

Advocates & Solicitor Disciplinary Board

PERSONAL DATA PROTECTION NOTICE

**1. Introduction**

The Advocates & Solicitor Disciplinary Board (“ASDB”) was established in 1992 under Section 93 of the Legal Profession Act 1976. It operates at Unit 5.02, Level 5, Wisma Badan Peguam Malaysia, No. 2, Leboh Pasar Besar, 50050 Kuala Lumpur, Malaysia.

ASDB is committed to protecting your Personal Data and privacy, in accordance with the Personal Data Protection Act 2010 (“PDPA”). This Personal Data Protection Notice (“Notice”) outlines how ASDB collects, controls, processes, and safeguards Personal Data obtained through your engagement with our services. It applies to all individuals governed under the PDPA and covers data collected before and after the issuance of this notice.

For this Notice, “Personal Data” and “processing” shall have the meaning as prescribed to them under the PDPA.

**2. Collection of Personal Data**

The provision of your Personal Data is voluntary. However, if you choose not to provide Personal Data or do not consent to this Personal Data Protection Notice, ASDB may not be able to communicate with you or effectively render the services you require. By submitting your own or another individual’s Personal Data, you confirm that you and the other individual agree to our collection, use, and disclosure of Personal Data as outlined in this notice.

Please refrain from sending us Personal Data if you do not want it used this way.

**3. Description of Personal Data**

The Personal Data controlled, processed and/or used by ASDB includes but not limited to your name, address, gender, age, date of birth, identity card number, passport number; contact details (email address, mobile number), images (still/recording), bank account details, occupation, preferences, interests, information about your firm and/or other information relevant to the purposes as listed in paragraph 4. ASDB may also collect

sensitive Personal Data such as physical or mental health or medical condition, religious beliefs or other similar beliefs, the commission or alleged commission of any offence and personally identifiable information defined by international privacy laws or standards.

#### **4. Purpose for Collection of Personal Data**

Your Personal Data may be controlled, processed, and used by ASDB for the following purposes related to the services you have requested and the operational activities of ASDB, including but not limited to:

- Communication with you and responding to any inquiries or complaints from you pertaining to ASDB's disciplinary proceedings;
- Internal administrative purposes, including human resources administrative functions and activities;
- Carrying out ASDB's statutory functions, including but not limited to the issuance of Disciplinary Orders;
- Defending judicial review applications of disciplinary proceedings in the court of law;
- The performance of ASDB's professional development functions and operations, including but not limited to matters relating to disciplinary proceedings, events, training programs, workshops, or talks organized or sponsored by ASDB
- Pursuing any legitimate interest of ASDB, including the recovery of any sums due to ASDB (if applicable); and
- Any other purposes that are incidental or ancillary to the above purposes.

#### **5. Sources of Personal Data**

In addition to the Personal Data you provide to ASDB directly, ASDB may also collect Personal Data from various sources, including but not limited to your emails or other communications with us, our general operational contact with you, your participation in our disciplinary proceedings, events, seminars, and other activities, and through our ASDB website at <https://asdb.org.my/> ("website").

Personal Data may be provided by someone on your behalf, and ASDB will assume, unless notified otherwise, that you have authorised the disclosure of your Personal Data to us.

When you use our website, you are not required to provide any Personal Data on the public areas of our website. However, you may choose to provide us with information by contacting us, including for career inquiries or applications.

Our site may also contain links to sites controlled by a third party. Please note that ASDB does not control, recommend, or endorse these websites. ASDB is not responsible for the privacy practices of others, including how other companies or organisations collect, use, disclose, or secure the information provided to them.

This Notice applies solely to the information collected by the site maintained by us. If you choose to access a third-party site linked to our site, you do so at your own risk and subject to any terms of service or privacy policy (if any) associated with such third parties.

## **6. Disclosure of Personal Data**

ASDB may share your Personal Data with our employees, board members, affiliates, strategic partners, service providers/vendors, appointed agents, consultants, contractors, legal advisors, external auditors and anyone under a confidentiality duty to ASDB.

If necessary, ASDB may also disclose your Personal Data to third parties, including but not limited to information technology (IT) service providers, storage facility providers, professional bodies, training institutions, banks, financial institutions, insurance providers, regulatory and governmental and/or non-governmental authorities to comply with statutory and government requirements, including to the Accountant General Department of Malaysia for the purposes as described in Section 4 above.

ASDB will disclose your Personal Data as compelled for or required by law including but not limited to the Legal Profession Act 1976.

## **7. Integrity & Security of Personal Data**

ASDB is committed to ensuring that your Personal Data is stored securely in our databases and offices. All reasonable efforts and practical steps are made to ensure that any Personal Data held by ASDB is protected against loss, misuse, modification, unauthorized or accidental access or disclosure, alteration, or destruction.

