



## DATA PRIVACY

Date: **October 29, 2018**

Document Code: **DPO-000001**

### Privacy Policy

#### INTRODUCTION

Vivant Corporation (the “Company”) and its subsidiaries, respect your privacy and recognize the need for appropriate measures to protect and manage your personal data entrusted to us. Our Privacy Policy follows, and is consistent with, the Data Privacy Act of 2012 (DPA), its Implementing Rules and Regulations (IRR), other issuances of National Privacy Commission (NPC), as well as other relevant laws of the Philippines.

Personal data refers to all types of personal information, sensitive personal information and privileged information. Personal information refers to “any information, whether or not recorded in any form, from which the identity of an individual is apparent or can reasonably and/or directly be ascertained by the entity holding the information, or, when put together with other information, would directly and certainly identify an individual”.

This Privacy Policy pronounces how the Company processes (how it collects, uses, shares, and keeps) and protects your personal data. It also provides the steps that you can take should you wish for any change in how we use your personal data, or if you want us to stop using your personal data.

#### Why do we collect your personal data?

To enable us to comply with our corporate policies in relation to data subjects as well as with the requirements under the Data Privacy Act, it is important that we collect, use, store and retain your personal data only as is reasonable and necessary for a declared and specific purpose stated in the pertinent consent forms.

In general, we are using your data for any of the following purposes:

- To comply with the Company’s obligations under law and as required by government organizations and/or agencies;
- To comply with legal and regulatory requirements or obligations; and,
- To perform such other processing or disclosure that may be required under law or regulations.

Other uses by nature of our transactions.

In addition, from the general uses mentioned above, we may use your personal information depending on your transactions with us in any of the following means:

A.) When you want to become a part, or are a part, of our team:

- To evaluate applicants' qualification for open positions through screening, employment examination, interview, background investigation and medical examination, communicate results and recommend future job opportunities
- To grant access to Company premises for performing individual duties and obligations
- To perform onboarding activities (e.g., requirement processing, orientation, HRIS encoding)
- To process employees' and executives' payroll-related matters (e.g., compensation, benefits, allowances, loans, reimbursements)
- To facilitate executive club applications



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- To facilitate credit card enrollment
- To facilitate employee development through internal and external trainings
- To evaluate employee's performance
- To perform employee engagement functions (e.g., annual physical examination, team-building activities, outings)
- To facilitate budgeting of company's manpower
- To assist employees with local and international travel
- To monitor capital and fixed asset purchases and accountability
- To assist in executive travels involving foreign exchange requirements
- To facilitate employee off-boarding process (e.g., employee clearance, exit interview, final pay)
- To comply with regulatory requirements (e.g., SSS, HDMF, BIR, DOLE, PhilHealth).

B.) When you become a stockholder of the Company:

- To notify shareholders of upcoming annual stockholders
- To facilitate dividend recording and initiate dividend payment.

C.) When you are a vendor, a potential vendor, or a contractor:

- To acquire potential customers and monitor existing clients
- To release billing payments to suppliers
- To assist in suppliers' billing involving foreign exchange requirements

D.) When you are a third-party dealing with the Company:

- To manage third-party access to company premises
- To evaluate third-party speakers' qualification for internal training
- To assist third-party consultants with local and international travel
- To evaluate third-party speakers' qualification for internal training
- To facilitate contract creation and notarization process.
- To negotiate salaries with employees of subsidiaries
- To facilitate partner gift giving process
- To conduct research for Corporate Social Responsibility (CSR) scholarship initiative
- To process and evaluate applications for CSR scholarship program
- To collate contacts for press releases
- To oversee funding management for subsidiaries.

### What type of personal data do we collect?

The common type of data collected by the Company from you, generally includes the following:

- Personal information such as full name, home addresses/billing address/shipping address, e-mail address, employment information, telephone, other personal contact numbers;
- Sensitive personal information such as age, birthdate, nationality, marital status, gender, health, education and government issued identification document which includes, but not limited to identity (ID) cards, licenses, social security number;
- Sensitive personal information of your dependents such as age, birthdate, nationality, marital status, gender, education and government issued identification document which includes, but not limited to identity (ID) cards, licenses, social security number;



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- Employment record such as educational background, employment history, certifications, trainings attended, resume and income information of your previous jobs; and
- Financial details such as bank account, credit card, and debit card information you have provided as a result of our transaction.

You are responsible for ensuring that all data, whether personal information, sensitive personal information or privileged information, you submit to the Company is accurate, complete and up-to-date.

#### How we collect, acquire or generate your data?

We collect data when you:

- accomplish company forms
- submit to the Company your resume and other employment requirements;
- disclose personal data through phone calls, email, SMS or verbal communication with Company personnel; and

We also acquire personal data through third parties, such as:

- Job-search platforms
- Background investigation provider
- Online examination provider
- Pre-employment Medical and Annual Physical Exam providers
- Agencies and contractors (e.g., land surveyors)
- Other companies (such as former employers and affiliates)

We generate personal data when you:

- Accept a job offer;
- Avail of benefits; and
- Participate in Company processes and activities.

