personal Data requested is not clearly specified in the DAR.

3.1.13 Before Processing a DAR, the Data User may, if it is of the view that it is necessary and/or appropriate, contact the Data Subject/Relevant Person at Data Subject's last known telephone number/facsimile number/e-mail address to confirm that the DAR is genuine (for example, where there is suspicion of deception/false or misleading information is provided/insufficient documentation provided).

3.1.14 Where the Data User is uncertain as to exactly what Personal Data is being requested by the Data Subject/Relevant Person under the DAR, the Data User may request for further information, such as, account numbers, dates of communication or description of the interaction with the Data User.

3.1.15 Once the Data User has obtained all the necessary information required to Process the DAR, the requested Personal Data must be provided to the Data Subject/Relevant Person or to authorised representative, except where a DAR may be rejected under the PDPA and as set out in 3.1.16.

3.1.16 Data User has the right not to comply with or to reject a DAR if:-

- (a) the DAR is requested by the Data Subject himself and the Data User is not supplied with necessary information as may reasonably require in order to satisfy the Data User as to the identity of the Data Subject (for example, Data Subject's name, identification card number, address, and such other related information as the Data User may determine);
- (b) the DAR is requested by the Relevant Person and the Data User is not supplied with such information as may reasonably require in order to satisfy the Data User;
  - (i) as to the identity of the Data Subject in relation to the Relevant Person; and
  - (ii) as to the identity of the Relevant Person in relation to the Data Subject.
- (c) the Data User is not supplied with such information as the Data User may reasonably require to locate the Personal Data to which the data access request relates;
- (d) the burden or expense of providing access to the Personal Data is not proportionate to the risk to the Data Subject's privacy (for example, if the time and cost to be incurred by the Data User is greater than the significance of the data requested under DAR);
- (e) the Data User is unable to comply with the DAR without Disclosing another individual's Personal Data, unless the individual has consented to the Disclosure to the Data Subject/Relevant Person, or unless the Data User knows it is reasonable to comply with the DAR without the consent of the other individual;
- (f) if the DAR is made to the Data User but the processing of the Personal Data is controlled by the other data user to which the Data User is in such a way is prohibited from complying with the DAR, whether in whole or in part, except to any extent that the Data User can comply with the DAR without contravening the prohibition concerned;
- (g) providing access would violate a court order;
- (h) providing access would Disclose confidential commercial information;
- (i) such access is regulated by a law other than the PDPA, such as, laws or regulations relating to the supply of electricity.

- 3.1.17 Where a Data User receives a verbal request to access Personal Data, the Data User is not required to respond to such request. However, the Data User should guide the Data Subject on the proper method of submitting a valid DAR and provide assistance as may be required by the Data Subject to submit a DAR.
- 3.1.18 Data User must maintain a record of all DAR received and the decisions made on approving or not approving each DAR. This will enable the Data User to answer any enquiry from the Data Subject/Relevant Person or investigations by the PDP Commissioner.
- 3.1.19 Where a Data User unable to comply with a DAR, the Data User is obliged within 21 Days from the date of receipt of such DAR to provide the Data Subject/Relevant Person or Data Subject's authorized representative with a written notice, with reasons for such refusal and subject to an extension of 14 Days.
- 3.1.20 The PDP Regulations provide that where a Data Subject does not require a copy of the Personal Data, the Data Subject must inform the Data User in writing of the Data Subject's reasons for submitting the DAR. Data User may assume that the Data Subject is submitting the DAR to either:-
- (a) confirm whether or not the Data User retains any Personal Data in respect of the Data Subject; or
  - (b) provide the Data Subject with details, but not a copy, of the requested Personal Data.
- 3.1.21 A DAR needs to be specific as to the Personal Data that is being sought. In this context, a request for "all Personal Data" is not considered a valid DAR.

### **3.2 Right to Correct Personal Data (Section 34 of the PDPA)**

- 3.2.1 Data Subject/Relevant Person has the right to correct Data Subject's Personal Data or Data Correction Request ("DCR") by using the form as set out in Appendix VI of this Code.
- 3.2.2 However, the Data User has the right to refuse DCR submitted by the Data Subject/Relevant Person as provided under 3.2.9.
- 3.2.3 The Data Subject/ Relevant Person may submit a DCR to the Data User to correct Data Subject's Personal Data at the Data User's premises, if:-
- (a) after receiving a copy of the Personal Data from the Data User under 3.1.4, the Data Subject knows that Data Subject's Personal Data may be inaccurate, incomplete, misleading or not up-to-date; or



- (b) the Data Subject knows that Data Subject's Personal Data may be inaccurate, incomplete, misleading or not up-to-date.
- 3.2.4 Data User must deliver a copy of the corrected Personal Data to the Data Subject/Relevant Person, within 21 Days from the date of receipt of the DCR, and to the Data Subject personally over the counter at which the DCR is submitted.
- 3.2.5 Where the initial 21 Days from the date of receipt of the DCR is insufficient, the Data User shall by notice in writing inform the Data Subject of the delay and an extension of not more than 14 Days is granted to the Data User.
- 3.2.6 Data User is not entitled to require any payment from the Data Subject for the DCR.
- 3.2.7 Data User may request for supporting evidence from Data Subject before making any corrections under a DCR.
- 3.2.8 If Personal Data has been Disclosed to a Third Party to a third party during the 12 months immediately preceding the day on which the correction is made, the Data User must take practicable steps to supply the Third Party with a copy of the corrected Personal Data together with a written notice stating reasons for the correction. The corrected Personal Data shall be personally collected by the Third Party at the Data User's premises.
- 3.2.9 Data User has the right not to comply with or to refuse a DCR if:-
- (a) the DCR is requested by the Data Subject himself and the Data User is not supplied with necessary information as the Data User may reasonably require in order to satisfy the Data User as to the identity of the Data Subject (for example, Data Subject's name, identification card number, address, and such other related information as the Data User may determine);
  - (b) the DCR is requested by the Relevant Person and the Data User is not supplied with such information as may reasonably require in order to satisfy the Data User;
    - (i) as to the identity of the Data Subject in relation to the Relevant Person; and
    - (ii) as to the identity of the Relevant Person in relation to the Data Subject, the Data User is unable to verify that the Data Subject is the person who submitted the DCR;
  - (c) the data user is not supplied with such information as he may reasonably require to ascertain in what way the personal data to which the data correction request relates is inaccurate, incomplete, misleading or not up-to-date;

*Example A: The Data Subject submits a DCR to correct Data Subject's name but does not provide supporting documents from the National Registration Department.*

- (d) the Data User is not satisfied that the personal data to which the data correction request relates is inaccurate, incomplete, misleading or not up-to-date;
- (e) the data user is not satisfied that the correction which is the subject of the data correction request is accurate, complete, not misleading or up-to-date; or
- (f) if the DCR is made to the Data User but the processing of the Personal Data is controlled by the other data user to which the Data User is in such a way is prohibited from complying with the DCR, whether in whole or in part, except to any extent that the Data User can comply with the DCR without contravening the prohibition concerned;

3.2.10 Data User must maintain a record of all DCR received and the decisions made on approving or not approving each DAR. This will enable the Data User to answer any enquiry from the Data Subject or investigations by the PDP Commissioner.

