

## LEGAL NOTICE

As visitors to our website, you are required to accept the terms and conditions outlined below in return for the information about our business and the services we provide.

### Conditions of use of website

1. We use our reasonable efforts to include accurate and up-to-date information on our web pages. Information is for your guidance only and is not intended to form any part of a contract and can be subject to change without notice. We shall not be liable for any direct, indirect, incidental, consequential or cumulative losses or damages arising out of the use or inability to use these pages, any errors, misrepresentations or omissions on the material contained on them.
2. The information on these web pages has been prepared with reasonable care and is believed by us to be legal, honest, decent and truthful as of the date of its preparation.
3. You agree that the material downloaded or otherwise accessed through the use of our web pages is obtained entirely at your own risk and that you will be entirely responsible for any resulting damage to software or computer systems and/or any resulting loss of data even if we have been advised of the possibility of any such damage.
4. We do not accept any liability in connection with any third party websites which may be linked or accessible through our own website and we do not endorse or approve the contents of any such site.
5. Except where expressly stated to the contrary the text and graphics in the information contained in this website is the copyright of KOA FITNESS. You may download or print out individual selections of these web pages only if explicitly used for your own personal information and not to be publicly reproduced. Permanent copying or storage of whole or part of this website or the information contained in it or reproduction or incorporation of any part of it in any other work or publication whether on paper or electronic media or any other form is expressly prohibited.
6. The entire contents of these web pages remains our property and is copyright with all rights reserved.
7. Your personal information is personal property and as such we have published a separate Privacy Policy on these web pages. Our omission to exercise any rights under these conditions of use does not constitute a waiver or such right unless expressly accepted by us in writing.

# PRIVACY POLICY

## General

This policy statement provides information on the obligations and policies of Rebel Core Fitness (trading as "KOA FITNESS"), its subsidiaries, affiliates, and associated companies (the "Gym" or "KOA FITNESS") equal to any in the world in respect of the protections they provide to an individual. As such, the Gym undertakes to apply, where practicable, those principles and the processes set out herein to its operations globally.

## Our Corporate Privacy

The Gym's officers, management, and members of staff shall, at all times, respect the confidentiality of and endeavor to keep safe any and all personal data collected and/or stored and/or transmitted and/or used for, or on behalf of, the Gym. The Gym shall endeavor to ensure all collection and/or storage and/or transmission and/or usage of personal data by the Gym shall be done in an appropriate manner for membership applications, and internal purposes. Where an individual legitimately requests access to and/or correction of personal data relating to the individual, held by the Gym, then the Gym shall provide and/or correct that data in an appropriate time and manner.

## Statement of Practices

### Types of Personal Data Collected :

For the purpose of carrying on the Gym's business, including registration and administration of the Gym's related products and services (including relevant online services), you may be requested to provide personal data such as, but not limited to, the following, without which it may not be possible to satisfy your request:

1. Your name;
2. Correspondence address, and/or billing address;
3. Payment details, including credit card and banking information;
4. Contact details, including contact name and telephone number or email address
5. Your image taken at our premises with a web cam (or like equipment ) for visual identification

KOA FITNESS may employ other companies or individuals to assist us in providing our services, or to provide certain services such as analysing customer lists, providing marketing assistance or consulting services. These third parties may have access to information needed to perform their function but cannot use that information for other purposes.

In some instances, you may also be requested to provide certain data that may be used to further improve our products and services and/or better tailor the type of information presented to you. In most cases, this type of data is optional although, where the requested service is a personalised service, or provision of a product or dependant on your providing all requested data, failure to provide the requested data may prevent us from providing the service to you. This type of data includes, but is not limited to:

1. Your age;
2. Gender;
3. Salary range and employment details;
4. Education and Profession;
5. Hobbies and leisure activities;
6. Other related products and services subscribed to; and
7. Family and household demographics.

Some of the Gym's Websites may place a "cookie" on your machine; for example to provide personalised services and/or maintain your identity across multiple pages within or across one or more sessions. This information may include, but is not limited to, relevant login and authentication details as well as information relating to your activities and preferences across our Websites.

