



# **PRIVACY POLICY STATEMENT**

## Contents

<b>1. Overview</b> .....	2
<b>2. Definitions</b> .....	2
<b>3. Variation and Changes</b> .....	3
<b>4. Personal Data Collection</b> .....	3
<b>5. Source of Personal Data</b> .....	3
<b>6. Use of Personal Data</b> .....	4
<b>7. Disclosure of Personal Data</b> .....	5
<b>8. Internet Protocol &amp; Cookies</b> .....	5
<b>9. Security</b> .....	6
<b>10. Third Parties Websites</b> .....	6
<b>11. Changes to our Privacy Policy</b> .....	7
<b>12. Data Transfer</b> .....	7
<b>13. Obligation to provide Personal data</b> .....	7
<b>14. Your consent and rights</b> .....	7
<b>15. Disclaimer</b> .....	8
<b>16. Governing law and jurisdiction</b> .....	8
<b>17. Languages</b> .....	8

# **PRIVACY POLICY STATEMENT**

Last Updated/Effective Date: 8<sup>th</sup> November 2024

## **1. Overview**

1.1 **The Sea Monkey Project Sdn. Bhd.** is a private limited company registered in Malaysia and its parents, subsidiaries, affiliates, related companies, officers, directors, employees, agents, representatives, partners, and/or licensors (“The Sea Monkey Project” or the “Company” or “We/Our/Us”) are committed to the highest standard of protecting and respecting privacy and personal data in compliance with applicable laws and rules.

1.2 This Privacy Policy Statement ( this “Statement”) (read together with our Terms of Service and any other documents referred to in it) which serves also as a notice to inform you as well as setting out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us when you appoint or engage with us to provide the Services, when you access or use our Services or interact with us.

1.3 By appointing or engaging with us to provide the Services, when you access or use our Services or interact with us, you consent to us using, collecting and processing your personal data in the manner as stipulated and prescribed in this Statement.

1.4 Notwithstanding the above, you have control over your personal data including how it is shared with others. This includes contact and personal information and details of your Campaigns, Fundraising Page and/or others. You control the sharing of that personal data when disclosing it to register or use the Services and/or through any “Social Networks” including Facebook, LinkedIn, Twitter, Pinterest or Google+ privacy settings.

1.5 Your Personal Information will be processed and stored in Malaysia governed by the Personal Data Protection Act 2010 (“PDPA”). Your Personal Information will not be used or disclosed for purposes for which you have not given consent or which are not permitted under applicable law.

1.6 If you are under 18, please do not share or send any personal data about yourself to us without prior consent from your parent(s) and/or legal guardian.

1.7 If you have any questions regarding this Privacy Policy or suggestions for any improvements, please contact us at [contact@seamonkeyprojects.com](mailto:contact@seamonkeyprojects.com).

## **2. Definitions**

In this Privacy Policy, the following terms shall have the same meaning as set forth in Clause 4 of this Privacy Policy, unless otherwise stated.

### **3. Variation and Changes**

This Statement may be amended or updated from time to time. We would advise you to check this Statement on our Services from time to time for amendments or updates. By continuing to use or engage our services, to use our website or to communicate with us subsequent to any amendments or updates to this Statement, it would confirm and indicate your acceptance to the amendments or updates to this Statement.

### **4. Personal Data Collection**

4.1 Personal Data in general means any information/data whether true or false, about an individual or person who can be identified from that information/data. Your personal data is collected and processed by us at the start of our services or interaction and, from time to time, in the course of our engagement or interaction and/or you using our Services. The type of personal data collected and processed by us includes but not limited to:

1. name, date of birth, nationality, gender, national identification card number, passport number, voting ID, driving licence, student registration card, residency status, correspondence address, contact details including mobile, office and residential telephone number and facsimile number, e-mail address, banking details, bank statement and/or other information that you provide by filling in the registration forms on our Services. This includes information provided at the time of registering to use our Services, subscribing to our Services, posting material or requesting further Services. We may also ask you for information at other times, for example in connection with further information, a promotion or when you report a problem with our Services;
2. details of transactions you carry out through our Services and/or for the fulfilment of your orders or completing the said transactions;
3. such other information relevant or required for:
  - (i) compliance with legal and regulatory requirement;
  - (ii) for conducting any transaction on our Services; and/or
  - (iii) engagement of our Services.
4. details of your visits to our Services and the resources that you access; and/or
5. Any additional information provided by you or third parties about you.

4.2 We only retain personal data for so long as it is necessary. Personal data may be archived as long as the purposes for which the personal data is used still exists.

### **5. Source of Personal Data**

Personal Data collected will mainly be from you. However, we may also collect some personal data from other available sources including but not limited to Payment Providers or government agencies, public registries, websites, social media, publications, and/or events.