3.2.11 Where a Data User unable to comply with a DCR, the Data User must, within 21 Days from the date of receipt of such DCR to provide the Data Subject/Relevant Person with a written notice of the refusal to comply together with reasons subject to an extension of 14 Days.

### **3.3 Right to Prevent Processing Likely to Cause Damage or Distress (Section 42 of the PDPA)**

3.3.1 Data Subject may, at any time, request in Writing that the Data User ceases or not begins the Processing of Personal Data. The Data Subject must give reasons that such Processing causes or is likely to cause substantial and unwarranted damage or distress to the Data Subject.

3.3.2 Under 3.3.1, “unwarranted” and “substantial damage or distress” may be illustrated as set out below:-

- (a) “substantial damage” includes financial loss suffered by the Data Subject;
- (b) “substantial distress” includes emotional or mental trauma suffered by the Data Subject; and
- (c) “unwarranted” means that the damage or distress suffered by the Data Subject is not justifiable.

3.3.3 The Data Subject does not have the right to prevent Processing where:-

- (a) the Data Subject has consented to the Processing; or
- (b) the Processing is necessary;
  - (i) for the performance of a contract that the Data Subject has entered into;
  - (ii) to take steps at the request of the Data Subject with a view to entering into a contract;
  - (iii) for compliance with legal obligations that apply to the Data User, other than a contractual obligation; or

(iv) to protect the Data Subject's vital interests, which mean matters relating to life, death or security of a Data Subject.

3.3.4 The Data User may consider the following before deciding to comply or not to comply with a Data Subject Notice:-

- (a) the Data Subject is required to provide valid reasons that the damage or distress caused will be "substantial" and "unwarranted"; and/or
- (b) if the Data User feels that any damage or distress caused to the Data Subject is warranted or is not substantial, the Data User is entitled to not comply with the request. However, the Data User must provide the Data Subject with reasons for the refusal.

3.3.5 Upon receiving a Data Subject Notice, the Data User must, within 21 Days, provide that Data Subject with a Written notice:-

- (a) stating that the Data User has complied or intends to comply with the Data Subject Notice; or
- (b) stating the reasons of not to comply with the Data Subject Notice which is unjustified and the extent, if any, to which the Data User has complied or intends to comply.

3.3.6 If the Data User decides not to comply with the Data Subject Notice, the Data Subject may submit an application to the PDP Commissioner to require the Data User to comply with the Data Subject Notice.

3.3.7 The PDP Commissioner may require the Data User to comply with the Data Subject Notice, if the PDP Commissioner is satisfied that the Data Subject Notice is justified or justified to any extent.

3.3.8 A Data User who fails to comply with the requirement of the PDP Commissioner under 3.3.7 commits an offence and shall, on conviction, be liable to a fine not exceeding two hundred thousand ringgit or to imprisonment for a term not exceeding two years or to both.

### **3.4 Right to Prevent Processing for Purposes of Direct Marketing (Section 43 of the PDPA)**

3.4.1 The PDPA permits Data User to conduct Direct Marketing to Data Subjects:-

- (a) if explicit consent is obtained from the Data Subject;
- (b) for the Collection of Personal Data for sale of products or provision of services;
- (c) if the Data Subject is informed of the identity of Direct Marketing organisations and the purpose of Collection and Disclosure;

- (d) if the products and services offered to the Data Subject are similar to products and services generally provided by the Data User; and
- (e) the Data User has provided an opt-out facility for the Data Subject during the Collection of the Personal Data.

However, marketing materials that are not directed at particular individuals but are instead sent to all customers of a Data User or to an entire category/type of customers of a Data User will not be considered Direct Marketing for purposes of the PDPA and this Code.

*Example A: Including marketing/promotional inserts in electricity bills or tax invoices issued to all customers of a Data User does not amount to Direct Marketing.*

*Example B: Directing promotional material to selected Data Subjects with a record of prompt payment of electricity bills or tax invoices does not amount to Direct Marketing.*

3.4.2 Data User are permitted to communicate advertising or marketing materials to a Data Subject by using that Personal Data (for example, name, address, mobile phone numbers, e-mail address), which was provided by:-

- (a) the Data Subject when signing up for products or services of the Data User; or
- (b) Data Subjects who are not customers of the Data User, but who have expressed an interest in the products or services of the Data User (for example, where the Data Subject calls up the customer service department of a Data User making enquiries in respect of its products and services);

if the Data User obtained consent from the Data Subject before commencing Direct Marketing.

3.4.3 For Direct Marketing, Data User are permitted to obtain Personal Data of individuals, who are not their customers or with whom they do not have a pre-existing relationship, from Third Party sources. However, Data User must take practical steps to ensure that consent is obtained from those individuals for Collection or Disclosure for Direct Marketing.

3.4.4 However, Data User are not prevented from contacting Data Subject for Direct Marketing, if the Data User provides an opt-out facility, to allow or not allow the use of Personal Data for Direct Marketing.

- 3.4.5 Data Subject may, at any time, provide a Written notice to the Data User to require the Data User, within a reasonable time frame, to stop or not to start the Processing of Personal Data for Direct Marketing. The Data User must comply with such Written notice.
- 3.4.6 If the Data User refuses to comply with such Written notice, the Data Subject may request the PDP Commissioner to direct compliance by the Data User.
- 3.4.7 If the PDP Commissioner is satisfied with the complaint from the Data Subject, the PDP Commissioner may require the Data User to comply with the Written notice from the Data Subject.

### **3.5 Right to Withdraw Consent to the Processing of Personal Data (Section 38 of the PDPA)**

- 3.5.1 Upon receiving the Data Subject's Notice withdrawing consent to process Data Subject's Personal Data, the Data User may still Process Personal Data if the withdrawal of consent would affect the rights and obligations of the Data User under contract or legislation, as set out below:-
- (a) the right to be paid for services rendered, for example, the settlement of all electricity bills or tax invoices, overdue payments and cases on electricity theft;
  - (b) the right to bring and maintain legal proceedings against the Data Subject;
  - (c) the right to commence or continue with internal investigations involving the Data Subject;
  - (d) the obligation to maintain Personal Data for such durations as required under applicable legislation; for example, to retain Personal Data under the National Archive Act 2003; and
  - (e) the conduct of internal audits, risk management and/or fulfilment of legal or regulatory reporting requirements.

## 4.0 SPECIFIC ISSUES

### 4.1 Personal Data

- 4.1.1 Data User has access to information from different individuals during its day to day operations. However, not all information is considered to be Personal Data.
- 4.1.2 The following information is not considered to be Personal Data, therefore it is not covered under PDPA and this Code:-
- (a) data relating to deceased persons;
  - (b) data relating to a company, society, partnership, organisation or any other legal entity;
  - (c) aggregated and/or anonymised data (no name basis) wherein the person is non-identifiable.
  - (d) electronically archived and /or backed up data.
- 4.1.3 The Data User does not require consent for Processing in the following situations:-
- (a) consent of Data User's employee to Process that employee's Personal Data as part of that employee's employment contract with the Data User, since such Processing is deemed to be consented to by that employee;
  - (b) Data User may request Data Subject to provide Personal Data relating to the Data Subject's family members and Data User are not required to obtain consent from the family members for purposes relating to supply of electricity; and
  - (c) Data User does not require consent from vendors/suppliers, contractors, consultants and/or contract counterparties for information on their officers, employees, authorised signatories, directors or shareholders for the provision of goods or services to or by a Data User.

