

## **SMBC Myanmar**

### **Personal Data Protection Policy**

It is a requirement for Sumitomo Mitsui Banking Corporation Yangon Branch (the “Bank”) to comply with the Personal Data Protection Policy (this “Policy”).

#### **1 Your Personal Data**

- 1.1 The Bank may, from time to time in the ordinary course of business and for compliance with legal and regulatory requirements, collect, use, disclose, transfer and retain personal data.
- 1.2 This may include personal data you provide to the Bank, personal data from transactions performed by you or on your behalf or personal data from other entities or persons. Where you are an entity, it will also include personal data of your directors, shareholders, beneficial owners, partners, officers, employees and agents. If the Bank does not receive this information, the Bank may not be able to provide you with the products or services you have requested.

#### **2 Collection of Personal Data**

- 2.1 The ways in which personal data may be collected (but are not limited to) include the following:
  - a) when you enter into any agreement or provide other documentation or information in respect of your interactions and transactions with the Bank, or when you use the services of the Bank.
  - b) when you interact with the staff of the Bank, including customer service officers, relationship managers and other representatives, for example, via telephone calls (which may be recorded), letters, fax, face-to-face meetings and email.
  - c) when your images are captured by the Bank via CCTV cameras while you are within premises of the Banks, or via photographs or videos taken by the Bank or the representatives of the Bank when you attend events hosted by the Bank.
  - d) when you use the services of the Bank provided through online and other technology platforms, such as websites and apps, including when you establish any online accounts with the Bank.
  - e) when you request that the Bank contacts you, be included in an email or other mailing list or when you respond to the request of the Bank for additional personal data, promotions of the Bank and other initiatives.
  - f) when you are contacted by, and respond to, the marketing representatives of the Banks and agents and other service providers.
  - g) when you use our electronic services, or interact with the Bank via the websites of the Bank or use services on the websites of the Bank.
  - h) when the Bank seeks information about you and receive your personal data in connection with your relationship with the Bank, including for Banking products, insurance policies or job applications, for example, from business partners, public agencies, your ex-employer and the relevant authorities.
  - i) when your personal data is provided to the Bank by a third party.
  - j) when you submit your personal data to the Bank for any other reason.
  - k) when you submit any form, including but not limited to application, declaration, proposal or referral forms.

#### **3 Purposes for the Collection, Use, Disclosure and Retention of Your Personal Data**

- 3.1. The purposes for which personal data may be collected, used, disclosed or retained include (but are not limited to) the following:

- a) establishment, provision and conduct of day to day operation of services or facilities provided to you, including processing and other administrative functions related thereto.
- b) audit, risk management and compliance with laws and regulations, both locally and globally. This includes credit and exposure reviews, conducting credit/creditworthiness checks, conducting conflict of interest checks, Know Your Customer and Customer Due Diligence related to Anti Money Laundering and Counter Financing of Terrorism, assisting other organizations to do the above and/or providing credit references and/or providing reports and information to credit reporting agencies or credit bureaus.
- c) arranging credit support or insurance coverage for financial products or services.
- d) determining the amount of indebtedness owed to or by a customer.
- e) designing and/or promoting and/or improving financial products or services of the Bank, the Bank's group companies and/or third party entities, as well as assessing suitability and needs for products and services.
- f) maintenance, review and development of systems, procedures and infrastructure including our computer systems.
- g) enforcement/collection of obligations including amounts owed by customers or by any credit support provider or insurer.
- h) provision of electronic banking services including fund transfers.
- i) performance of the Bank's roles and responsibilities in relation to products or services made available to you.
- j) participation in the Bank's marketing and branding activities including without limitation, written or audio/video recordings of your quotes and testimony for press releases and the Bank's internal publications and broadcasts.
- k) meeting any order of court or tribunal, legal and regulatory requirements under any law, or as requested by local or foreign government, regulatory or similar authority or agency having jurisdiction over the Bank, any of its branches or other members of the Bank's group of companies.
- l) handling enquiries, audits, complaints, investigations and/or legal proceedings.
- m) enabling actual or potential assignees, transferees or any person who may enter into contractual relations with the Bank in relation to the Bank's rights and/or obligations under or in connection with an agreement or transaction with you to evaluate the transaction, rights or obligations of the Bank.
- n) day to day operations of the Bank, including for security purposes.
- o) providing media responses, for instance in relation to complaints or law suits.
- p) upon your death or mental incapacity, your legal representative and their legal advisers, and a member of your immediate family for the purpose of allowing him/her to make payment on your account.
- q) all other incidental and associated purposes relating to any of the above.
- r) any other purpose agreed with you.

#### **4 Disclosure of Personal Data**

4.1. Personal data held by the Bank will be kept confidential. However, the Bank or a recipient of the personal data may disclose the personal data in or outside Myanmar as may be necessary including:

- a) as agreed with you.
- b) to any person as required or permitted by law or regulation or order of court or tribunal (including under the Financial Institutions Law, Central Bank of Myanmar Law) or as provided in Paragraph 3 above.
- c) to our holding company, head, representative and branch offices and any of the Bank's related corporations or affiliates in any jurisdiction.

