

DATA PRIVACY NOTICE: CATERPILLAR FINANCIAL SERVICES MALAYSIA SDN BHD

This data privacy notice provides specific information on who is processing your data, how and why it is being processed and your rights with regards to the control of your data when applying for financing through Caterpillar Financial Services Malaysia Sdn Bhd ("Company", "we", "our" or "us").

We and our parent company, Caterpillar Financial Services Corporation, are entities within Caterpillar Inc's Financial Products Division.

The notice has been issued in connection with the Malaysia Personal Data Protection Act 2010 ("PDPA") of Act 709.

<p>Data Controllers Data controllers are the entities which determine the purposes and means of the processing of personal data</p>	<p>Caterpillar Financial Services Malaysia Sdn Bhd Second Floor, Tractors Engineering Complex No. 1 Jalan Puchong Perindustrian Puchong Utama 47100 Selangor, Malaysia Tel: 6-03-8074 5600 Email: FPD.SMP.Compliance@cat.com</p> <p>CATERPILLAR FINANCIAL SERVICES CORPORATION ("CFSC") Address: 2120 West End Avenue, P.O. Box 340001 Nashville, TN, USA 37203-0001 Email: compliance.department@cat.com</p> <p>In the case of questions regarding this data protection notice or to exercise the rights outlined herein, please contact Caterpillar Financial Services Malaysia Sdn Bhd at the contact details above.</p>
<p>Type and origin of data Which data do we collect from you and from which sources?</p>	<p>The categories of data which we process ("Process") (which includes but is not limited to collecting, recording, holding, storing, using and/or disclosing) in order to process a credit application and administer any related financing services to you include:</p> <ul style="list-style-type: none"> (a) master data: name, identity card number, date of birth, gender, citizenship, marital status, nationality, race, ethnic origin, identification card / passport details, qualifications, occupation, employer, former employer(s), photographs or other images, and voice recordings; (b) contact details: home address, home phone number and mobile number, email address, work address, work number, details of guarantors, details of next of kin; (c) compensation information: such as amount, currency, number of payments per year, bank account details, income tax file numbers, income range; details of applicable bonus, incentives and commission plans, types of loans applied for previously, credit ratings; (d) any such information as we deem necessary or appropriate from time to time in connection with your commercial relationship with us; and (e) sensitive personal data, as defined in the PDPA, (collectively, "Personal Data"). <p>To the extent that you disclose to us any personal data whether or not coming within the definition of Personal Data above, of another individual, by such disclosure you confirm that you have obtained such individual's consent for the disclosure as well as the Processing of the same in accordance with the terms of this notification. All such personal data will also be regarded as being part of the defined term "Personal Data".</p> <p>Personal Data has and/or will be obtained from the information provided or submitted by you through our prescribed forms, publicly available or publicly accessible information, information obtained from banks, credit bureaus, and other credit reporting agencies, such other written or verbal communications or documents delivered to us or to any companies within the Caterpillar group, or its/our affiliates and associated companies, where such disclosure of your personal data has been properly authorised prior to and during the course of our contractual or pre-contractual dealings with you.</p>
<p>Primary Processing Purposes How do we use your Personal Data?</p>	<p>1. To execute and administer finance contracts. Processing of Personal Data is necessary for the contractual performance of our legal contracts with you, and conducting pre-contractual measures applicable to the financing services, including:</p> <ul style="list-style-type: none"> ➤ For issuing financing offers. ➤ For conducting credit evaluation and making lending decisions: <ul style="list-style-type: none"> ○ Credit checks involving consultation of external credit agency files can be conducted to assess creditworthiness prior to entering into the finance contract, in conjunction with the modification of an existing contract or following a contractual default; ○ Credit evaluation involves the use of statistical risk models and credit scoring tools; however, decisions are never made solely on the basis of these systems; ○ Customer due diligence processes. ➤ For preparation and entry into of financing contracts or other necessary documentation. ➤ For conducting contractual administrative procedures, and financial and accounting management relevant to the financial product selected. <p>2. To administer additional services requested in conjunction with the finance contract (e.g. insurance or servicing and maintenance of machines).</p> <p>3. To respond to your enquiries and provide customer service support.</p> <p>4. To support the recovery of deficiencies and enforce our rights in the case of customer default under the finance contract, including debt collection, repossession of assets or initiating legal proceedings and/or reporting any contractual, past due or Personal Data to credit reporting agencies as may be necessary in our discretion.</p> <p>5. To comply with legal and regulatory obligations applicable to our operations, including:</p> <ul style="list-style-type: none"> ➤ Fulfilment of customer identification requirements under the prevention of money laundering and financing of terrorism laws and sanctions regulations; ➤ Identification and prevention of fraud risk; ➤ Document additional legal and regulatory obligations e.g. disclosing of data to banking supervisory authorities, tax authorities, other reporting requirements. ➤ Internal record keeping. <p>6. To secure and protect our interests/assets, including:</p> <ul style="list-style-type: none"> ➤ To monitor and assess our global credit risk exposure; ➤ To deploy and maintain technical and organizational security measures; ➤ To conduct internal audits and investigations. <p>7. To conduct surveys, including through electronic means, to ascertain your satisfaction with our products and services.</p> <p>8. To contact you with details of products and services offered by us.</p>