### 4.2 Sensitive Personal Data

- 4.2.1 Certain Personal Data can be classified as Sensitive Personal Data. Sensitive Personal Data consists of information related to the following:-
- (a) the physical or mental health or condition of Data Subject;
  - (b) the political opinions of Data Subject;
  - (c) the religious beliefs or other beliefs of a similar nature of Data Subject;
  - (d) the commission or alleged commission of any offence by Data Subject; or
  - (e) any other Personal Data determined by the Minister.

4.2.2 Processing of Sensitive Personal Data is only allowed under the following circumstances:-

(a) with the explicit consent of the Data Subject;

*Example A1: Data Subject provides identification card to be photocopied or scanned by the Data User for supply application or obtaining the services of Data Users.*

*Example A2: Explicit consent by conduct of Data Subject by voluntarily provides the Sensitive Personal Data to Data User.*

*Example A3: Data Subject provides verbal statement giving consent for the Processing of Personal Data which being recorded and maintained.*

(b) if the Processing is necessary for any of the following purposes:-

(i) for the performance of any right or obligation which is conferred or imposed by law on the Data User in connection with employment;

(ii) in order to protect the vital interests of another person, in a case where consent by or on behalf of the Data Subject has been unreasonably withheld;

(iii) for medical purposes;

(iv) any legal proceedings;

(v) obtaining legal advice;

(vi) establishing, exercising or defending legal rights;

(vii) administration of justice;

(viii) exercise of the functions conferred on any person by or under any Written law;

(ix) for any other purposes as the Minister thinks fit; or

(c) the information contained in the Personal Data has been made public as a result of steps deliberately taken by the Data Subject.

### 4.3 Refund of Deposits

- 4.3.1 The Data Subject may have deposited money with a Data User during the opening of an account. The Data User, upon receiving an account closing form from the Data Subject, must refund to the Data Subject the deposit either by way of cash, postal order, electronic fund transfer or cheque. However, the deposit may not be successfully refunded:-
- (a) if the correspondence addresses provided by the Data Subject is incorrect or incomplete;
  - (b) if the contact number of the Data Subject is inactive or incorrect; or
  - (c) if the Data Subject changes Data Subject's address or contact details without notifying the Data User.
- 4.3.2 Money deposited must be refunded by the Data User upon receiving a discharge and indemnity letter submitted by a family member of the Data Subject together with sufficient supporting documents as proof of family relationship.
- 4.3.3 The Data Subject must notify the Data User of any inaccuracy in any document containing Data Subject's Personal Data and the Data Subject must submit a DCR to the Data User.

### 4.4 Appointment of Meter Reader

- 4.4.1 Data User may appoint a meter reader who is not the employee of the Data User to conduct meter reading.
- 4.4.2 If a Data User appoints a meter reader to Process Personal Data, it is recommended that the Data User used reasonable efforts to ensure that their agreement with the meter reader (whether in the form of a contract, letter or any formal written document) include:-
- (a) confidentiality, non-disclosure and security requirements;
  - (b) the conditions under which Personal Data may be Processed;
  - (c) the representations, undertakings, warranties and/or indemnities which are to be provided by the meter reader;
  - (d) the technical and organizational security measures governing the Processing to be carried out as may be contained in the Data User's internal security policy and/or standards; and
  - (e) the deletion, destruction and/or return of Personal Data that is under the control of the meter reader upon completion or termination of the contract, unless Data User decides otherwise.



#### 4.5 Certificate of Registration

- 4.5.1 Data User shall display copy of the Certificate of Registration certified by the PDP Commissioner at the principal place of business of each branch of the Data User.
- 4.5.2 A “branch” means any office operated by the Data User where interaction occurs with Data Subject. However, kiosks, exchanges, offices where there is no interaction with the Data User, premises operated by marketing agents or dealers and premises of the Data Processor are not considered to be a branch for purposes of this Code.
- 4.5.3 The Data User may display the Certificate of Registration on notice boards within the premises, on electronic displays, on the screens of self-service terminals and on the Corporate Websites of the Data User.

#### 4.6 Transfer of Personal Data

- 4.6.1 The PDPA prohibits the transfer of Personal Data by a Data User to a place outside Malaysia without the consent of Data Subject. However, Personal Data may be transferred to a country with sufficient data protection laws or for the exercise of any functions conferred on any person by or under any law.
- 4.6.2 However, the Data User may still transfer Personal Data to a place outside Malaysia if:-
- (a) the Data Subject has granted Data Subject’s consent;
  - (b) the transfer is necessary for the performance of a contract between the Data User and the Data Subject;
  - (c) the transfer is necessary to perform a contract between a Data User and the Third Party;
  - (d) the transfer is for legal proceedings or obtaining legal advice;
  - (e) the Data User have reasonable grounds to believe:-
    - (i) the transfer is for the avoidance or mitigation of adverse action against the Data Subject;
    - (ii) it is not practicable to obtain the consent in Writing of the Data Subject to that transfer; and
    - (iii) the Data Subject would have given Data Subject’s consent if it was practicable to obtain such consent;
  - (f) the Data User have taken reasonable precautions to ensure Personal Data will not be Processed in any manner which contravenes the PDPA;

- (g) the transfer is necessary to protect the vital interests of the Data Subject;
  - (h) the transfer is necessary as being in public interest as determined by the Minister; or
  - (i) the transfer is to a country specified by the Minister.
- 4.6.3 The transfer of Personal Data via removable media device and cloud computing service is not permitted unless authorized in writing by an authorized officer of the organization's highest management of Data User.
- 4.6.4 The transfer of Personal Data via removable media device and cloud computing service should be recorded.
- 4.6.5 The transfer of Personal Data via cloud computing service must comply with the principles of personal data protection in Malaysia and other countries that have laws which is substantially similar personal data protection legislation or that serves the same purposes as PDPA.
- 4.6.6 The transfer of Personal Data conventionally via mail, hand delivery, fax and so on should be recorded.

#### **4.7 Installation of CCTV**

- 4.7.1 CCTV recordings may be made for purposes of safety, security monitoring or investigations.
- 4.7.2 The owner, operator and/or manager of the Data User's premises installed with CCTV must display a notice that is visible to all persons on, or outside the premises, informing the public of the CCTV operation and the purposes of its installation.
- 4.7.3 The notice shall:-
- (a) be in English or in National Language;
  - (b) be visible and noticeable at all entry and exit points of the Data User' premises, especially within the CCTV surveillance zones; and
  - (c) describe the purpose of recording and contact details of the person responsible for CCTV recording.

