

Frequently Asked Questions (FAQ) for Personal Data Protection Act 2010 (PDPA)

1. What is Personal Data Protection Act (“PDPA” or the “Act”) 2010?

The Personal Data Protection Act is an Act enacted by the Malaysian government in 2010 to regulate the processing of individual’s personal data regarding commercial transactions.

2. When was PDPA enforced?

The PDPA was enforced on 15th November 2013. Bank Rakyat must comply immediately with the Act for new customers who enter a contract with us after 15th November 2013. However, we are given 3 months from the enforcement date to fully address the PDPA requirements for the existing customers who have been with Bank Rakyat before 15th November 2013.

3. What is personal data?

As defined in the PDPA, personal data refers to any information regarding commercial transactions that relates directly or indirectly to an individual who is identified or identifiable from that information or other information in possession of the individual, for example name, IC number, residential address, email address, passport number and other contact details.

4. What is sensitive personal data?

As defined in the PDPA, sensitive personal data is personal data containing information about the physical or mental health or state of an individual, political opinions, religious beliefs or other beliefs of a similar nature, the commission or alleged commission of any offence or any other personal data as determined by the Minister by order issued in the Gazette.

5. What are “commercial transactions”?

Commercial transactions are defined as any transactions of a commercial nature, regardless of if it is contractual, which includes any matters relating to the supply or exchange of goods or services, agency, investments, financing, banking and takaful, except a credit reporting business carried out by a credit reporting agency under the Credit Reporting Agencies Act 2010.

6. What is “processing” of personal data?

Processing personal data is the performance of collecting, recording, holding, or storing personal data and carrying out any operation or set of operations on the personal data.

7. What are your rights as a customer under the PDPA?

The PDPA allows you:

- To access your personal data and to correct it so that it is accurate, complete, not misleading, and up to date.
- To withdraw your consent from our processing for marketing purposes.
- To prevent processing that is likely to cause damage or distress or any purposes other than for the fulfillment of the services you have subscribed for.

8. What can Bank Rakyat do with the customer’s consent?

If you give us consent to use your personal data for marketing purposes Bank Rakyat may send you marketing materials via our existing communication channels such email, letters, and phone calls.

9. What will happen if the customer does not give consent?

Bank Rakyat will not send you any marketing material for products and services if you do not give us consent for marketing purposes. However, your personal data may still be used by Bank Rakyat to provide the products or services that you have subscribed for or to fulfill any other contractual obligations, and legal or regulatory purposes.

10. Does the customer have the right to withdraw his/her consent?

Yes, the customer has the right to withdraw his/her consent at any point of time for disclosing his/her personal data for other purposes than fulfilment e.g., marketing purposes.

11. After withdrawing consent, does the customer still receive marketing information?

We require 7 days to process the consent information throughout Bank Rakyat. You might receive marketing material from us within this period, but we will try to prevent sending you the marketing material immediately or not later than 7 days.

12. Can the customer request access to personal data?

Yes, you can request access to your personal data which the Bank retains. Please visit one of our branches to fill out the form to request access to your personal data.

13. Can Bank Rakyat deny the customer request to access personal data?

Bank Rakyat can only deny your request to access personal data when there is inadequate information to verify your identity.

14. Can any other person request access to the customer's personal data?

An individual other than you may request access to your personal data in the following circumstances:

- If you are below the age of 18, a parent, guardian or an individual who is responsible for you may request access to your personal data.
- An individual appointed by the court to manage our customer's affairs may request your personal data.
- An individual you have authorized in writing may request access to your personal data.

15. Does Bank Rakyat have a Privacy Notice?

Yes, please refer to the Bank Rakyat Privacy Notice which is available in hardcopy at Bank Rakyat branches as well as in electronic format on www.bankrakyat.com.my.

16. How does Bank Rakyat safeguard your personal data?

We take measures to safeguard your personal data by implementing physical and logical security controls to protect all information and IT systems from various security threats.

17. What security measures ensure that in the event of disclosing your personal data it is kept secure by other parties?

If we disclose your personal data to third parties such as our vendors, we will ensure that they have policies and procedures in place to comply with PDPA and to secure your personal data.

18. How long does Bank Rakyat retain the customer personal data?

Your data will be retained in Bank Rakyat for as long as necessary to fulfill the purpose(s) for which it was collected or to comply with legal, regulatory, and internal requirements.

19. Does Bank Rakyat send the customer personal data overseas? If yes, why is it necessary to send overseas?

When it is required, Bank Rakyat may transfer your personal data overseas to provide the services that you have requested and for the performance of any contractual obligations Bank Rakyat has with you.

20. Does the PDPA cover personal data transferred overseas?

The PDPA will apply if the personal data is first processed in Malaysia before transferring to overseas. However, the PDPA does not apply to personal data that is processed overseas.