

# Data Protection Policy

## Our Commitment to Data Protection

Harry Elias Partnership LLP ("**our Firm**") Data Protection Policy governs the management of Personal Data which is subject to the Singapore Personal Data Protection Act 2012 (No. 26 of 2012) and any amendments thereto ("**the Act**") and or any advisories or regulations issued from time to time by the Personal Data Protection Commission (or its successor organisation, "**the Commission**"). Any reference to a Data Protection Officer ("**DPO**") refers to our Firm's data protection officer whose details are listed below.

Our Firm may from time to time update this Data Protection Policy to ensure that this Data Protection Policy is consistent with changes in legal or regulatory requirements. Subject to your rights at law, you agree to be bound by the prevailing terms of this Data Protection Policy as updated from time to time and made accessible via our website at <http://www.harryelias.com> in all your communications with our Firm.

### 1. Consent to Collect, Use, or Disclose Your Personal Data

By interacting with us, visiting our website and office, submitting information to us, or engaging our services, you agree and consent to our Firm (including its related corporations and business units) (collectively, the "**Companies**"), as well as their respective representatives and/or agents (collectively referred to herein with the Companies as "**our Firm**", "**us**", "**we**" or "**our**") collecting, using, disclosing and sharing amongst themselves your Personal Data, and disclosing such Personal Data to the Companies' authorised goods and services providers and relevant third parties in the manner set forth in this Data Protection Policy.

You are also deemed to have given your consent for the collection, use and disclosure of Personal Data in any of the following circumstances:

- a. When you voluntarily provide your Personal Data to us;
- b. When you are aware of the purposes for which you are providing your Personal Data to us or where such purposes are objectively obvious and reasonably appropriate from the surrounding circumstances;
- c. When you provide your Personal Data to us for the purpose of our engagement. In such circumstances, if we are required to disclose your Personal Data to other organisations for the necessary performance or conclusion of services pursuant to our engagement, you will also be deemed to consent to disclosure of your Personal Data by us and the use of your Personal Data by the organisations to whom it is disclosed;
- d. When we provide due notification to you of an intended purpose of the collection, use or disclosure of your Personal Data in accordance with the requirements of section 15A of Act, and you do not take any action to opt out of the said collection, use or disclosure of your Personal Data; or
- e. In any other circumstances where consent is deemed under the Act.

This Data Protection Policy supplements but does not supersede nor replace any other consents you may have previously provided to our Firm in respect of your Personal Data, and your consents herein are additional to any rights which to any of the Companies may have at law to collect, use or disclose your Personal Data.

### 2. Definition of Personal Data

In this Data Protection Policy, "Personal Data" refers to any data, whether true or not, about an individual who can be identified (a) from that data; or (b) from that data and other information to which we have or are likely to have access, including data in our records as may be updated from time to time.

Examples of such Personal Data you may provide to us include (depending on the nature of your interaction with us) your name, NRIC, passport, employment pass or other identification numbers, telephone number(s), copies of identification documents, physical mailing address, email address, payment information (e.g., credit or debit card information, including the name of cardholder, card number, billing address and expiry date), network data and any other information relating to any

individuals which you have provided us in any forms (including physical and electronic forms) you may have submitted to us, or via other forms of interaction with you. The list is not exhaustive and apart from the foregoing personal data, we may collect other types of information which is not linked to a specific individual and is anonymous, such as website visitors and number of website users using a particular service in order to improve our customer service to you.

### **3. Collection of Personal Data**

Generally, our Firm collect Personal Data in the following ways:

- a. When we obtain information for the conduct of client due diligence measures in accordance with the Legal Profession (Prevention of Money Laundering and Financing of Terrorism) Rules 2015, Legal Profession (Professional Conduct) Rules 2015, practice directions or guidelines issued by the Council of the Law Society of Singapore and any other relevant guidelines, advisories or regulations for the time being in force;
- b. When we obtain information for the conduct of conflict checks by us and by any other bodies whom we may instruct on your behalf;
- c. When we obtain information for the preparation of our Letters of Engagement, Warrants to Act or any other form for your signing and return;
- d. When you interact with our lawyers or other employees of our Firm, for example, via telephone calls, letters, face-to-face meetings and emails;
- e. When you use some of our services, for example, websites and apps;
- f. When you request that we contact you, or where you request or consent to be included in an email or other mailing list;
- g. When we receive references from business partners and third parties, for example, where you have been referred by them; and
- h. When you submit your Personal Data to us for any other reasons.

Our Firm uses social media sites (such as LinkedIn). As our Firm has no control over your Personal Data that may be collected by these sites, our Firm is not responsible for your Personal Data that you provide to and/or are collected by these sites.

