

## Privacy Notice (for Cast and Crew Members)

### INTRODUCTION

1. Performing Arts Centre of Penang including its subsidiaries, associated companies, affiliates, successors, assigns, and licensees (hereinafter collectively referred to as "penangpac") is committed in safeguarding the privacy of your Personal Data in compliance with the Personal Data Protection Act 2010 ("PDPA").
2. Accordingly, this Privacy Notice ("Notice") is formulated with the purpose to explain to you penangpac's practices in the collection, usage, recording, retention, and disclosure (collectively referred to as "Process") of your Personal Data and is to be read together with other privacy terms and conditions prescribed by penangpac, from time to time.
3. For the purposes of this Notice, "Personal Data" means information and expressions of opinions relating to you, whether directly or indirectly, which you have provided to penangpac, such as your name, address, telephone number, NRIC No., email address, personal preferences, cookies, IP addresses, social media details, content preferences, bank account information, photographs, images, recordings and any other information and/or expressions of opinions which may identify you.

### COLLECTION OF PERSONAL DATA AND THE SOURCE

4. penangpac is required to Process your Personal Data, to the extent that is necessary in order for us to deal purposes stipulated in paragraphs 11 and 12 below including: (a) to deal with your inquiries; (b) to communicate with you; (c) generally provide you with our services and facilities including providing you talent and training opportunities; and (d) to allow full functioning of penangpac's Website at [www.penangpac.org](http://www.penangpac.org) ("Website") or penangpac's Pages that are available in social media websites such as Facebook, Twitter and Foursquare ("Pages").
5. As such, by engaging penangpac for the purposes stipulated in paragraphs 11 and 12 including: (a) to provide you with our services and facilities; or (b) by communicating with penangpac either at our place of business, shows, events, facilities or otherwise; or (c) visiting or browsing penangpac's Website or Pages; you have consented to the Processing of your Personal Data by penangpac and its Personnel, whether working directly or indirectly for penangpac and regardless of location the individuals are working from and the nature of the contract, including employees, officers, and contract for services such as agents, contractors, consultants, freelancers, casual or temporary workers and service providers (collectively referred to as "Personnel").
6. In addition to the Personal Data you provided to penangpac directly (i.e. during your communications and relationship with penangpac, or when you engage penangpac to provide facilities or services or otherwise), penangpac may also collect your Personal Data from a variety of sources, including without limitation from: (a) your visitation at our place of business, shows or events or otherwise organized or sponsored by penangpac, whether solely or in association or partnership with any third parties; (b) from "cookies" obtained through your visitation or browsing of this Website or Pages; and (c) from such other sources in respect of which you have given your consent.
7. The provision of your Personal Data is voluntary, including "cookies". "Cookies" are a small data file which contains information you have supplied yourself, such as your preferred language and region preferences, and may assist in improving your experience and navigation in penangpac's Website or Pages.
8. penangpac use "cookies" on the Website to track website visitorship and experience. Most web browsers are designed to accept "cookies". If you do not wish to receive any "cookies", you may set your browser to disable it.
9. However, if you do not provide your Personal Data, where essential, or disable "cookies", penangpac may not be able to: (a) communicate with you; (b) provide you the services and facilities you require; or (c) allow full functioning access to certain sections of penangpac's Website or Pages where log in is required.

10. Please note that children under the age of 18 years old ("Minor") shall be accompanied by the relevant parents, legal guardians and/or representatives when visiting or browsing penangpac's Website or Pages and/or perusing the services that are available on penangpac's Website and Pages. Where the relevant parents, legal guardians and/or representatives have authorized a Minor to visit or browse penangpac's Website and Pages, or use any of the services available in the same, the relevant parents, legal guardians and/or representatives shall be fully responsible for: (a) the online conduct of such Minor; (b) the controlling of the Minor's access to and use of any said Websites and Pages, and the services contained therein; and (c) the consequences of any misuse by the Minor, including but not limited to transactions entered into by the Minor using such access.

#### PURPOSE OF PROCESSING

11. penangpac may Process your Personal Data for the purposes relating to the services and facilities you have requested and for the general business activities of penangpac which shall include the following:
  - a. to communicate with you and such individuals as required for the purposes relating to the services and facilities you have requested;
  - b. to respond to your enquiries and complaints and to generally resolve disputes, if any;
  - c. for talent and training opportunities including auditions, hires and contract opportunities, internships in penangpac or in arts, activities, concerts, conferences, events, exhibitions, fairs, festivals, musicals, plays, productions, programs, recitals, screening, shows, talks, and workshops whether organized or sponsored by penangpac or other third party;
  - d. for the purposes of organizing and managing any arts, activities, concerts, conferences, events, exhibitions, fairs, festivals, musicals, plays, productions, programs, recitals, screening, shows, talks, and workshops whether organized or sponsored by penangpac or other third party;
  - e. for the purpose of registration and participation in any arts, activities, concerts, conferences, events, exhibitions, fairs, festivals, musicals, plays, productions, programs, recitals, screening, shows, talks, and workshops whether organized or sponsored by penangpac or other third party;
  - f. for verification and identification purposes;
  - g. for administrative and record keeping purposes;
  - h. for human resource purposes including the headcount and management of cast and crew members, payroll planning, performance evaluation, and the reimbursement of expenses, if any;
  - i. for allowing the full function of penangpac's Website and Pages during browsing or visitation of the same;
  - j. to provide information to regulatory and governmental authorities in order to comply with statutory and government requirements;
  - k. for compliance with penangpac's obligations under the law;
  - l. to establish, exercise, protect and defend penangpac's legal rights;
  - m. for the purpose of legal proceedings or prospective legal proceedings;
  - n. for any other purposes that is required or permitted by any law, regulations, guidelines and/or relevant regulatory authorities; and
  - o. for the purposes of disaster recovery, and you agree and consent to the Processing your Personal Data in the manner as identified in this Notice.
12. Other than the purposes stated above, penangpac may also Process your Personal Data for the following purposes:
  - a. to send you materials such as articles, newsletters, write-ups as well as other updates; and
  - b. to distribute information or details of arts, activities, concerts, conferences, events, exhibitions, fairs, festivals, musicals, plays, productions, programs, recitals, screening, shows, talks, and workshops, whether organized or sponsored by penangpac or other third party, which may be of interest to you, by way of email or mail.