	<p>It is not mandatory to provide your Personal Data to us. However, the failure to provide Personal Data would in some cases have the consequence that the finance contract could not be concluded, including:</p> <ul style="list-style-type: none"> ➢ Where processing is necessary to the performance of the contract or the conducting of pre-contractual measures; ➢ Where processing is necessary to fulfil our legal and regulatory obligations or to exercise our legal rights. <p>In addition to the purposes outlined above, data may be de-identified, in which case it is no longer Personal Data and may be processed for other purposes.</p> <p>In connection with the above, we are permitted to contact you and/or your employees (whom you notify to us from time to time) via e-mail, phone calls, text messages (whether SMS or other instant messaging platform) or other media, and you confirm that we are authorised to do so and that their consent has been obtained.</p>
<p>Legitimation Legal basis for processing data</p>	<p>In order to be able to process your data, we rely on different legal bases, including:</p> <ol style="list-style-type: none"> 1. The necessity for completion of pre-contractual measures, executing and performing a contract, and exercising our rights and discharging our obligations thereunder. 2. The necessity for us to comply with legal and regulatory obligations. 3. The necessity to pursue our legitimate interests, including: <ul style="list-style-type: none"> ➢ To manage the risk and exposure of Caterpillar's Financial Products Division; ➢ To ensure that our networks and information are secure; ➢ To administer and generally conduct business within the enterprise; and ➢ To improve the products and services that we offer to you. <p>If the processing is based on the exercising of our legitimate interests, you are entitled to object to such processing at any time by contacting us using the contact information outlined above. Please bear in mind that this may in some cases impact our ability to offer financing to you.</p> <ol style="list-style-type: none"> 4. Your consent. If we rely on your consent as a legal basis for processing your Personal Data, you may withdraw your consent at any time by using the contact information outlined above. In this regard, you consent to us processing and/or using your Personal Data for marketing and providing you with information about the products and services that we consider to be of interest to you. For this purpose, you consent to us sharing your Personal Data with relevant Data Recipients (defined below) such as Caterpillar group companies and our equipment dealers, and for us or such Data Recipients to contact you and your employees via e-mail, phone calls, text messages (whether SMS or other instant messaging platform) or other media regarding products and services that we consider to be of interest to you.
<p>Retention How do we retain your Personal Data?</p>	<p>We store Personal Data in hard and/or soft copy. Soft copy data is stored on, amongst others, the file server, e-mail server, cloud-based servers, mobile devices, personal computers, notebooks, tapes and compact disc. There are corporate security policies and procedures in place which among others confines access to Personal Data to authorised personnel only on a need-to-know basis to the relevant departments including credit and operations, customer service, sales, risk management, corporate credit, marketing, product support, legal and administration departments of the Company. We may retain the Personal Data and that of other individuals that you provide to us even after the full and final settlement of all monies outstanding under our financing contract with you in accordance with our prevailing corporate policies and at all times subject to legal requirements.</p>