- d) to any authority in any jurisdiction, including any central bank or other fiscal or monetary authority and any person involved in enquiries, audits, complaints investigations or proceedings.
- e) to any party that has provided security or credit support for your obligations and any party who is participating in any product or service made available to you.
- f) to any actual or potential assignees, transferees or any person who may enter into contractual relations with the Bank in relation to the Bank's rights and/or obligations under or in connection with an agreement or transaction with you.
- g) to the Bank's agents, contractors and service providers (including but not limited to any host server or storage provider), auditors or professional advisers, wherever located or wherever performing services.
- h) to any person in connection with any legal action taken or contemplated in relation to any agreement, product, service or transaction with you or any party that has provided security or credit support for your obligations.
- i) to any of your or the Bank's insurance broker or insurer or credit protection provider.
- j) to any person the Bank is under a duty to disclose the information.
- k) to any person for giving effect to any transaction with or for you (including, without limitation, any agent, correspondent, intermediary or beneficiary in a transaction).
- l) to persons with whom the Bank has arrangements or alliances for promoting or using their products or services.
- m) to any credit bureau or credit reporting agency.
- n) to your authorized agents, executors, administrators or legal representatives.
- o) to a receiver or manager, trustee, administrator, judicial manager, trustee, liquidator or person holding a similar position.

Information disclosed as above may be further disclosed by recipients to other parties (including those outside of Myanmar) in accordance with the laws of the country of the recipient.

## **5 Management and Administration of Personal Data**

- 5.1. The Bank manages and processes account and transaction information (including personal data) centrally. Your personal data may be processed and stored in another country or by other entities. Unless the Bank is able to store your personal data in such a manner, the Bank may be unable to handle your banking and other transactions.

Employees and service providers of the Bank are subject to confidentiality obligations and applicable laws which relate to confidentiality and privacy of personal data.

- 5.2. Where personal data of your directors or other officers or employees or agents, shareholders or beneficial owners is provided to the Bank, you represent and warrant to the Bank that each of them has consented to the collection, use, disclosure, transfer and retention of their personal data by the Bank for the purposes specified above and that you are authorized to obtain and notify the Bank of that consent and that you shall maintain the same.
- 5.3. The Bank has the right to charge a reasonable fee for processing any request to access personal data and/or for disclosure and use information.

A request must contain the following information (i) applicant's name and identification number (ii) the personal data for which access, disclosure and use and/or correction is being sought. The Bank will inform you of the applicable fee to be paid and endeavour to process the request within 30 days of receipt. In the event the Bank is not able to process the request within 30 days of receipt, the Bank will inform you within the 30 days of the date the Bank will be able to process the request.

The Bank may decline any request to access personal data to change any record where the Bank believes the data to be accurate or if you do not agree to pay the processing fee. In such a case, the Bank will advise you of the outcome within 30 days from the date of receipt of the request for access or correction.

- 5.4. The Bank will retain personal data for as long as required or as permitted by law. Some personal data will be kept for longer periods than others.
- 5.5. Notification of breach: The Bank shall immediately notify you when the Bank becomes aware of a breach of any of its obligations in the clauses stated above.

## **6 Withdrawal of Consent**

- 6.1. You have the right to withdraw your consent for the use of your personal data. If you fail to provide personal data reasonably requested by the Bank and/or withhold or withdraw your consent for use, disclosure, transfer or retention of personal data, the Bank may be unable to provide all or a part of the products or services made available to you. A notice of withdrawal of consent will be processed and effected within 30 days of receipt. The notice shall contain the applicant's name, and identification number and identify the personal data and purpose of use for which consent is being withdrawn.

## **7 Contacting the Bank – Feedback, Request for Withdrawal of Consent, Access and Correction of Personal Data**

- 7.1. Should you:
  - a) have any questions or feedback relating to your personal data or our data protection policy;
  - b) would like to withdraw your consent to any use of your personal data as set out in this data protection policy; or
  - c) would like to obtain access and make corrections to your personal data records,

the Bank can be contacted via the following channels:

Email : SMBC\_Yangon@mm.smbc.co.jp

Tel : +95-1-2307380

Write to : Sumitomo Mitsui Banking Corporation, Yangon Branch  
Level#5, Strand Square, No. 53, Strand Road,  
Pabedan Township, Yangon, Myanmar

Speak with the Bank's staff

- 7.2. In the case where your personal data is provided to the Bank by a third party, you should contact such party directly to make any queries, complaints, access and correction requests to the Bank on your behalf.

## **8 Updates on Personal Data Protection Policy**

- 8.1. In addition to continually managing, protecting and processing your data, the Bank reviews its policies, procedures and processes from time to time. The Bank reserves the right to amend the terms of this Policy at the Bank's discretion.