Under certain circumstances, telephone calls made to our order and/or service hotlines and/or inquiry telephone numbers are recorded for the purposes of quality control, appraisal, as well as staff management and development. Unless expressly indicated at the time of calling, such recordings are NOT personal data of the caller and therefore, in respect of the caller, are not subject to the various provisions of the

Ordinance and the caller has no rights and/or claims; either statutory, contractual or tortuous, over or to such data. At all times, every care is taken to protect such recordings from inadvertent and/or unauthorized access.

### **Accuracy of Personal Data**

Where possible, we will validate data provided using generally accepted practices and guidelines. This includes the use of check sum verification on some numeric fields such as account numbers or credit card numbers. In some instances, we are able to validate the data provided against pre-existing data held by the Gym. In some cases, the Gym is required to see original documentation before we may use the personal data such as with Personal Identifiers and/or proof of address.

### **Storage and Retention of Personal Data**

KOA FITNESS will endeavor to take all reasonable steps to keep secure any personal information recorded, and to keep this information accurate and up to date. The information is stored on secure servers if in digital format, or in locked areas if in hardcopy format: these repositories are protected in controlled facilities. In some cases these facilities may be overseas. KOA FITNESS employees and data processors are obliged to respect the confidentiality of any personal information held by KOA FITNESS. However, security of communications over the Internet cannot be guaranteed, and therefore absolute assurance that information will be secure at all times cannot be given. KOA FITNESS will not be held responsible for events arising from unauthorized access to personal information.

The Gym will destroy any personal data it may hold in accordance with our internal retention policy. The policy states that:

1. Personal data will only be retained for as long as is necessary to fulfill the original or directly related purpose for which it was collected, unless the personal data is also retained to satisfy any applicable statutory or contractual obligations; and
2. Personal data are purged from the Gym's electronic, manual, and other filing systems in accordance with specific schedules based on the above criteria and the Gym's internal procedures.

### **Disclosure of Personal Data**

All personal data held by the Gym will be kept confidential but the Gym may, where such disclosure is necessary to satisfy the purpose, or a directly related purpose, for which the data was collected provide such information to the following parties:

1. Any subsidiaries, holding companies, associated companies, or affiliates of, or companies controlled by, or under common control with the Gym;
2. Any person or Gym who is acting for or on behalf of the Gym, or jointly with the Gym, in respect of the purpose or a directly related purpose for which the data was provided;
3. Any other person or Gym who is under a duty of confidentiality to the Gym and has undertaken to keep such information confidential, provided such person or Gym has a legitimate right to such information; and
4. Any financial institutions, charge or credit card issuing companies, credit information or reference bureaux, or collection agencies necessary to establish and support the payment of any services being requested.

Personal data may also be disclosed to any person or persons that have a right under Malaysian law to gain access to such information provided they are able to prove their authority to access such information. For example, if the Gym were served with a court order demanding certain customer information then the Gym would disclose the information to the duly appointed officer of the court or such other persons as the court orders.

### **Transfer of Personal Data Outside of Malaysia**

At times it may be necessary and/or prudent for the Gym to transfer certain personal data to places outside of Malaysia in order to carry out the purposes, or directly related purposes, for which the personal data were collected. Where such a transfer is performed, it will be done so in accordance with KOA FITNESS policy, and local legislation such as the Personal Data Protection Act 2010.

## **Security of Personal Data**

Physical records containing personal data are securely stored in locked areas and/or containers when not in use. Computer data are stored on computer systems and storage media to which access is strictly controlled and/or are located within restricted areas. Access to records and data without appropriate management authorization are strictly prohibited. Authorizations are granted only on a "need to know" basis that is commensurate with an individual's Gym responsibilities and their training. Records of the Gym are under the control of assigned information officers who are responsible to ensure the transfer of or access to information is legitimate. Audit records may be produced to validate data modifications in order to verify the data's integrity. There may be violations logging processes for investigation of any unauthorized attempt to access information. Encryption technology, such as SSL, may be employed for the transmission of data collected online.

