



EMPLOYERS' CIRCULAR NO. 2 YEAR 2023

NOTIFICATION ON PERKESO PERSONAL DATA PROTECTION NOTICE

1. INTRODUCTION

The Social Security Organisation ("**PERKESO**") is committed to protect personal data in accordance with the Personal Data Protection Act 2010 ("**PDPA**"). In compliance with the Notice and Choice Principle, PERKESO has published one Personal Data Protection Notice on PERKESO Corporate website entitled Appendix A: PERKESO Personal Data Protection Notice ("**Notice**"), with herein attached.

2. PURPOSE

The purpose of this Circular is to serve the Notice to the Employers and Employees that are subjected to the Employees' Social Security Act 1969 (Act 4) and/ or Employment Insurance System Act 2017 (Act 800).

3. EXPLANATION ON NOTICE

The Notice amongst other is to inform about the processing of personal data by PERKESO which include matters such as collection, purpose, disclosure of personal data as well as the rights and responsibilities of data subject.

4. DIRECTIVE TO EMPLOYERS

All Employers are required to **extend a copy of the Notice**, as attached, **to all Employees** that are subjected to the Employees' Social Security Act 1969 (Act 4) and/ or Employment Insurance System Act 2017 (Act 800) applies.

5. INQUIRY

Any inquiries regarding this Circular, should be forwarded in writing to our officers as follows:

Communication and Corporate Affairs Division Chief Officer
PERKESO Headquarters
pdpa@perkeso.gov.my

6. EFFECTIVE DATE

This Notice is effective from the date it is issued.

Thank you.

"MALAYSIA MADANI"

"BERKHIDMAT UNTUK NEGARA"

"Pekerja Pemangkin Wadah Malaysia Madani"

Saya yang menjalankan amanah,


(DATO SRI DR. MOHAMMED AZMAN BIN AZIZ MOHAMMED)
Ketua Pegawai Eksekutif Kumpulan
Pertubuhan Keselamatan Sosial

"PERKESO ITU PRIHATIN, PRIHATIN ITU PERKESO"



APPENDIX A

PERKESO PERSONAL DATA PROTECTION NOTICE

1. INTRODUCTION

- 1.1 The Social Security Organisation ("**PERKESO**") is committed to protect your personal data including sensitive personal data in accordance with the Personal Data Protection Act 2010 ("**PDPA**"). In compliance with the Notice and Choice Principle, PERKESO hereby provides this Personal Data Protection Notice ("**Notice**") to inform you about the processing of your personal data by us.
- 1.2 For the purpose of this Notice, "you" refer to the data subject (including data subject that is below 18 years old) that has given or will give PERKESO the consent to the processing of their personal data. The terms "data subject", "personal data", "sensitive personal data" and "processing" shall have the meaning prescribed in the PDPA.
- 1.3 By subscribing to PERKESO's products and services, you agree to consent to the processing of your personal data by PERKESO and you agree that you have understood this Notice.
- 1.4 When you provide personal data or information about another person, you confirm that you are authorised to act on behalf of them, to consent to the processing of their personal data and to receive this Notice on their behalf.
- 1.5 This Notice is applicable to the personal data that was processed before and after this Notice was issued.

2. COLLECTION OF PERSONAL DATA

2.1 Personal data we collect may include (but are not limited to) the following:

- a. Self-identification details such as name, identity card number/ passport number/ police number/ army number, race, gender, nationality, PERKESO employee number; date of birth, birth certificate number & age;
- b. Contact details such as address, phone number & email address;
- c. Employment details such as employer name, employment status, employment history, salary, pay slip & resume;
- d. Banking information such as bank name & bank account number;
- e. Sensitive personal data such as health and medical information & religion;
- f. Biometric information such as fingerprints, signatures & electronic signatures;
- g. IP address (username/ member identification/ login identification); and
- h. Cookies.

2.2 Personal data collected is from the following sources:

- a. Information and/or documents registered by the employer (if relevant);
- b. Information and/or documents submitted to PERKESO by the employer (if relevant);
- c. Information and/or documents registered by you;
- d. Information and/or documents submitted to PERKESO by you or a third party authorised by you (if necessary);
- e. Biometrics, digital footprints, geolocation, video images and voice recordings obtained during interactions, either physically or through digital channels;
- f. Collection of data from legitimate and general external sources such as social media, discussion forums, websites, other online channels, surveys, questionnaires, and forms;
- g. Data shared and released by the government, authorities, statutory and regulatory bodies; and
- h. PERKESO websites.

2.3 The information and/or document as above may be collected through in-person submission, online platforms, mobile applications or by phone, email or regular mail, focus groups and face-to-face interviews and others.