<p>Data recipients With whom do we share your data?</p>	<ol style="list-style-type: none"> 1. Caterpillar equipment dealers with a stake in the execution of the finance contract. 2. External service providers performing functions on our behalf such as providers of IT maintenance, data storage, customer survey administration, debt collection vendors, repossession vendors, or IT software. 3. Professional advisors and consultants such as law firms, tax consultants, auditors and accountants. 4. Insurance companies and brokers for the purposes of assuring the assets and credit. 5. Courts and tribunals in cases of legal action. 6. Other Caterpillar group companies for legitimate business purposes. 7. Credit reporting agencies, credit bureaus or fraud prevention agencies. 8. This information may be accessed by creditors and financial institutions involved in commercial lending to support evaluation of their own credit risk. 9. Governmental and regulatory authorities where required by law or obligations applicable to our business (e.g. Ministry of Communications and Multimedia Commission, Inland Revenue Board of Malaysia). 10. Banks and savings institutions for financial transactions deriving from the contract. 11. Public notaries for the purposes of raising a public deed, where relevant to the contractual method chosen.
<p>International data transfers When do we transfer your data overseas?</p>	<p>The nature of our products and services are such that it may be necessary, where we consider it appropriate, for the purposes of data storage, processing or providing any service or product on our behalf to you, to transfer Personal Data to CFSC and such other of our affiliates and/or associated companies and/or third party service or product providers within or outside the country in which we are established through a variety of media including electronic database platforms, cloud computing and mobile devices, under conditions of confidentiality and similar levels of safeguards.</p> <p>Personal Data may additionally be transferred to or accessed by our ultimate parent company Caterpillar Inc in the United States and other affiliates and trusted service providers from other countries around the world. Details of the affiliated companies can be accessed at Exhibit 21 to Caterpillar Inc.'s 10-K filing with the US Securities and Exchange Commission.</p> <p>When such transfers occur, we implement adequate measures to ensure compliance with the data protection requirements and to maintain the security and protection of your Personal Data. You may obtain additional details on the specific measures by accessing our global privacy notice (www.Caterpillar.com/dataprivacy) or contacting us using the details described at the top of this document.</p>
<p>Rights of interested parties Exercising your rights</p>	<p>You have the right to request for access to Personal Data stored with us, and for Personal Data to be updated, amended or corrected if there are any changes, inaccuracies or error by contacting Caterpillar Financial Services Malaysia Sdn Bhd at the contact details provided above. Please advise us of any change with regards to your Personal Data within 30 days. Please also address any questions or feedback to us at the contact details above. A copy of this Data Privacy Notification can be found at our website at https://www.catfinancial.com/en_MY/legal-notices/data-privacy.html.</p> <p>Where we have requested your consent, you have the right to withdraw such consent provided at any time by contacting us at the details specified in the 'Data Controllers' section above. Where we are of the opinion that the absence or withdrawal of consent (where requested) impedes or affects in any way the grant of the financing, we have the right to recall, terminate and/or cancel the financing, without further notice to you and/or without any justification. We shall not be held liable for any loss, damages, cost or expenses suffered by you (whether directly or indirectly) in the event of us recalling, terminating and/or cancelling the financing as a result.</p> <p>Revocation of consent for marketing offers shall not impact our ability to offer financing to you.</p>
<p>Additional Information</p>	<p>For additional information on the processing of your Personal Data on our website or to review information on the corporate approach to the protection of customer data adopted by companies within the Caterpillar group please visit our website: www.Caterpillar.com/dataprivacy. All changes to this notice will be published on the website as well as being notified in writing, where required.</p>