If our data processing is carried out by a third party, ASDB will require that they adhere to our standards. Any Personal Data supplied by you will be retained by ASDB if it is necessary and expedient for the fulfillment of any purpose as stated above, according to our internal practices, regulatory requirements, legal and accounting requirements.

## **8. Transfer of Personal Data**

Please be aware that ASDB technology storage facilities and servers may be in other countries. Therefore, your Personal Data may be transferred to, stored, used, and processed in a jurisdiction outside of Malaysia. Furthermore, your Personal Data may be transferred out of Malaysia as potential complainants, respondents, and/or clients are located outside of Malaysia. By continuing to use our services, you understand and consent to the transfer of your Personal Data out of Malaysia as described above.

## **9. Marketing and promotional purposes**

ASDB only uses your information in connection with providing ASDB services, which include:

- inviting you to events ASDB thinks you will be interested in;
- providing and improving our services to you and your clients;
- managing our relationship with you and your clients;
- fulfilling our legal obligations, protecting our legal interests and rights; or
- other legitimate operational purposes.

ASDB will not sell or otherwise make personal information commercially available to any third party, except as described in this Notice or with your prior permission.

## **10. The Rights of the Data Subject**

The provision of your Personal Data to us is voluntary. You may withdraw your consent for us to collect, process, use, store, or limit the processing of your Personal Data for any of the purposes mentioned above at any time by notifying us in writing using the address provided in paragraph 13. If you do not provide Personal Data or if insufficient Personal Data is supplied to us when requested, ASDB may not be able to communicate with you, which may affect ASDB's ability to fulfill the purposes mentioned above and your ability to enjoy the full range of benefits provided. If you do not inform us, ASDB will assume that ASDB has your implied consent to use your Personal Data as described above.

Subject to any exceptions under applicable law, you have the right to request the following at any time:

- **Access to Personal Data:**

You may request access to your Personal Data processed by us with reasonable notice. Access requests can be made by sending an email to [secretariat@asdb.org.my](mailto:secretariat@asdb.org.my) or by visiting our place of operation.

- **Correction or Rectification of Your Personal Data:**

You have the right to request correction and/or update of Personal Data that is inaccurate, incomplete, or outdated. Correction requests can be made by sending an email to [secretariat@asdb.org.my](mailto:secretariat@asdb.org.my) or by visiting our place of operation.

- **Limiting the Processing of Your Personal Data:**

You are entitled to limit the processing of your Personal Data by expressly withdrawing previously given consent, subject to any applicable legal restrictions, or contractual conditions, and within a reasonable time.

Your request may be subject to legal restrictions or conditions. Please allow us a reasonable amount of time to respond and make any necessary changes. Regarding your right to access and/or correct Personal Data, ASDB reserves the right to reject your request for access and/or corrections to your Personal Data if by providing access is unreasonably expensive compared to the potential risks to your privacy. Additionally, please be aware that ASDB may occasionally ask for new Personal Data from you. By providing us with Personal Data or continuing to communicate with ASDB, you are consenting to the processing of Personal Data by the ASDB and individuals involved in providing services on behalf of ASDB.

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

ASDB reserves the right to modify, update, or amend the terms of this Notice at any time by posting the latest version on the ASDB website. If you continue to communicate with ASDB or use ASDB's services after these changes, it means you accept the modifications. ASDB recommends checking for updates to this Notice on our website regularly, as the current version will always be posted there.

## **12. Acknowledgement and Consent**

When you communicate, engage with ASDB or use ASDB's services, you acknowledge that you have read and understood this Notice. You also agree and consent to the use, processing, disclosure, and transfer of your Personal Data by ASDB as described in this notice. You may withdraw your consent by giving written notice to ASDB using the contact details stated in paragraph 13.

## **13. Inquiries and Complaints**

If you need more information about the Personal Data ASDB hold, or if you have questions about how your information is being collected or used, which are not addressed by this Privacy Notice, or if you want to request access to or rectify your Personal Data, or withdraw/limit your consent, please send your request in writing to this address:

### **ADVOCATES & SOLICITORS DISCIPLINARY BOARD**

Unit 5.02, Level 5, Wisma Badan Peguam Malaysia,  
No. 2, Leboh Pasar Besar, 50050 Kuala Lumpur, Malaysia.  
Attn.: Director of Complaints Secretariat

Email : [secretariat@asdb.org.my](mailto:secretariat@asdb.org.my)

Tel No.: (603) 26973333

This Notice is provided in both English and Bahasa Melayu. In case of any inconsistencies between the two, the English version shall prevail.

Dated: 27.07.2024