## 6. Use of Personal Data

6.1 We may use and disclose your Personal Data for purposes necessary to provide you with our products as services, including but not limited to:

1. for the registration of your account and verification of your identity;
2. to communicate with you including answering your queries;
3. any reason that is relevant or relating to the engagement of our Services;
4. for the purpose of enforcing or defending our rights and/or seeking legal advice;
5. to comply with legal and/or regulatory requirements within and outside Malaysia;
6. to ensure that the content of our Website is displayed in a way that works best for you and your computer;
7. to provide you with supporting services and functions related to your user account;
8. to communicate with you in relation to your queries, requests and feedback, and material changes to our Website or Apps Terms of Service, Policy or other terms and conditions;
9. to monitor and enforce compliance with our Terms of Service, including dispute resolution;
10. to send you marketing communications in relation to our sales, products, and promotions;
11. to promote our products and services on our website;
12. to deliver ads which are related to our products and services which may be of interest to you on our website;
13. to enable businesses to deliver ads which are related to their products which may be of interest to you;
14. to conduct market and customer research, analysis or tracking;
15. to manage our administrative and business operations and complying with internal policies and procedures; and
16. to improve your customer experience in general.

6.2 We also intend to use your personal data in direct marketing and require your consent (which includes non-objectionable conduct) for that purpose. In this regard, please take notice of:

1. your name, contact information (including address, telephone number, email address), product and service information, patterns and behaviours of transactions, background data and demographics we store from time to time may be used by us in direct marketing;
2. the following classes of services, products, and subjects that can be marketed through direct marketing:
  - (i) services and products related to our Services (including our affiliate marketing program which is a part of it);
  - (ii) reward programs, loyalty or privileges, promotional offers and related services; and
  - (iii) invitations to events such as seminars/webinars/teleseminars, conferences, programs or live events.

6.3 We may conduct direct marketing via fax, email, direct mail, telephone and other means of communication or sending you newsletters. You may choose not to receive promotional materials by simply notifying us (see below for contact details), and we will stop doing so for free.

## **7. Disclosure of Personal Data**

7.1 Except as otherwise stated in this Privacy Policy, we do not sell, trade, rent, or otherwise share for marketing purposes the Personal Information that we collect from third parties. Under certain circumstances, we may be required to disclose your personal data to third parties. Third parties to whom your personal data may be disclosed by us are as follows:

1. any persons directed by or consented to by you;
2. any persons required for the purposes of the legal engagements and/or legal transactions including but not limited to counter parties, other advisors, financial institutions, payment providers, regulatory bodies etc.;
3. any person for the purposes of compliance with legal and regulatory requirements;
4. our overseas offices, affiliates, business partners and counterparts (if any);
5. persons under a duty of confidentiality to us;
6. our data processors i.e. third party who we engage to process personal data on our behalf including but not limited to archival storage, data entry service providers, computer backup services, disaster recovery services, Payment Provider, banks and financial institutions etc.;
7. actual or proposed transferees or participants of our Services in or outside our current operation; and/or our professional advisors including but not limited to legal advisors, tax advisors, financial advisors, auditors, insurance brokers etc.

7.2 Furthermore, we may also need to transfer your personal data outside of Malaysia for the purposes and to third parties set out in this Statement. Transferring your personal data outside of Malaysia is also required if you are travelling, residing or based outside of the region.

## **8. Internet Protocol & Cookies**

8.1 We collect Internet Protocol (IP) addresses for all visitors to our site. An IP address is a number that is automatically assigned to your computer when you use the Internet. This information is only aggregated (in other words, we cannot monitor the individual use of your site) and helps us monitor site traffic patterns and improve our content based on our home country to improve our service. Our site also uses cookies for some interactive features.

8.2 Our website uses cookies to distinguish you from other users on our site. This helps us give you a good experience when you browse our website and also allows us to improve our website. By continuing to browse the website, you agree to use our Cookies.

8.3 Cookies are small files and numbers that we store on your browser or your computer's hard drive if you agree. Cookies contain information that is transferred to your computer's hard drive.

We use the following Cookies:

- a) Cookies that are required: These are the cookies required for the operation of our site. They include, for example, cookies that allow you to access safe places on our site.
- b) Analytics/performance cookies: It allows us to recognise and calculate the number of visitors and see how visitors move to our site when they use it. This helps us improve the way our website works, for example, by making it easy for users to find what they're looking for.
- c) Functional cookies: These are used to recognise you when you return to our site. This allows us to personalise our content for you, greet you by name and remember your preferences (for example, your language or regional preferences).

8.4 We use the services of third-party vendors, who may implement cookies on the website. Advertisements on the website may be provided by third party agencies. These advertisements may also generate cookies. The collection, use, and disclosure of information, including Personal Data, collected by such third-party cookies are subject to the privacy and data protections policies of the third-party vendors and are not under our control.