3. PURPOSE OF PERSONAL DATA COLLECTION AND PROCESSING

- 3.1 Personal data may be collected and/or processed by PERKESO for the following purposes:
- a. Administration of products and services under the PERKESO Acts;
 - b. Registration, application and/or relevant transaction under the PERKESO Acts;
 - c. Activity directly or indirectly relating to PERKESO in carrying out its functions;
 - d. Identification of the insured person / self-employed insured person / insured housewife / dependent;
 - e. Communications and correspondence;
 - f. Marketing and promotional activities;
 - g. Information technology activities;
 - h. Statistics and agency reporting;
 - i. Research for PERKESO and/or the national agenda;
 - j. Business intelligence analysis; and
 - k. Any other purpose required or permitted by any laws in Malaysia, regulations, guidelines and/or relevant regulatory authorities.
- 3.2 Personal data may be collected and/or processed from PERKESO websites by PERKESO for the following purposes:
- a. IP addresses are used to identify where you access our website and to help identify problems with our browser; and
 - b. Cookies are used to store visitor preferences and to record session information; this is to ensure a better level of service for you. You can adjust the settings on your browser so that you are notified when you receive a cookie.

4. DISCLOSURE OF PERSONAL DATA

- 4.1 The personal data we hold will be kept confidential. However, in order for PERKESO to provide products and services effectively, and subject at all times to the law (including regulations, administrative instructions, and guidelines), your personal data may be disclosed or shared to the following parties:
- a. The Ministry of Human Resources and the Federal Government, as permitted and required by law;

- b. Enforcement, regulatory and government agencies, as permitted and required by law;
- c. PERKESO subsidiaries and affiliates;
- d. Service providers authorised by PERKESO who have entered into contractual agreements for some of our functions, services and activities. The contracting party is required to comply with the same privacy standards as PERKESO and is subject to the PDPA;
- e. Strategic partner with whom PERKESO has a relationship regarding social security products and services. The contracting party is required to comply with the same privacy standards as PERKESO and subject to the PDPA; and
- f. Parties authorised and agreed to by you.

5. SECURITY POLICY

- 5.1 PERKESO will do its best to ensure the security and confidentiality of your personal data. Your data whether in physical or digital form will be protected in accordance with PERKESO's cyber security policy. This is in line with market best practices and standards and complies with relevant authorities and regulations.
- 5.2 If PERKESO discloses any personal data to authorised parties, they are required to protect the personal data provided to them accordingly.
- 5.3 PERKESO will only keep your personal data for as long as is necessary to fulfil the purpose under Article 3 or to comply with applicable legal requirements or comply with applicable internal control mechanisms.
- 5.4 PERKESO will take all reasonable steps to ensure that all personal data is destroyed or permanently deleted if it is no longer required.

6. YOUR RIGHTS AND RESPONSIBILITY

- 6.1 You have the right at any time to:
 - a. Access your personal data;
 - b. Correct / update your personal data from time to time to ensure that the data provided is accurate, up-to-date and complete;
 - c. Not to provide your personal data to PERKESO; and
 - d. Withdraw / limit consent to PERKESO to process personal data.

- 6.2 Noting the above, failure to provide personal data in total or in parts or to withdraw / limit the consent to PERKESO to process personal data may result in PERKESO not being able to provide products or services to you.
- 6.3 You are responsible to provide PERKESO with complete, up-to-date and accurate personal data. You understand and acknowledge that PERKESO is to receive the provided personal data on 'as is' basis and that you are responsible to notify PERKESO in writing if there are mistakes or changes to the provided personal data for rectification.
- 6.4 You may send the request for the purpose under Article 6.1 and send the notification under Article 6.3, in writing to this email address:
- pdpa@perkeso.gov.my*
- 6.5 Any data access request (see Article 6.1.a.) may be subject to a prescribed fee by PERKESO as per the PDPA.

7. UPDATE ON NOTICE

- 7.1 PERKESO reserves the right to change and/or update this Notice from time to time.
- 7.2 If there are any significant changes / updates to this Notice, we will notify you by displaying a notice of such changes on our website. Please review PERKESO Personal Data Protection Notice from time to time to stay informed about how PERKESO protects your data.
- 7.3 PERKESO Personal Data Protection Notice is available in Malay language and English language. The English version will prevail in case of inconsistency between these two versions.

8. CONTACT US

- 8.1 Any inquiries or complaints in respect of personal data including this Notice can be submitted, in writing to:

Communication and Corporate Affairs Division Chief Officer
PERKESO Headquarters
pdpa@perkeso.gov.my

9. EFFECTIVE DATE

9.1 This Notice is effective from the date it is issued.

Thank you.

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