4.7.4 A sample of the notice appears below:-

**In English:**

*Security Notice: These premises are under 24-hour CCTV camera surveillance. Images are recorded for the purpose of crime prevention and public safety. For further information please contact [•].*

**In National Language:**

*Notis Keselamatan: Premis ini adalah di bawah pengawasan 24 jam kamera CCTV. Imej dirakam adalah bagi tujuan pencegahan jenayah dan keselamatan awam. Untuk maklumat lanjut, sila hubungi [•].*

#### **4.8 Retention of Identification Documents**

- 4.8.1 Before entering the Data User's premises, a Data Subject may be required to surrender Data Subject's Official Identification Documents, which may be photocopied or scanned and retained by the Data User.
- 4.8.2 If a Data Subject's Official Identification Documents is to be retained, for the duration of which the Data Subject is in the Data User's premises, this must be done in accordance with the National Registration Regulations 1990, the Protected Areas and Protected Places Act 1959 and the Police Act 1967 and only an auxiliary policeman (*polis bantuan*) may do so.

#### **4.9 Electricity Bill or Tax Invoice**

- 4.9.1 Personal Data Disclosed on the electricity bill or tax invoice of the Data User are:-
- (a) name of the Data Subject;
  - (b) billing address of the account holder or the address of the account holder's premises;
  - (c) information relating to the consumption of the electricity;
  - (d) information relating to the billing amount; and
  - (e) information relating to the account and contract of the account holder.

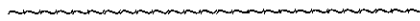
4.9.2 The electricity bill or tax invoice will be issued to the following persons:-

- (a) the account holder;
- (b) the registered owner of the premises; or
- (c) the tenant of the premises.

4.9.3 The electricity bill or tax invoice will be delivered to:-

- (a) the address of the premises; or
- (b) the address registered by the account holder.

4.9.4 Personal Data on the electricity bill or tax invoice may be Disclosed to the meter reader, account holder, tenant of the premises, and to anybody who receives the electricity bill or tax invoice at the premises or at the address registered by the account holder.



## 5.0 EMPLOYEES

### 5.1 Policies and Procedures

- 5.1.1 It is recommended that Data User develop and implement policies and procedures specifying what should be done by, what should not be done by and standards expected of employees in their day-to-day work when dealing with Personal Data.
- 5.1.2 In developing and implementing policies and procedures, it is recommended that Data User take the following points into consideration:-
- (a) the policies and procedures are to be communicated to Data User's employees; and
  - (b) relevant Data User's employees be provided with training in relation to the policies and procedures, the PDPA, PDP Regulations and this Code.

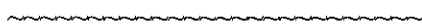
### 5.2 Training and Awareness

- 5.2.1 Data User are required to implement appropriate training or awareness mechanisms for relevant Data User's employees to ensure that they understand the relevance of the policies and procedures to their roles and responsibilities.
- 5.2.2 Awareness of relevant Personal Data policy and procedures should form part of every Data User's employee's introduction to the company.

### 5.3 Control Measure

- 5.3.1 Data User are required to implement control measures to prevent the loss or compromise of the Personal Data in situations where policies and procedures are not followed by employees.
- 5.3.2 An effective control measure should cover:-
- (a) an employee's access rights to Personal Data; and
  - (b) the implementation of security measures to prevent Personal Data breaches by employees.
- 5.3.3 In order to mitigate data security risks, Data User's employees' access to Personal Data must be well controlled and employees must only be provided with access to Personal Data on a need to basis. This includes but not limited to the following;
- (a) To terminate the access rights of employees to Personal Data when the employees leave the organisation, resign, retire, are terminated, laid off, contract of employment have expired and/or when the employees are no longer required to Process the Personal Data;

- (b) To provide a user ID and password for employees who are authorized to access Personal Data; and
  - (c) To revoke/deactivate the user ID and password immediately when employees who are authorized to access personal data are no longer required to handle Personal Data.
- 5.3.4 The Data User should control and limit the access rights of employees to Personal Data for the purpose of collecting, processing and storing personal data.
- 5.3.5 The Data User must register all employees involved in the Processing of Personal Data.



## 6.0 COMPLIANCE

### 6.1 Compliance

6.1.1 Data User must develop and implement appropriate compliance policies, procedures and a framework to ensure compliance with the PDPA and this Code.

### 6.2 Monitoring

6.2.1 Data User will monitor its compliance with this Code and the PDPA by:-

- (a) implementing an internal monitoring framework; and
- (b) conducting self-audits.

6.2.2 Upon identifying shortcomings and weaknesses in the implementation of the compliance framework, the Data User must ensure that appropriate remedial action is taken as soon as reasonably possible and the Data User shall resolve such shortcomings and weaknesses within 90 days from the date it was discovered.

6.2.3 It is recommended that Data User:-

- (a) implement a reporting system by key persons within the organization (for example, the officer(s) responsible for Personal Data protection, heads of business units and relevant key employees) to the senior management of the Data User, to review and assess the status of implementation of the PDPA and this Code to monitor issues, address shortcomings and track progress; and
- (b) conduct periodic self-audits to identify issues in relation to compliance with the PDPA and this Code.

6.2.4 This Code shall be administered by representation of all the Data User in a forum.

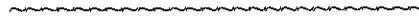
6.2.5 The Data User should meet with each other and if necessary, together with the PDP Commissioner at least once a year in order to discuss issues arising under this Code and other related matters.

### 6.3 Amendment

6.3.1 This Code may be amended, revised or updated to include all changes in the law. All such amendments, revisions or updates will be notified to Data User, in writing, by the PDP Commissioner.

6.3.2 Amendments to this Code may be made if:-

- (a) there are amendments to the PDPA or the PDP Regulations which will affect the implementation of this Code;
- (b) the PDP Commissioner makes amendments on Data Subject's own accord; and/or
- (c) Data User make recommendations for amendments to the PDP Commissioner based on the results of this Code review.





## 7.0 CONCLUSION

- 7.1 All Data User must comply with this Code.
- 7.2 Data User must develop and implement appropriate policies and procedures to comply with this Code.
- 7.3 A Data Processing flowchart is set out in Appendix II of this Code and it is to be used as a guide and initial reference only as to whether consent is needed for Personal Data to be Processed.
- 7.4 Any DAR or DCR must be submitted through the form as detailed in Appendix VI, which form may be changed by the Data User with the approval of the PDP Commissioner.
- 7.5 For any questions regarding the implementation of this Code by a Data User:-
- (a) for TNB, please refer to Part 1.0 of Appendix VII;
  - (b) for SESB, please refer to Part 2.0 of Appendix VII; and
  - (c) for SESCO, please refer to Part 3.0 of Appendix VII.