Please be rest assured that penangpac will ask for your consent before Processing your Personal Data for purposes other than those that are set out in this Notice and in the terms in your agreements with penangpac, if any.

## DISCLOSURE OF YOUR PERSONAL DATA

13. To the extent necessary for the purposes provided above, penangpac may be required or need to disclose your Personal Data to the following third parties (non-exhaustive and hereinafter referred to as "Authorized Third Parties"):
  - a. other business partners, industry associations, service providers, professional advisers or individuals to perform penangpac's functions on its behalf, including, but non-exhaustive are service providers in relation to accounting, auditing, legal services, information technology (IT), data entry, storage facility and insurance;
  - b. interested persons, whether individuals or body corporate that wish to provide you talent and training opportunities;
  - c. other banks and financial institutions;
  - d. regulatory and governmental authorities in order to comply with statutory and government requirements;
  - e. specified parties that penangpac was ordered or directed to disclose pursuant to an order of court, tribunal or authority, whether governmental or quasi-governmental with jurisdiction over penangpac; and
  - f. other third parties authorized by yourself.
14. This Notice only applies to the Processing of Personal Data by penangpac. It does not cover third party websites to which we provide links, even if such sites are co-branded with our logo. penangpac does not share your Personal Data with third party websites. penangpac is not responsible for the privacy and conduct practices of these third party websites and you should read the privacy policies of the same before disclosing your Personal Data to the said third party websites.
15. penangpac will never sell your Personal Data to any third party without your permission, but penangpac cannot be responsible or held liable for the actions of third party websites which you may have linked or been directed to.

## TRANSFER OF YOUR PERSONAL DATA

16. As penangpac's information technology storage facilities and servers and/or Authorized Third Parties may be located in other jurisdictions, your Personal Data may be transferred to, stored, used and processed in a jurisdiction other than Malaysia. Further, your Personal Data may be transferred out of Malaysia for the purposes as described above. You understand and consent to the transfer of your Personal Data out of Malaysia as described herein.

## YOUR RIGHTS IN RELATION TO YOUR PERSONAL DATA

17. Subject to any exceptions under applicable laws, you may at any time hereafter request for access to, or for correction or rectification of your Personal Data or limit the Processing of your Personal Data, or withdraw your consent to the processing of your Personal Data, or seek further information from penangpac by contacting the following:

Ooi Kee How

Performing Arts Centre of Penang

Level 3A, Quay One, Straits Quay, Jalan Seri Tanjung Pinang, 10470 Tanjung Tokong, Penang.

Phone : +604-8991722 / 2722

E-mail : keehow@penangpac.org

18. penangpac, in relation of your right to access and/or correct your Personal Data, has the right to refuse the your requests to access and/or make any correction to your Personal Data for the reasons permitted under the applicable law, such as where the expense of providing access to you is disproportionate to the risks to your privacy, or when we are unable to confirm your identity.
19. Please further note, penangpac may not be able to: (a) communicate with you; (b) provide you the services and facilities you require; or (c) allow full functioning access to certain sections of penangpac's Website or Pages where log in is required should you exercise you rights to limit the

Processing of your Personal Data or the withdrawal of your consent penangpac to the Processing of your Personal Data.

#### SECURITY OF YOUR PERSONAL DATA

20. penangpac uses commercially reasonable physical, managerial, and technical safeguards to preserve the integrity and security of your Personal Data and will not knowingly allow access to your Personal Data to anyone outside penangpac, other than to you or as described in this Notice. However, penangpac cannot ensure or warrant the security of any information you transmit to penangpac and you do so entirely at your own risk. In particular, penangpac does not warrant that such information may not be accessed, altered, collected, copied, destroyed, disposed of, disclosed or modified by breach of any of penangpac's physical, technical, or managerial safeguards.

#### JURISDICTION AND THE PREVAILING NOTICE

21. This Notice is governed by and shall be construed in accordance with the laws of Malaysia. You hereby submit to the non-exclusive jurisdiction of the Malaysian courts. Should In the event of any conflict between the English and other language versions, the English version shall prevail.

#### REVISIONS

22. penangpac reserves the right to modify, update or amend the terms of this Notice at any time by placing the updated Notice on the Website. By continuing to engage penangpac's services and facilities, or by continuing communications with penangpac either at our place of business, shows, events, facilities or otherwise, or visiting or browsing penangpac's Website or Pages following the modifications, updates or amendments to this Notice, you shall be deemed to have accepted such modifications, updates or amendments.