8.5 You may reject third party cookies through the settings on your browser. Note that this may result in the loss of website functionality, restrict your use of the website, or delay or affect the way in which the website operates.

8.6 You block cookies by activating a setting on your browser that allows you to reject all or some cookies. However, if you use your browser settings to prevent all cookies (including important cookies), you may not be able to access all or part of our site.

8.7 Alternatively, you can prevent the collection and processing of Google data by using the Google Ads Settings page or downloading and installing their browser plug-in (<https://tools.google.com/dlpage/gaoptout>).

## 9. Security

1. Our websites have security measures in place to protect the loss, misuse and alteration of the information under our control. When you are asked to provide your credit card information, we will use strict procedures and security features to try to prevent unauthorised access.
2. Unfortunately, no data transmission over the internet can be guaranteed as completely secure. While we strive to protect such Personal Data, we cannot ensure or warrant the security of any Personal Data transmitted to us and individuals do so at their own risk and individuals agree not to be responsible for any breach of security while accessing the internet beyond our control. Once any Personal Data comes into our possession, we will take reasonable steps to protect that information from misuse and loss and from unauthorised access, modification or disclosure.

## 10. Third Parties Websites

Our website may contain links to other sites (“**Linked Sites**”). We are not responsible for the privacy policies or practices of such other Linked Sites. We encourage our Users to be aware when leaving our website to read the privacy policies or statements of each Linked Site that collects your personal data. You agree to waive any claim against us with respect to the Linked Sites.

## **11. Changes to our Privacy Policy**

This Privacy Policy is subject to occasional revision at our discretion. If you object to any such changes, you must cease using our platform and any further use shall indicate your acknowledgement of such changes and agreement to be bound by the terms and conditions of such changes.

## **12. Data Transfer**

We may hold your data on servers in Malaysia and in any other region as we see it from time to time. We may also transfer your data to our overseas offices to or for the reasons listed in clause 6.1 above, which may be located within or outside Malaysia.

## **13. Obligation to provide Personal data**

We acknowledge that you have the right in deciding the information you wish to provide to us. The provision of the information listed above is voluntary in nature. However, please note that if you do not provide the information above or limit the way such information is to be processed, it may result in us not being able to:

1. communicate or correspond with you;
2. undertake the engagement or complete transaction and/or provide our Services to you; and/or
3. grant you access to our Services.

## **14. Your consent and rights**

14.1 By using our services, applying for or visiting our website, you agree to the collection, use and processing of your personal data and other activities as outlined in this Statement.

14.2 If you wish to do so, you have the right to:

- a) to check whether we hold personal data about you and to access such data;
- b) to require us to correct or update as soon as reasonably practicable any data relating to you that is inaccurate or omitted;
- c) to determine our policies and practices regarding personal data and the types of personal data we hold; and/or
- d) withdraw your consent or restrict your use of personal data;
- e) against your use of your personal data for marketing purposes and we will not use your personal data for marketing purposes after you have made your objection to us.

14.3 You may exercise your opt-out right by notifying us if you wish to object to the use of your personal data for direct marketing purposes. Please send requests for such objections, access to data, correction of data, information regarding policies and practices and kinds of data held, questions or complaints to:

Attention : The Sea Monkey Project Sdn. Bhd.

Mailing : 30, First Floor, Jalan Hang Kasturi, City Centre, 50050  
Kuala Lumpur, Wilayah Persekutuan Kuala Lumpur

Phone : 018-468 0952

Email : [contact@seamonkeyprojects.com](mailto:contact@seamonkeyprojects.com)

14.4 In accordance with the applicable local laws and/or policies, we reserve the right to and may charge a minimum fee for processing any data access request.

## 15. Disclaimer

15.1 The accuracy and completeness of your personal data depends on the information you provide. We assume that the information you have provided is accurate, up to date and complete unless you inform us otherwise.

15.2 Where you provide any third-party information to us, it is our assumption that such information is accurate, up to date and complete and that you have obtained the necessary consent to disclose the same.

15.3 Where you have consented or allowed us to disclosed personal data to third party and/or other user when using our Services, you understand that we no longer have any control or authority as to how the said third party and/or other user will use or process the personal data. Therefore, you agree that we will not be responsible for the subsequent use of your personal data by the third party or another user. If you wish to stop them from further using your personal data, please contact them directly.

## 16. Governing law and jurisdiction

Nothing in this Privacy Policy shall limit your right under applicable local privacy law. You are accorded with rights stipulated in the Personal Data Protection Act 2010 (Malaysia) and we will abide by the provisions in PDPA.

## 17. Languages

This agreement is drafted in the English language. If this agreement is translated into any other language, the English language version shall prevail.

**Last Updated/Effective Date: 8th November 2024**