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Appendix I
DEFINITIONS

Words	Meaning
<i>Day(s)</i>	Any day except a Saturday, Sunday or public holiday (gazetted or ungazetted and whether scheduled or unscheduled), on which the Data User is open for business
<i>CCTV</i>	Closed-circuit television camera
<i>Code</i>	This Personal Data Protection Code of Practice for the Utilities Sector (Electricity)
<i>Collect, Collection or Collected</i>	In relation to Personal Data, an act by which such Personal Data enters into or comes under the control of a Data User
<i>Commercial Transactions</i>	Any transaction of a commercial nature, whether contractual or not, which includes any matters relating to the supply or exchange of goods or services, agency, investments, financing, banking and insurance, but does not include a credit reporting business carried out by a credit reporting agency under the Credit Reporting Agencies Act 2010
<i>Corporate Email</i>	Please refer to Appendix VII for the details of each Data User's Corporate Emails
<i>Corporate Website</i>	Please refer to Appendix VII for the details of each Data User's Corporate Websites
<i>Data Access Request ("DAR")</i>	Written request made by the Data Subject to the Data User to access Personal Data of that Data Subject, using the Data Access Request Form, as set out in in Appendix VI
<i>Data Correction Request ("DCR")</i>	Written request made by the Data Subject to the Data User to correct Personal Data of that Data Subject, using the Data Correction Request Form, as set out in Appendix VI
<i>Data Processor</i>	In relation to Personal Data, any person, other than an employee of the Data User, who Processes Personal Data solely on behalf of the Data User, and does not Process Personal Data for any of Data Subject's own purposes
<i>Data Subject</i>	An individual who is the subject of Personal Data Under this Code includes the following:- (a) individual who are or who were customers of a Data User; (b) individual who represent customers of a Data User (such as, parents of minors, trustees and authorised representatives);

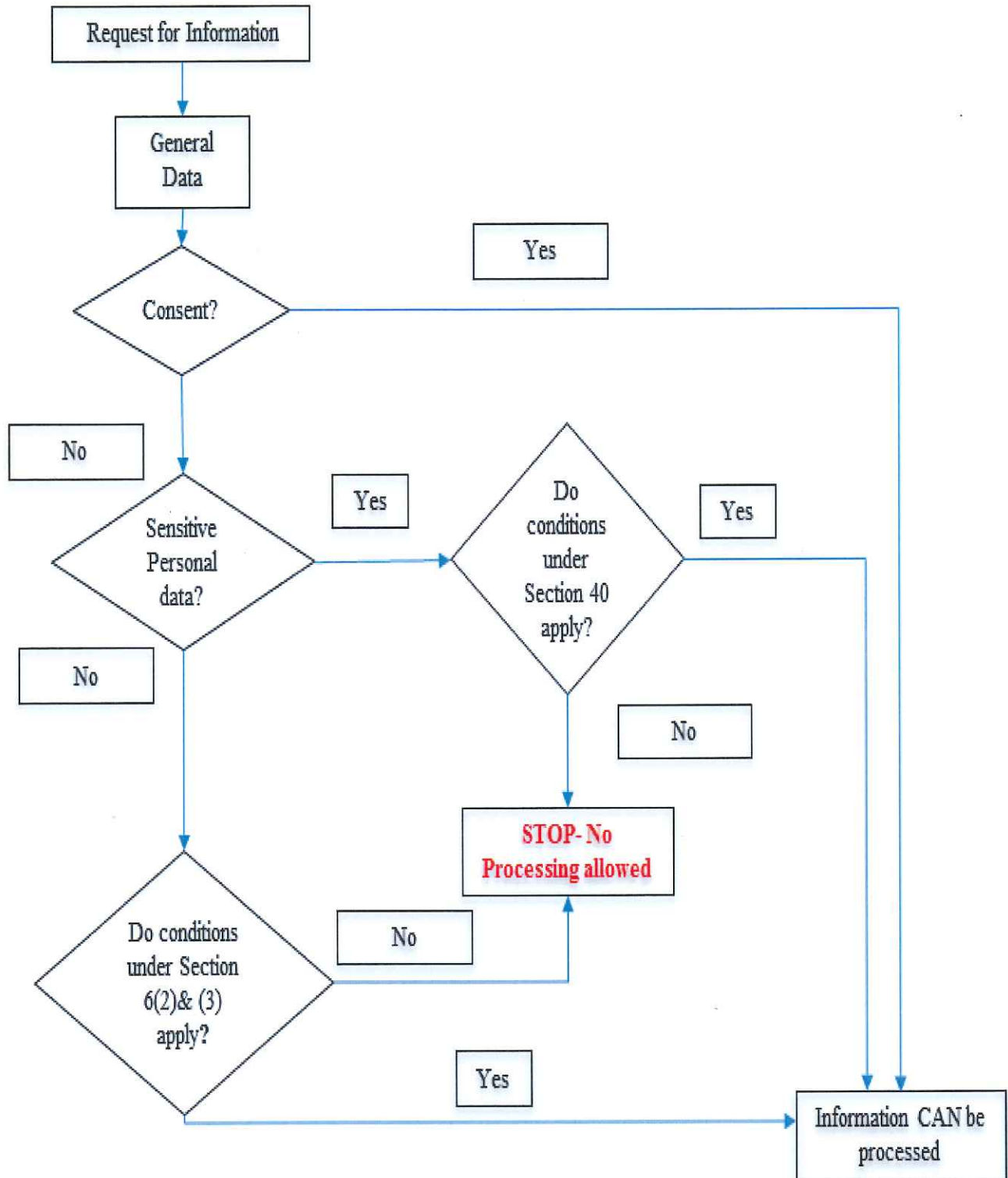
Words	Meaning
	(c) individual who have been identified as potential customers of a Data User; (d) individual who have applied to be customers of a Data User; and (e) individual who have entered into any arrangement with a Data User on behalf of another person, such as, guarantors
Data Subject Notice	Written notice by the Data Subject to request a Data User to cease or not to begin the Processing if it causes or is likely to cause substantial damage or distress to him/her or another
Data User	A person who either alone or jointly or in common with other persons Processes any Personal Data or has control over or authorizes the Processing, but does not include a Data Processor Under this Code:- (a) TNB; (b) SESB; and (c) SESCO
Direct Marketing	Communication by whatever means of any advertising or marketing material which is directed to particular persons
Disclose, Discloses, Disclosed and Disclosure	In relation to Personal Data, an act by which such Personal Data is made available by a Data User
DNA profile	An encrypted set of numbers that reflect a person's DNA makeup and can be used to identify that person
Federal Government	Government of Malaysia
Industry Regulator	In relation to:- (a) TNB - the Energy Commission of Malaysia; (b) SESB - the Energy Commission of Malaysia; and (c) SESCO - the Director of Electricity Supply for Sarawak
Instant Messaging	Short message service, text messaging service, application based messaging system, any forms of instant messaging via mobile telephone, web, mobile communication systems or any other similar communication platform
Minister	Minister charged with the responsibility for the protection of Personal Data; under this Code it is the Minister of Communications and Multimedia, Malaysia
Ministry	Ministry of Communications and Multimedia, Malaysia
National Language	As defined under the Federal Constitution of Malaysia
Official Identification	(a) National Registration Identity Card;

Words	Meaning
<i>Documents</i>	(b) driving license; and (c) passport
<i>PDPA</i>	Personal Data Protection Act 2010 (Act 709)
<i>PDP Commissioner</i>	Personal Data Protection Commissioner appointed pursuant to the PDPA
<i>PDP (Class of Data User) Order 2013</i>	Personal Data Protection (Class of Data User) Order 2013
<i>PDP (Fees) Regulations</i>	Personal Data Protection (Fees) Regulations 2013
<i>PDP (Registration) Regulations</i>	Personal Data Protection (Registration of Data User) Regulations 2013
<i>PDP Notice</i>	Personal Data Protection Notice issued by a Data User, as may be amended by a Data User from time to time
<i>PDP Regulations</i>	Personal Data Protection Regulations 2013
<i>Personal Data</i>	<p>Any information in respect of Commercial Transactions, which:-</p> <p>(a) is being Processed wholly or partly by means of equipment operating automatically in response to instructions given for that purpose;</p> <p>(b) is recorded with the intention that it should wholly or partly be Processed by means of such equipment; or</p> <p>(c) is recorded as part of a Relevant Filing System or with the intention that it should form part of a Relevant Filing System; that relates directly or indirectly to a Data Subject, who is identified or identifiable from that information or from that and other information in the possession of a Data User, including any Sensitive Personal Data and expression of opinion about the Data Subject, but does not include any information that is Processed for the purpose of a credit reporting business carried on by a credit reporting agency under the Credit Reporting Agencies Act 2010</p>
<i>Process, Processes, Processed or Processing</i>	<p>In relation to Personal Data, means Collecting, recording, holding or storing Personal Data or carrying out any operation or set of operations on Personal Data, including:-</p> <p>(a) the organisation, adaptation or alteration of Personal Data;</p> <p>(b) the retrieval, consultation or use of Personal Data;</p> <p>(c) the Disclosure of Personal Data by transmission, transfer, dissemination or otherwise making available; or</p>