## **Access and Correction of Personal Data**

Individuals have the right to :

1. Check whether the Gym holds any personal data relating to them and, if so, obtain copies of such data;
2. Require the Gym to correct any personal data relating to them which is inaccurate for the purpose for which it is being used.

## **Direct Marketing**

The Gym will honor an individual's request not to use his or her personal data for the purposes of direct marketing. Any such request should clearly state details of the personal data in respect of which the request is being made. Specifically, we request that you include the corresponding Gym assigned account numbers which are printed on the Gym's statements/invoices. Please also state clearly the authority under which you are authorized to make such a request. Unless otherwise instructed as per the above, the Gym may use any of the data collected in the normal course of its business for marketing purposes.

## **KOA FITNESS and links to other web sites**

KOA FITNESS provides links to web sites outside of the KOA FITNESS site. These linked sites are not under the control of KOA FITNESS, and KOA FITNESS is not responsible for the conduct of companies linked to the KOA FITNESS web site, nor for the performance or otherwise of any content and/or software contained in such external websites.

## **Change Policy**

KOA FITNESS reserve the right to alter any of the clauses contained herein in compliance with local legislation, to meet its global policy requirements, and for any other purpose deemed necessary by the Gym.

November 2016

## **Important information**

### **REBEL CORE FITNESS**

#### **Trading as KOA FITNESS**

##### **Personal data notice relating to the Personal Data Protection Act 2010 (The "Act")**

This personal data notice applies to any person whose personal data is processed by or on behalf of Rebel Core Fitness or KOA FITNESS ("we" or "us"). Terms not defined in this notice shall have the meaning ascribed to them in the Act (if any).

Please note that this notice may be amended from time to time and the data subject shall visit [http://www.koafitness.com.my/privacy\\_policy](http://www.koafitness.com.my/privacy_policy) on a regular basis for updates and changes.

##### **The personal data we process**

The personal data processed by us may include one or more of the following: your name, address, proof of identification (eg. National Registration Identity Card and/or passport), contact details, email address, occupation, payment details including credit card and banking information, your image taken at our premises with a web cam (or like equipment) for visual identification, the relevant products or services provided to you and any other personal data required for the purposes set out in paragraph 3 below (collectively "**your personal data**").

Sensitive personal data may include such things as information on physical or mental health or medical condition, political opinions, religious or other similar beliefs, commission or alleged commission of any offence.

Although it is not obligatory to provide your personal data to us, failure to supply such personal data may result in us being unable to provide you with our services.

##### **Purposes**

We may process your personal data for the following purposes:

- to consider applications for products and/or services;
- to communicate with you including responding to your enquiries;
- to provide you with information on products, services and/or events offered/organised by us, our affiliates or our business partners;
- to enforce our rights; and
- any other purpose that is incidental or ancillary to the above purposes.

##### **Sources**

Your personal data is collected from various sources, including information you have provided to us, information from third parties and information in the public domain.

##### **Access and request for correction**

You may contact us by writing to us if you wish to request for access to your personal data that we retain about you, request for your personal data retained by us to be corrected, or withdraw your consent to the processing or use of your personal data by us. We may charge a reasonable fee for processing your request. We may also refuse to comply with your request in accordance with the Act. Any request, inquiries or complaints can be sent to [hello@koafitnessmy.com](mailto:hello@koafitnessmy.com) by email.

##### **Disclosure of personal data**

We may share your personal data with entities within the Rebel Core Fitness group of companies including all related companies, subsidiaries, holding companies and associated companies, and may disclose your personal data (whether in or outside Malaysia):

- as required by applicable laws or rules, or as required by regulatory, supervisory, law enforcement or governmental bodies;
- to any court of competent jurisdiction in defense of claims or enforcement of rights;
- to service providers who provide services in connection with our products and services;

- to our professional advisors on a need-to-know basis; or
- any other persons which we reasonably think fit.

**Transfer of information**

Your personal data may be transferred to a place outside of Malaysia.

By providing to us your personal data and/or should you continue to use our services, you hereby consent to the collection, processing, use, disclosure and retention of your personal data in accordance with all of the foregoing.

**Rebel Core Fitness**  
**KOA FITNESS**

November 2016