

PERSONAL DATA PROTECTION POLICY

Last Update: 13 March 2021

1.1. **Introduction**

Protection of your Personal Data is important to us here at Joyce A. Tan & Partners (“**JATP**” or “**us**”, “**we**”, “**our**”) and we take the responsibilities under the Personal Data Protection Act (No. 26 of 2012, as amended and updated from time to time) (“**PDPA**”), very seriously.

1.2. **Purpose and Scope**

The purpose of this document (“**Data Protection Policy**” or “**Policy**”) is to inform you of how JATP collect, use, manage, disclose and/or process your Personal Data that you entrust to us, subject to the PDPA.

By interacting with us, using our website, submitting information to us, or engaging our services, you agree and consent to JATP (including any of its representatives and/or agents) as well as our service providers and third parties appointed by us on your behalf collecting, using and disclosing your Personal Data in the manner set forth in this Policy.

Your consent to this Policy supplements but does not supersede nor replace any other consents you may have previously provided to JATP nor does it affect any rights which JATP may have at law in connection with the collection, use or disclosure of your Personal Data.

We may from time to time, update this Policy to ensure that it is consistent with our future developments, industry trends and/or any changes in legal or regulatory requirements. By accessing and using our website, subject to your rights at law, you accept and agree to these terms and conditions of this Policy as updated from time to time.

2. **YOUR PERSONAL DATA**

2.1. “**Personal Data**” refers to any data or information, 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;

but excludes business contact information as defined in the PDPA.

2.2. Examples of such Personal Data which you may provide us include (depending on the nature of your interaction with us):

- (a) your name, NRIC number, passport number or other identification number, telephone number(s), mailing address, email address and any other information relating to you which you have provided us in any form you may have submitted to us, or in other forms of interaction with you;
- (b) information about your use of our websites and services, including IP addresses;
- (c) your employment history, education background, occupation and income levels;
- (d) your background / know-your-client information which was collected or provided for the purposes of meeting legal requirements;
- (e) personal data relevant to any dispute, grievance, investigation, arbitration, or other legal advice;

- (f) your payment-related information, such as your bank account or credit card information and your credit history; and
- (g) where you are a corporate entity, information about your directors, officers, employees, beneficial owners, partners, members, authorised signatories, representatives, agents, guarantors, other security providers and other natural persons related to you.

3. **COLLECTION OF PERSONAL DATA**

3.1. Generally, JATP may collect your Personal Data in various ways including:

- (a) when you engage our services and/or seek legal advice from us, or provide other documentation or information in respect of your interaction with us;
- (b) when you offer to provide or provides, services to us
- (c) when you communicate or interact with us via telephone, letters, fax, face-to-face or online video meetings, our website, email or other modes of contact.
- (d) when you submit an employment application or provide documents or information such as your resume and/or CVs in connection with any appointment as an officer, director, representative or any other position;
- (e) when we carry out your instructions or respond to any enquiry purporting to be given by you or on your behalf;
- (f) when we receive references or background information from business partners and third parties, for example, where you have been referred by them;
- (g) when you attend events organised by us;
- (h) when you browse our website; and/or
- (i) when you submit your Personal Data to us for any other reason.

3.2. If you provide and submit to us with any Personal Data relating to any third party, you also represent and ensure that you have notified the third party on the terms of this Policy and obtained the consent of the third party for the disclosure of such information.

4. **PURPOSES FOR WHICH WE COLLECT, USE AND DISCLOSE PERSONAL DATA**

4.1. We will only collect, use and otherwise handle your Personal Data when it is necessary for our legitimate interests, which includes:

- (a) providing our services and/or information to you;
- (b) responding to, processing and handling your queries, feedback and suggestions;
- (c) verifying your identity, processing payments as well as managing our administrative and business operations (including the processing, storage, monitoring and backup of data);
- (d) managing the security of our premises, facilities and technology infrastructure;
- (e) hosting and maintaining our website;
- (f) providing updates and other communications on developments relating to the law and in respect of JATP;