Words	Meaning
	(d) the alignment, combination, correction, erasure or destruction of Personal Data
<i>Relevant Data User</i>	<p>In relation to:-</p> <p>(a) an inspection, means the Data User who uses Personal Data system which is the subject of the inspection;</p> <p>(b) a complaint, means the Data User specified in the complaint;</p> <p>(c) an investigation:-</p> <p>(i) in the case of an investigation initiated by a complaint, means the Data User specified in the complaint; or</p> <p>(ii) in any other case, means the Data User who is the subject of the investigation; or</p> <p>(d) an enforcement notice, means the Data User on whom the enforcement notice is served</p>
<i>Relevant Person</i>	<p>“relevant person”, in relation to a data subject, howsoever described, means:-</p> <p>(a) in the case of a data subject who is below the age of eighteen years, the parent, guardian or person who has parental responsibility for the data subject;</p> <p>(b) in the case of a data subject who is incapable of managing his own affairs, a person who is appointed by a court to manage those affairs, or a person authorized in writing by the data subject to act on behalf of the data subject; or</p> <p>(c) in any other case, a person authorized in writing by the data subject to make a data access request, data correction request, or both such requests, on behalf of the data subject</p>
<i>Relevant Filing System</i>	<p>Any set of information relating to individuals to the extent that, although the information is not Processed by means of equipment operating automatically in response to instructions given for that purpose, the set of information is structured, either by reference to individuals or by reference to criteria relating to individuals, in such a way that specific information relating to a particular individual is readily accessible</p>
<i>Sensitive Personal Data</i>	<p>Any Personal Data consisting of information as to the physical or mental health or condition of a Data Subject, Data Subject’s political opinions, Data Subject’s religious beliefs or other beliefs of a similar nature, the commission or alleged commission by him/her of any offence or any other Personal Data that the</p>

Words	Meaning
	Minister may determine by order published in the Gazette
<i>SESB</i>	Sabah Electricity Sdn. Bhd. (Company No.462872-W)
<i>SESCO</i>	Syarikat SESCO Berhad (Company No. 672931-A). (formerly known as Sarawak Electricity Supply Corporation.
<i>State Government</i>	Government of a State in Malaysia
<i>Third Party or Third Parties</i>	<p>In relation to Personal Data, means any person other than:-</p> <ul style="list-style-type: none"> (a) a Data Subject; (b) a relevant person in relation to a Data Subject; (c) a Data User; (d) a Data Processor; or (e) a person authorized in Writing by a Data User to Process Personal Data under the direct control of the Data User
<i>TNB</i>	Tenaga Nasional Berhad (Company No. 200866-W)
<i>Writing or Written</i>	All manual or electronic method of recording information in a form capable of being stored and printed, whether in manuscript, using a typewriter or computer, or using other electronic communication device

Appendix II
PERSONAL DATA PROCESSING FLOWCHART



Appendix III

WHAT SHOULD BE DONE UNDER THE PDPA

Each Data User must:-

- 1) Comply with the PDPA and this Code.
- 2) Determine if consent is required before Processing Personal Data.
- 3) Obtain free, prior and informed consent from the Data Subject to Process Data Subject's Personal Data, if required.
- 4) Obtain written consent before Processing Sensitive Personal Data, such as race, political opinion, religious belief, trade union membership, physical or mental health, sexual life or criminal offences.
- 5) Data User should alert all Data Subject to the PDP Notice;
- 6) Data User should state clearly in all Data Subject documents, the purpose(s) for which Personal Data is Collected and Processed;
- 7) Inform the Data Subject how Personal Data is Processed and by whom, in English or in National Language.
- 8) Ensure that Personal Data is Processed through software and hardware that has been approved and provided by the Data User.
- 9) Be aware that the PDPA covers all Personal Data in any form, except in the following conditions:-
 - data relating to deceased persons;
 - data relating to a company, society, partnership, organization or any other legal entity; or
 - aggregated and/or anonymised data (no name basis) wherein the person is non-identifiable.
- 10) Retain Personal Data only if and when necessary.
- 11) Ensure Personal Data is kept accurate and up-to-date.
- 12) Inform the Data Subject what, why, how and for how long, Data Subject's Personal Data is kept.
- 13) Keep Personal Data confidential and protect the rights of the Data Subject under the PDPA.
- 14) Be careful about Disclosing Personal Data to Third Parties unless permitted by law or with Written consent from the Data Subject.
- 15) Enter into a contract with confidentiality and non-disclosure clauses before Disclosing Personal Data to Third Parties.

- 16) Permanently destroy hard copy and soft copy of Personal Data which is no longer required.
- 17) Maintain a database of all Personal Data retained and keep a record of all Personal Data destroyed.
- 18) Establish a systematic system for the Collection of Personal Data to facilitate inspection by the PDP Commissioner.
- 19) Process Personal Data on a 'no name' basis for statistical analysis.
- 20) Allow the Data Subject to update or correct Data Subject's Personal Data.
- 21) Collect Personal Data only when it is necessary.
- 22) Specify which fields are necessary to be filled up, when Collecting Personal Data by electronic transactions.
- 23) Allow the Data Subject to use or not to use auto-completion facilities for forms or passwords in the Data User's Corporate Website.
- 24) Ensure their security system and technical protection is up-to-date.
- 25) Assess the risks of a security breach and its potential harm to the Data Subject and have a management plan to deal with such security breaches.
- 26) Analyse the risk before contracting any online services company or any other counterparty before Disclosing any Personal Data.
- 27) Ensure that employees only have access to Personal Data that he/ she has access to while he/she is still an employee of the Data User.
- 28) Make all information on Personal Data policy and procedures available to Data User's employee in English and in National Language.
- 29) Be careful when using Corporate Email, telephone, facsimile, Instant Messaging or other forms of communication for sending confidential or unencrypted Personal Data.