To the fullest extent permitted under Laws, our Firm cannot be responsible for a third party's acts, omissions, data policies or their use of cookies, nor the content or security of any third party websites, even if linked to our Firm's website, and any such liability is expressly disclaimed and excluded.

### **4. Usage of Personal Data**

Your Personal Data may be used:

- in order to satisfy our legal obligations to verify the identity of our clients and the authority of their representatives
- to provide legal or related services to you
- for conflict checking and analysis
- for business development
- to facilitate communications with you, (including alerts, announcements, bulletins, newsletters, festive greetings, updates and invitations to discussions, events, seminars and talks) and to take instructions
- to be included in forms filed with or otherwise transmitted to the Courts, Registries, government agencies, statutory bodies SGX, financial institutions etc. as needed in connection with our engagement
- to enforce payment obligations
- to generate internal reports for operational and management purposes, including the improvement of our operations
- for research, practice management, governance, training and development and administration
- to defend ourselves in relation to claims against us
- for insurance purposes
- to comply with any legal or regulatory requirement.

### **5. Transfer of Your Personal Data**

Our Firm will not transfer any of your Personal Data outside of Singapore unless the transfer conforms to the requirements of the Act or is necessary in relation to our client due diligence measures and conflict checks.

In connection with the Usages above we may share Personal Data we hold with third parties who are engaged in connection with our retainer (e.g. accountants, corporate secretarial agents, forensic investigators) and such consultants may disclose Personal Data with other advisors; third party provider (to the extent required for them to provide services); insurers and their advisors; third parties providing services such as back office administration services (such as IT support, processing invoices, banking administration and payment and receipt of client monies); typing and other secretarial services; and some categories of legal work.

## **6. Security of Personal Data**

Our Firm implements appropriate reasonable technical and organisational security measures to safeguard your Personal Data within our control or possession against loss and any unauthorised misuse, access, disclosure, alteration and other similar risk.

Whilst our Firm takes reasonable care to safeguard the Personal Data in our possession or control, there is always a risk that third parties may unlawfully intercept transmissions while the data is in transmission or in storage. This is the inherent risk of all internet or data transmission and storage. All information is furnished at your own risk.

## **7. Withdrawal of Consent to use Personal Data**

You can withdraw your consent to the continued use of your Personal Data to our Firm by contacting our DPO by email at [dpo@harryelias.com](mailto:dpo@harryelias.com). There is no need to provide any reason for the withdrawal of your consent. Upon receipt of your notice of withdrawal, our Firm will cease to use your Personal Data as soon as practicable.

### **Enquiry on Your Personal Data**

You may enquire as to whether our Firm is in possession or control of your Personal Data and or the ways in which your Personal Data has been used or disclosed within a year before the date of your request. Any such request must be made in writing to the DPO and an administrative fee may be imposed for responding to such a request.

You may request for your Personal Data to be transmitted or ported to another organisation, in accordance with the requirements under Section 26H and 26I of the Act. Such data porting request may only be made where we have an ongoing engagement with you and must be made in writing to the DPO.

### **Accuracy and Correction of Personal Data**

You should ensure that all Personal Data submitted to us is true, accurate and complete. Failure on your part to do so may result in our inability to provide you with the services you have requested.

To the extent required by the Act, our firm will use reasonable efforts to ensure that the Personal Data it uses is sufficiently accurate and complete to minimize the possibility that incorrect Personal Data may be used to make a decision that impacts the person to whom the Personal Data relates, or if such Personal Data is likely to be disclosed to a third party.

## **8. Retention of Your Personal Data**

Our Firm will not retain your Personal Data longer than necessary, except as required under the law or where legal actions have arisen or are contemplated.

## 9. Dispute Resolution and Governing Law

This data protection policy and your use of this website shall be governed in all respects by the laws of Singapore and you agree to submit to the exclusive jurisdiction of the courts of Singapore in any dispute in relation to this policy.

## 10. Contacting the Data Protection Officer

If you have any questions or feedback relating to your Personal Data or our Firm's Data Protection Policy, please contact our Data Protection Officer at:

**(a) Email:** [dpo@harryelias.com](mailto:dpo@harryelias.com)

**(b) Office Address:** Data Protection Officer  
Harry Elias Partnership LLP  
SGX Centre 2, #17-01  
4 Shenton Way  
Singapore 068807

Our Firm will acknowledge receipt of your query or request within 3 working days and will endeavour to resolve your query or request within 30 days from the date of submission. Our Firm will inform you in writing if more time is required to investigate and respond to you.

As a matter of policy, we do not attend or respond to anonymous query or request.

1 February 2021  
Harry Elias Partnership LLP  
Singapore