

## HERBALIFE PRODUCTS MALAYSIA SDN BHD

### PRIVACY NOTICE

This Privacy Notice sets out how Herbalife Products Malaysia Sdn Bhd (“Herbalife”) will handle personal information in accordance with the Personal Data Protection Act 2010 (“PDPA”) and the laws of Malaysia.

#### 1. WHAT THIS PRIVACY NOTICE EXPLAINS

This Privacy Notice explains:-

- What kind of personal information we collect;
- How we collect your personal information;
- How we use your personal information;
- When we disclose your personal information;
- Access to your personal information;
- Correcting your personal information; and
- Online dealings with Herbalife.

#### 2. OUR COMMITMENT TO YOU

At Herbalife, we value, respect and are committed to protecting your personal information and ensuring that your personal information is used for the purposes stated herein in accordance with the Personal Data Protection Act 2010 (“PDPA”).

#### 3. WHAT IS PERSONAL INFORMATION?

“Personal Information” refers to any information which relates directly or indirectly to you. This includes any information that can be used to distinguish, identify or contact you. For the purposes of this Privacy Notice, personal information encompasses sensitive personal information which relates to information relating to your physical health or condition, etc.

#### 4. WHAT KIND OF PERSONAL INFORMATION WE COLLECT

In order for Herbalife to operate in an efficient and effective manner and/or provide you with the best service possible, we may collect personal information from you which may include but is not limited to contact information about you such as your full name, NRIC number, a copy of your NRIC or passport, signature, date of birth, mailing address, residential address, telephone number(s), fax number, e-mail address (es) and other contact information, marital information such as your spouse’s name, spouse’s NRIC number, marriage certificate, divorce policy, certified copy of divorce decree, or legal separation document; photographs and video images; financial information such as your banking details, bank account number, credit card number, credit card CVC number, copy of your credit card, issuing bank and income tax number and Herbalife Membership information such as your Herbalife Membership ID number, sponsor’s name, sponsor’s telephone number, sponsor’s Herbalife ID number, supervisor’s name, supervisor’s telephone number and supervisor’s Herbalife ID number.

We may obtain this information from yourself and from a variety of sources, including but not limited to:

- through your relationship with us, for example information provided by yourself when you apply for Herbalife Membership through application forms; submission of queries, complaints and feedback; and when using our products and services;
- through your verbal and written communications with us and/or our authorised agents;
- from third parties connected with you, such as customers, Herbalife Membership partners, etc.; and
- from such other sources in respect of which you have given your consent to disclose information relating to you and/or where otherwise lawfully permitted.

Where you provide Herbalife with personal information relating to third parties (such as the personal information of your spouse, sponsor and/or supervisor), you confirm that you have obtained the prior consent prior to providing us with their personal information or are otherwise entitled to provide this information to us and for us to use it accordingly.

## **5. HOW DO WE COLLECT YOUR PERSONAL INFORMATION**

We may collect personal information from you when you:-

- communicate with us (for example when you submit an application to become a Herbalife Member, or contact us for any enquiries by calling our customer service)
- register online as a customer
- have a Herbalife Membership transferred to you
- use of any of our services and/or products
- fill in forms (for example, add spouse request form, application for international membership form)
- participate in any of our surveys
- when you subscribe for e-mail alerts
- commence a business relationship with us (for example, as a service provider)
- respond to any marketing materials we send out
- lodge a complaint with us
- provide solicited and/or unsolicited feedback to us

Other than personal information obtained from you directly (as laid out above), we may also obtain your personal information from third parties we deal with (e.g. law enforcement and other government agencies) or are connected with you (e.g. sponsors and supervisors) and from such other sources in respect of which you have given your consent to disclose information relating to you and/or where otherwise lawfully permitted.

## **6. HOW DO WE USE YOUR PERSONAL INFORMATION**

We may collect personal information from you or from the category of third parties identified above which is to be utilised for one or more of the following purposes:

- to process Herbalife Membership application(s);
- to verify your financial standing through credit reference checks;
- to put you in touch with our Herbalife Members in connection with your expressed interest in our products or business opportunity;
- to provide you with our products and services to manage and maintain your relationship with us;
- to provide customer service;
- to confirm and fulfil your orders;
- to ship your orders;
- to administer payments and possible problems and disputes with dispatchers and other service providers;
- to provide Herbalife Membership services;
- to administer and notify you of upcoming events, such as promotions, competitions and new products and services;
- to calculate earnings and bonuses;
- to provide commission payouts;
- to provide training on new products and services;
- to ensure compliance with the Herbalife Membership Application and Agreement/Additional Terms and Conditions, Herbalife's rules and regulations and other relevant documentation governing the relationship between Herbalife and the Herbalife Member;
- to produce anonymised and aggregated data, research, reports and statistics;
- for related promotional materials;
- to comply with legal and regulatory requirements; or

- for any other purposes that is required or permitted by any law, regulations, guidelines and/or relevant regulatory authorities.