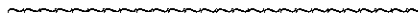
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**Appendix IV**

**WHAT SHOULD NOT BE DONE UNDER THE PDPA**

Each Data User must not:-

- 1) Disclose any Personal Data through the telephone, Internet, Instant Messaging, electronic communication, in Writing or verbally unless consent is obtained from the Data Subject.
- 2) Transfer any Personal Data outside of Malaysia unless consent is obtained from the Data Subject or if it is permissible under the law.
- 3) Allow open access to or leave unattended any hard copy or soft copy of Personal Data.
- 4) Use Personal Data for any purpose other than why it was Collected, without consent from the Data Subject.
- 5) Ask a Data Subject to provide the Official Identification Documents or its particulars except where necessary to provide products or services to the Data Subject.
- 6) Mislead the Data Subject about Data Subject's choices or about how Data Subject's Personal Data will be used.
- 7) Collect Personal Data, especially Sensitive Personal Data, before a contract with the Data Subject is formed.
- 8) Reveal password or user identification to unauthorized persons.



**Appendix V**

**LIST OF DISCLOSURES**

**(This Appendix is not intended to be exhaustive but may be amended from time to time as approved by the PDP Commissioner)**

| NO. | THIRD PARTIES                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.  | Financial institutions, merchants, VISA International Services Association, MasterCard International Incorporated and other card associations (in relation to credit cards issue to Data Subject) for the purpose of payment of electricity bill or other services of the Data User                                                                                                                                                                            |
| 2.  | Postal providers which provide postal services to the Data User                                                                                                                                                                                                                                                                                                                                                                                                |
| 3.  | Telecommunication providers which provides telecommunication services to the Data User                                                                                                                                                                                                                                                                                                                                                                         |
| 4.  | Service providers which assist the Data User in processing the services that the Data User requested                                                                                                                                                                                                                                                                                                                                                           |
| 5.  | Agents/ contractors/ consultants/ vendors/ external auditors/ counsellor/ data processor appointed by the Data User                                                                                                                                                                                                                                                                                                                                            |
| 6.  | <p>Approved bodies where employees contributions are remitted:</p> <ul style="list-style-type: none"> <li>• Social Security Organisation (SOCSO)</li> <li>• Baitulmal</li> <li>• Pusat Zakat</li> <li>• Lembaga Tabung Haji</li> <li>• Yayasan Pembangunan Ekonomi Islam Malaysia (YaPEIM)</li> <li>• Employees Provident Fund (EPF)</li> <li>• Koperasi Wawasan Pekerja-Pekerja Berhad (KOWAJA)</li> <li>• Koperasi TNB</li> <li>• Insurer/ Broker</li> </ul> |
| 7.  | <p>Close family members of Data Subject:</p> <ul style="list-style-type: none"> <li>• Father</li> <li>• Mother</li> <li>• Husband</li> <li>• Wife</li> <li>• Siblings</li> </ul>                                                                                                                                                                                                                                                                               |

|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>8.</p>  | <p>Federal Government or State Government requesting information from the Data User. The following are the examples stated, as such it is including but not limited to as below:</p> <ul style="list-style-type: none"> <li>• Department of Islamic Development Malaysia</li> <li>• Department of Legal Aid Malaysia</li> <li>• Department of Statistics Malaysia</li> <li>• Director of Electricity Supply for Sarawak</li> <li>• Energy Commission of Malaysia</li> <li>• Immigration Department of Malaysia</li> <li>• Inland Revenue Board of Malaysia (matters relating to income tax)</li> <li>• Majlis Amanah Rakyat under the Ministry of Rural and Regional Development</li> <li>• Malaysian Anti-Corruption Commission</li> <li>• Malaysia Department of Insolvency</li> <li>• Ministry of Domestic Trade, Co-operatives and Consumerism</li> <li>• Ministry of Finance Malaysia</li> <li>• Ministry of Health</li> <li>• Ministry of Human Resources Malaysia</li> <li>• Royal Malaysian Customs Department (matters relating to GST)</li> <li>• Royal Malaysia Police</li> <li>• Security Commission</li> <li>• Syariah Judiciary Department Malaysia</li> <li>• Jabatan Agama</li> <li>• Majlis Perbandaran</li> <li>• Majlis Daerah</li> <li>• Majlis Agama Islam Negeri</li> <li>• The National Higher Education Fund Corporation (PTPTN)</li> <li>• The National Film Development Corporation Malaysia (FINAS)</li> </ul> |
| <p>9.</p>  | <p>Wholly owned subsidiaries of the Data User</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>10.</p> | <p>Tenant and/or owner of the premises where the electricity is supplied (whom is not a registered consumer)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>11.</p> | <p>Panel lawyers/ legal advisors appointed by the Data User</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>12.</p> | <p>Panel doctors/ clinics/ hospitals/ pharmacists appointed by the Data User</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>13.</p> | <p>Meter reader/ disconnector of electricity supply outsourced by the Data User</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>14.</p> | <p>Any person connected to the enforcement or preservation on the Data User's right under the agreements which have been entered with the Data User</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|     |                                                                                                                                                                                                                                            |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 15. | Company and organisation that assist the Data User in providing value services that the Data Subject requested                                                                                                                             |
| 16. | Any person notified and authorised by the Data Subject                                                                                                                                                                                     |
| 17. | Any person intending to settle the outstanding amount in relation to the Data User services to the Data Subject                                                                                                                            |
| 18. | The relevant authority where the Data User has the obligation towards it as stipulated as follows: <ul style="list-style-type: none"> <li>• Director of Electricity Supply for Sarawak</li> <li>• Energy Commission of Malaysia</li> </ul> |
| 19. | Where Data Users are required or authorised by any court order / tribunal or authority whether government or quasi government with jurisdiction over the Data User                                                                         |
| 20. | Any person/ company appointed by the Data User to recover the outstanding debt of the Data User                                                                                                                                            |
| 21. | Data User advisers (including but not limited to accountants, auditors, lawyers or other professional advisers) as authorised by Data Subject                                                                                              |
| 22. | To the parties that Data User required or permitted by law                                                                                                                                                                                 |
| 23. | To the parties that the Data User may transfer rights and obligations pursuant to the agreement endorsed with the Data Subject                                                                                                             |
| 24. | Proclamation of sales                                                                                                                                                                                                                      |

**Appendix VI**

**DATA ACCESS REQUEST / DATA CORRECTION REQUEST FORM**

**PERSONAL DATA ACCESS REQUEST FORM**

For the purpose of this form, Data Subject/Relevant Person (as defined under the Personal Data Protection Act 2010) must provide a copy of identification card (NRIC) or passport, authorisation letter by the Data Subject and other relevant supporting document as required by us. Please note that, we may not be able to process your request in the event of the personal data provided is inaccurate, incomplete, misleading or not up to date in the first place. A request to access personal data is subject to a fee and also to requirements under Personal Data Protection Act 2010.

| <b>SECTION 1 : TO BE FILLED IN BY DATA SUBJECT</b>    |  |
|-------------------------------------------------------|--|
| Full Name as per NRIC                                 |  |
| New NRIC (Attach copy)                                |  |
| *House Phone                                          |  |
| *Office Phone                                         |  |
| Mobile phone                                          |  |
| <b>SECTION 2 : TO BE FILLED IN BY RELEVANT PERSON</b> |  |
| <b>A : Particulars of Data Subject</b>                |  |
| Full Name as per NRIC                                 |  |
| New NRIC (Attach copy)                                |  |
| <b>B : Particulars of Relevant Person</b>             |  |
| Full Name as per NRIC                                 |  |
| New NRIC (Attach copy)                                |  |
| Address                                               |  |
| *House Phone                                          |  |
| *Office Phone                                         |  |
| Mobile phone                                          |  |
| <i>*Non-mandatory information</i>                     |  |