#### Who we share your personal data with?

As a general rule, we are not allowed to share your data to third party except in limited circumstances as listed below.

By giving your consent, you authorize the Company to disclose your personal data to accredited/affiliated third parties or independent/non-affiliated third parties, whether local or foreign in any of the following circumstances:

- As necessary for the proper execution of processes related to the purposes declared in this Privacy Policy.
- The use or disclosure is reasonably necessary, required or authorized by or under law (such as for criminal investigation, as requested by court of law).

This means we might provide your personal data to the following:

- Our affiliates, subsidiaries, partner companies, organizations, or agencies including their sub-contractors or prospective business partners that act as our service providers and contractors; and
- Law enforcement and government agencies.

However, these companies may only use such personal data for the purposes disclosed in this Privacy Policy and may not use it for any other purpose.



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#### What is our Privacy Policy regarding children?

Vivant Corporation is very sensitive to privacy issues and it is especially careful in its communications with children. The Company would never directly collect personal data from children without the parent's consent.

Personal data pertaining to children and collected from their parents is used by the Company or other entities that provide technical fulfillment or other services to the Company (for example, services intended to improve our services/web sites, and fulfilling requests or administering promotions). These personal data are not sold.

Meanwhile, we urge parents to regularly monitor and supervise their children's on-line activities.

#### How we protect your personal data?

We take reasonable steps to ensure that the personal data we collect, use or disclose are accurate, complete, and up-to-date. We strictly enforce this Privacy Policy within the Company and we have implemented technological, organizational and physical security measures to protect your personal data from loss, misuse, modification, unauthorized or accidental access or disclosure, alteration or destruction. We put in effect safeguards such as the following:

- We keep and protect your personal data using a secured server behind a firewall, deploying encryption on computing devices and physical security controls.
- We restrict access to your personal data only to qualified and authorized personnel who hold your personal data with strict confidentiality.
- Any personal data that you provide on the Vivant Corporation website is initially processed and stored by the Company or website. Using a secured connection, only authorized Company or website personnel can then access and download your personal data from the system.
- We reveal only the last four digits of your credit card numbers when confirming an order. Of course, we transmit the entire credit card number to the appropriate credit card company during order processing.
- It is important for you to protect against unauthorized access to your password and to your computer. Be sure to sign-off when finished using a shared computer.

#### Where and how long do we keep your personal data?

All data are preserved in accordance with the following retention standards:

1. If the data subject has an existing contract and transaction with the Company, the information will be retained all throughout the contract period and 10 years after its completion.
2. If the data subject has no existing contract but has existing transaction with the Company, the information will be retained during the transaction and 5 years after its fulfillment.
3. If the data subject has no existing contract and transaction with the Company, the information will be retained for a period of 2 years.

Personal data are stored in our facilities located in the Philippines and are retained in accordance with the above parameters, industry standards, laws and regulations, unless you request that your personal data be deleted from our systems, databases and hardcopies immediately. Once deleted, your personal data will no longer be searchable or included in anonymous searches and will be completely removed from all the storage location.



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The Data Privacy Officer may, however, choose not to grant access or correct information based on the request following laws and regulations. He/she will give the individual a written notice that sets out the reason for the refusal.

#### **What if there are changes in our Privacy Policy?**

The Company may revise this Privacy Policy as the need arises or when dictated by issuances of the National Privacy Commission or any amendment to the Data Privacy Act. Any change to this Privacy Policy shall be duly posted on the Vivant Corporate website and will take effect immediately. Data subjects are encouraged to periodically check for such updates. Changes shall not be retroactively applied and will not alter how we handle personal data previously collected without obtaining your consent, unless required by law.

#### **How you can access, correct and update the personal data we have about you?**

To exercise your rights which include right to access, modify, erase and object to processing your personal data within a reasonable time after such request or should you have any inquiries, feedbacks on this Privacy Policy, and/or complaints to the Company, you may reach us through our "Contact Us" menu in this website: <http://www.vivant.com.ph/contact-us/> through a written letter or through an email to our Data Protection Officer (DPO).

Our contact details are as follows:

Data Protection Officer

*Grant Clark*  
*dpo@vivant.com.ph*

*9th Floor, Ayala Life-FGU Center*  
*Mindanao Avenue corner Biliran Road*  
*Cebu Business Park, Cebu City,*  
*Philippines 6000*

+63 32 2342256

You may also lodge a complaint before the National Privacy Commission (NPC). For further details, please refer to NPC's website: <https://privacy.gov.ph/mechanics-for-complaints/>.

Any action to a request for correction, erasure and/or objection to process your personal data as it appears in our records is subject to applicable laws and/or the DPA, its IRR and other issuances of NPC.

*This Privacy Policy was last amended on October 29, 2018.*



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**Annex A: List of third-party/-ies to which we share your personal data**