## **7. DISCLOSURE OF YOUR PERSONAL INFORMATION**

As a part of providing you with our products and/or services and the management and/or operation of the same, we may be required or need to disclose information about you to the following third parties:

- law enforcement agencies;
- government agencies;
- credit reporting/reference agencies
- companies within the Herbalife Worldwide group;
- companies and/or organisations that act as our agents, contractors, vendors, service providers and/or professional advisers;
- companies and/or organisations that assist us in processing and/or otherwise fulfilling transactions that you have requested;
- our business associates and other parties for purposes that are related to the purpose of collecting your personal information;
- overseas regulators and/or authorities;
- other parties in respect of whom you have given your express or implied consent,

subject at all time to any laws (including regulations, guidelines and/or obligations) applicable to Herbalife (whether in or outside Malaysia).

## **8. WHAT IF PERSONAL INFORMATION PROVIDED BY YOU IS INCOMPLETE**

Where indicated (for example in application forms), it is obligatory to provide your personal information to us to enable us to process your application for our products and/or services. Should you decline to provide such obligatory personal information, we may not be able to process your application and/or provide you with our services or products.

## **9. YOUR RIGHTS IN RELATION TO YOUR PERSONAL INFORMATION**

We can assist you to access and correct your personal information held by us.

Where you wish to have access to your personal information in Herbalife's possession, or where you are of the opinion that such personal information held by us is inaccurate, incomplete, misleading or where relevant, not up-to-date, you may make a request to us via our Data Access Request Form or Data Correction Request Form respectively. These forms are available at our office as well as at [www.herbalife.com.my](http://www.herbalife.com.my).

We will use reasonable efforts to comply with your request to access or correct your personal information within 21 days of receiving your duly completed Data Access Request Form/Data Correction Request Form and the relevant processing fee (if any).

Please note that Herbalife may have to withhold access to your personal information in certain situations, for example when we are unable to confirm your identity or where information requested for is of a confidential commercial nature or in the event we receive repeated requests for the same information. Nevertheless, we will notify you of the reasons for not being able to accede to your request.

## **10. DIRECT MARKETING**

We may use your personal information to provide you with information about our and third party events, services and/or products, which may be of interest to or benefit you, except where otherwise requested by you.

In certain instances, we may disclose your personal information to our preferred merchants and strategic partners. However, please note that we will only disclose your personal information to our

merchants and strategic partners where your prior consent has been obtained and subject at all times to any laws (including regulations, guidelines and/or obligations) applicable to Herbalife.

We take reasonable steps to ensure that our agreements with our merchants and/or strategic partners include appropriate privacy and confidentiality obligations.

If you do not wish your personal information to be utilised for the purposes of marketing or should you change your mind in relation to your previous decision, please contact us at the address detailed at the end of this Privacy Notice. Your latest written instructions to us will prevail.

## **11. ONLINE DEALINGS WITH HERBALIFE**

### ***Cookies***

We collect information about your use of our website from cookies. Cookies are packets of information stored in your computer which assist your website navigation by customizing site information tailored to your needs. Cookies in themselves do not identify the individual user, just the computer used. You are not obliged to accept cookies. If you are concerned, you can set your computer either to accept all cookies, to notify you when a cookie is issued, or not to receive cookies at any time. However, rejection of cookies may affect your use of the website as we will be unable to personalize aspects of your use of the website.

### ***Links To Third Party Websites***

Please be informed that this Privacy Notice applies solely to our website and does not apply to any third party websites you may access from our websites. To determine how they deal with your Personal Information, you should ensure that you read their respective privacy policies.

## **12. UPDATES TO OUR PRIVACY NOTICE**

Herbalife may amend this Privacy Notice from time to time. Please check our website on an ongoing basis for information on our most up-to-date practices.

## **13. OUR CONTACT DETAILS**

Should you have any queries, concerns or complaints in relation to this Privacy Notice, kindly contact us during office hours (between 9.30a.m. – 6.30p.m. Monday to Friday) at the following contact points:

**Designation :** Legal Manager

**Telephone:** (603) 2687 6229

**Fax No :** (603) 2687 6262

**E-mail:** sharlinip@herbalife.com

**Address:** 3<sup>rd</sup> Floor, Plaza See Hoy Chan,  
Jalan Raja Chulan, 50200 Kuala Lumpur

A current version of this Privacy Notice is available on our website at: [www.herbalife.com.my](http://www.herbalife.com.my)