**ACCESS OF DATA SUBJECT'S PERSONAL DATA**

| <b>Please provide a description of the personal data to be accessed.</b> |
|--------------------------------------------------------------------------|
|                                                                          |

Do you need a copy of the Personal Data? (Please tick (x) in the relevant box below)

| <input type="checkbox"/> <b>Yes</b> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 10%;">Item</th> <th style="width: 60%;">Description</th> <th style="width: 30%;">Fee (RM)</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> (a)</td> <td>Personal Data</td> <td style="text-align: center;">10</td> </tr> <tr> <td><input type="checkbox"/> (b)</td> <td>Sensitive Personal Data</td> <td style="text-align: center;">30</td> </tr> </tbody> </table> | Item                    | Description | Fee (RM) | <input type="checkbox"/> (a) | Personal Data | 10 | <input type="checkbox"/> (b) | Sensitive Personal Data | 30 | <input type="checkbox"/> <b>No</b> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 10%;">Item</th> <th style="width: 60%;">Description</th> <th style="width: 30%;">Fee (RM)</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> (a)</td> <td>Personal Data</td> <td style="text-align: center;">2</td> </tr> <tr> <td><input type="checkbox"/> (b)</td> <td>Sensitive Personal Data</td> <td style="text-align: center;">5</td> </tr> </tbody> </table> | Item | Description | Fee (RM) | <input type="checkbox"/> (a) | Personal Data | 2 | <input type="checkbox"/> (b) | Sensitive Personal Data | 5 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------------|----------|------------------------------|---------------|----|------------------------------|-------------------------|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-------------|----------|------------------------------|---------------|---|------------------------------|-------------------------|---|
| Item                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Description             | Fee (RM)    |          |                              |               |    |                              |                         |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |             |          |                              |               |   |                              |                         |   |
| <input type="checkbox"/> (a)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Personal Data           | 10          |          |                              |               |    |                              |                         |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |             |          |                              |               |   |                              |                         |   |
| <input type="checkbox"/> (b)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Sensitive Personal Data | 30          |          |                              |               |    |                              |                         |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |             |          |                              |               |   |                              |                         |   |
| Item                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Description             | Fee (RM)    |          |                              |               |    |                              |                         |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |             |          |                              |               |   |                              |                         |   |
| <input type="checkbox"/> (a)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Personal Data           | 2           |          |                              |               |    |                              |                         |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |             |          |                              |               |   |                              |                         |   |
| <input type="checkbox"/> (b)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Sensitive Personal Data | 5           |          |                              |               |    |                              |                         |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |      |             |          |                              |               |   |                              |                         |   |

|                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>Declaration by the Data Subject</u></b></p> <p>I,.....<br/>.....<br/>hereby certify that the information given in this form and any documents submitted are true and accurate.</p> <p>Signature:.....<br/>Date:.....</p> | <p><b><u>Declaration by the Relevant Person</u></b></p> <p>I,.....<br/>.....<br/>hereby certify that the information given in this form and any documents submitted are true and accurate. I, hereby agreed that you may contact the Data Subject to verify my identity.</p> <p>Signature:.....<br/>Date:.....</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Note: If GST is imposed on the Fee, the Data Subject will pay for all GST.

**PERSONAL DATA CORRECTION REQUEST FORM**

For the purpose of this form, Data Subject/Relevant Person (as defined under the Personal Data Protection Act 2010) must provide a copy of identification card (NRIC) or passport, authorization letter by the Data Subject and other relevant supporting document as required by us. Please note that, we may not be able to process your request in the event of the personal data provided is inaccurate, incomplete, misleading or not up to date in the first place. A request to correct personal data is subject to the requirements under Personal Data Protection Act 2010.

| <b>SECTION 1 : TO BE FILLED IN BY DATA SUBJECT</b>    |  |
|-------------------------------------------------------|--|
| Full Name as per NRIC                                 |  |
| New NRIC (Attach copy)                                |  |
| *House Phone                                          |  |
| *Office Phone                                         |  |
| Mobile Phone                                          |  |
| <b>SECTION 2 : TO BE FILLED IN BY RELEVANT PERSON</b> |  |
| <b>A : Particulars of Data Subject</b>                |  |
| Full Name as per NRIC                                 |  |
| New NRIC (Attach copy)                                |  |
| <b>B : Particular of Relevant Person</b>              |  |
| Full Name as per NRIC                                 |  |
| New NRIC (Attach copy)                                |  |
| Address                                               |  |
| *House Phone                                          |  |
| *Office Phone                                         |  |
| Mobile Phone                                          |  |
| <i>*Non-mandatory information</i>                     |  |

**CORRECTION OF DATA SUBJECT'S PERSONAL DATA**

|                                                                    |
|--------------------------------------------------------------------|
| Please provide a description of the personal data to be corrected. |
|                                                                    |



| <b><u>Declaration by the Data Subject</u></b>                                                                                                                      | <b><u>Declaration by the Relevant Person</u></b>                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| I,.....<br>.....<br>hereby certify that the information given in this form and any documents submitted are true and accurate.<br><br>Signature:.....<br>Date:..... | I,.....<br>.....<br>hereby certify that the information given in this form and any documents submitted are true and accurate. I, hereby agreed that you may contact the Data Subject to verify my identity.<br><br>Signature:.....<br>Date:..... |

## Appendix VII

### IMPORTANT CONTACT DETAILS

#### 1.0 Tenaga Nasional Berhad (TNB)

**Address** : Tenaga Nasional Berhad, No 129, Jalan Bangsar, 59200 Kuala Lumpur  
**Telephone** : 603 2296 5566 (Headquarters) (8am to 5.15pm on business days)  
1-300-88-5454 (8am to 11pm daily)  
**Fax** : 03-2283 3686  
**Corporate Email** : [tnbcareline@tnb.com.my](mailto:tnbcareline@tnb.com.my)  
**Corporate Website** : [www.tnb.com.my](http://www.tnb.com.my)

#### 2.0 Sabah Electricity Sdn. Bhd. (SESB)

**Address** : Wisma SESB, Jalan Tunku Abdul Rahman, 88673 Kota Kinabalu, Sabah, Malaysia.  
**Telephone** : 088-515000 (8am to 5.15pm on business days)  
15454 (Careline)  
**Fax** : 6 088-282314  
**Corporate Email** : [talk2us@sesb.com.my](mailto:talk2us@sesb.com.my)  
**Corporate Website** : [www.sesb.com.my](http://www.sesb.com.my)

#### 3.0 Syarikat SESCO Berhad (SESCO)

**Address** : Wisma SESCO, Jalan Bako, 93763 Petra Jaya, Kuching.  
**Careline** : 1300-88-3111 (Customer Care Centre)  
**Fax** : 6 082-313588 (Technical and Billing enquiries)  
6 082-341063 (Corporate Information)  
**Corporate Email** : [customercare@sarawakenergy.com.my](mailto:customercare@sarawakenergy.com.my) (Technical and Billing enquiries)  
[corpcomm@sarawakenergy.com.my](mailto:corpcomm@sarawakenergy.com.my) (Corporate Information)  
**Corporate Website** : <http://www.sarawakenergy.com.my>