- (g) complying with applicable laws and regulations, codes of practice or guidelines, policies, procedures, regulatory requirements (which may extend to know-your-client and related reviews) and directions issued by relevant authorities;
 - (h) preventing and detecting fraud and other criminal offences;
 - (i) the establishment, exercise or defence of any legal or equitable claim;
 - (j) any legal grounds for collection and use of your Personal Information; and
 - (k) any other purpose relating to any of the above.
- 4.2. If you are seeking employment or any other appointment with JATP, the purposes for which we collect, use and disclose your Personal Data include:
- (a) processing and assessing your application;
 - (b) performing background checks, verifying your credentials and qualifications
 - (c) obtaining employment references; and
 - (d) any other purpose relating to any of the above.
- 4.3. If you are in interaction with us in relation to any particular services, we may also have specifically notified you of other purposes for which we collect, use or disclose your Personal Data. If so, we will collect, use and disclose your Personal Data for these additional purposes as well, unless we have specifically notified you otherwise.

5. **DISCLOSURE OF PERSONAL DATA**

- 5.1. We may disclose your Personal Data to:
- (a) technical consultants, experts, and foreign law firms assisting with your matters;
 - (b) agents, contractors or third party service providers who provide technology solutions, support, operational or administrative services, such as for our online services, courier services, telecommunications, information technology, payment, payroll processing, training, market research, storage, archival and client support services;
 - (c) professional advisors including auditors;
 - (d) any relevant authorities, including professional regulatory bodies and/or law enforcement agencies, whether local or overseas;
 - (e) to the extent necessary to comply with any laws, regulations, rules, directions, guidelines and other similar requirements;
 - (f) where permitted under law, external business and partners in relation to promotional events and seminars; and
 - (g) any other party to whom you authorise us to disclose your Personal Data.
- 5.2. Where you have engaged us to carry out any work in jurisdictions outside Singapore, you hereby understand, acknowledge and agree that the transfer of your Personal Data to these jurisdictions may be necessary to give effect to your instructions and that you request and consent to us transmitting your Personal Data outside Singapore. Personal Data may therefore be exported to, processed and accessed in countries whose laws provide a different level of protection, which may or may not necessarily be comparable to that provided in Singapore.

6. **OUR WEBSITE**

- 6.1. When browsing our website, you will generally remain anonymous and we do not automatically collect Personal Data at our website, unless you provide such information. However, you may wish to note that your IP address:
- (a) is a number that is automatically assigned to your computer when you are connected to the internet;
 - (b) is automatically logged in our server when you visit our website;
 - (c) will be used to help diagnose problems with our server and to administer our website;
 - (d) can help us identify the general geographic area from which you are accessing our website from (but will not be able to pinpoint the exact geographic location);
 - (e) will not be linked to anything that will enable us to identify you personally unless it is required by applicable laws and regulations.
- 6.2. Our website may contain links to other sites and resources that are operated or provided by third parties with different privacy practices. We have no control over and do not take any responsibility for these third party websites and their personal data handling practices, and you are encouraged to review the personal data policies of websites you choose to visit which are linked to or from our website.

7. **RETENTION, STORING AND KEEPING YOUR PERSONAL DATA UP-TO-DATE**

7.1. **Retention of Personal Data**

We retain your Personal Data for the length of time required for the specific purpose or purposes for which it was collected, as set out in Clause 4 above. In any case, such retention will not exceed seven (7) years after the last contact between you and us, unless you continue to have a subsisting relationship with us.

However, on occasion, we may be obliged to store some data for a longer time, for example, where a longer time period is required by applicable law. In this case, your Personal Data will continue to be treated in accordance with this Policy.

7.2. **Storing of Personal Data**

We hold Personal Data in a combination of secure computer storage facilities and paper-based files and other records. We take steps to protect the Personal Data we hold from misuse, loss, unauthorised access, modification or disclosure.

We will not store your Personal Data longer than is necessary and will destroy or anonymise Personal Data which we no longer require.

We will safeguard the confidentiality of your Personal Data and endeavour to ensure that your Personal Data in our possession is accurate and up-to-date as notified by you to us. As such information can change frequently with changes of address and other personal circumstances, you are reminded to inform us of such changes in a timely manner.

8. **MANAGING CONSENTS**

Please note the following way in which we manage your consent arrangements in respect of your Personal Data where such consents are required or not subject to exceptions.

8.1. **Deemed Consent by Conduct**

Without prejudice to other consents or rights we may have under the PDPA or at law, and in the daily course of our dealings with you both in the past, now and in the future, you may have provided us with your Personal Data in connection with the purposes which have already been notified to you either in this current Policy or previously communicated to you. Where this is so, your consent to the collection, use or disclosure of your Personal Data for such purposes would have been deemed by your provision of your Personal Data except where we have explicitly indicated a separate consent is required.

8.2. **Deemed Consent for contractual necessity**

- (a) Where we have entered into a contract with you under which we are to execute contractual obligations owed to you, and without prejudice to other consents or rights we may have under the PDPA or at law, your Personal Data will be collected, used or disclosed by other organisations with whom we collaborate in accordance with this Policy to the extent it is reasonably necessary for us to fulfil our contractual obligations or to exercise our contractual rights, in relation to you.
- (b) These other organisations may in turn collect, use or disclose your Personal Data in order to carry out these necessary purposes and that may in turn include further disclosures to third party organisations. In each case, the collections, uses and disclosures of such Personal Data are limited to the necessary purposes.
- (c) In the event that your contract with us is terminated for any reason whatsoever, such reasonably necessary purposes will continue to apply to allow us to discharge our obligations and/or exercise our rights in relation to the contract whether arising from the termination or otherwise and including our rights and obligations which survive such termination, such as but not limited to our duties at law that apply beyond your contract with us.

8.3. **Deemed Consent by Notification**

- (a) Without prejudice to other consents we may have obtained or rights we may have under the PDPA or at law, we may, having first taken measures (including conducting relevant assessments, identifying reasonable measures to eliminate, mitigate or avoid any identified adverse effects, and applying other requirements as prescribed by law) choose to manage additional or further consents required of you under this Policy, by issuing a notice to you ("**Notice**"), providing you with information on:
 - (i) our intention to collect, use or disclose your Personal Data; and
 - (ii) the purposes for which the Personal Data will be collected, used or disclosed.
- (b) Where this is so, the Notice will be issued to you via email against your last known and updated email address (or, alternatively, any other mode which we reasonably consider is most likely to result in your receiving the Notice), and you will be given thirty (30) days (or such longer period as we may reasonably deem appropriate and state in the Notice) within which to let us know if you do NOT consent. In the event that we do not receive a response to that effect, we will proceed on the basis that such consent is deemed to have been given by you pursuant to the PDPA.
- (c) Kindly note that:
 - (i) any instructions in your response must be unambiguous so that we will be able to act on your instructions; and
 - (ii) we may seek verification of such instructions and your identity to confirm the instructions are duly authorised.

- (d) In the event that you act through representatives, including your office, agents, or other intermediary, we will send the Notice using the particulars last updated with us.
- (e) You agree that you will let us know if you would prefer another mode by which the Notice or communications in connection with this would be preferred failing which we will proceed on the basis as outlined above.

8.4. **Withdrawal of Consent**

- (a) If you wish:
 - (i) to access, confirm, correct, rectify, update, supplement, anonymise, block, restrict or delete your Personal Data;
 - (ii) to withdraw your consent to any use of your Personal Data as set out in this Policy;
 - (iii) question or provide feedback relating to your Personal Data or this Policy;
 - (iv) for us to transfer your Personal Data from us to another person or business;please contact our Data Protection Officer, details of which are set out in Clause 9 below.
- (b) If you withdraw your consent to any or all purposes and depending on the nature of your request, JATP may not be in a position to continue to provide our products or services to you.

9. **MANAGEMENT AND SECURITY**

We have appointed a Data Protection Officer (“DPO”) to oversee our management of your Personal Data in accordance with this Policy and the PDPA. If you wish to find out more regarding this Policy or any of your rights, please contact the DPO as follows:

Email: dpo@joylaw.com
DID: +65 6333 6383
Address: 8 Temasek Boulevard, #15-04 Suntec Tower Three, Singapore 038988

10. **GOVERNING LAW**

This Policy and your use of our website shall be governed in all respects by the laws of Singapore.

11. **CHANGES TO THIS POLICY**

As part of our efforts to ensure that we properly manage, protect and process Personal Data provided to us, this Policy will be reviewed from time to time by JATP. We may also from time to time update this Policy to take account of new laws and technology, changes to our operations and practices and the changing business environment. If you are unsure whether you are reading the most current version, please contact us.

We reserve the right to amend the terms of this Data Protection Policy at our absolute discretion. Any amended Data Protection Policy will be posted on our website and can be viewed at www.joylaw.com/news.