



**AFX CIRCULAR**

Date: 15 November 2013

No: LFX/TA/01/07/2013

**TRADING AGENTS**

**CONSEQUENTIAL AMENDMENTS TO THE RULES OF LABUAN INTERNATIONAL FINANCIAL EXCHANGE INC. (“AFX RULES”) ARISING FROM THE PERSONAL DATA PROTECTION ACT 2010 (“PDPA”)**

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**1. INTRODUCTION**

Please be advised that the Rules of the Labuan International Financial Exchange Inc (“**AFX Rules**”) have been amended consequential to the Personal Data Protection Act 2010 (“**PDPA Amendments**”).

**2. BACKGROUND & RATIONALE**

- 2.1 The Personal Data Protection Act 2010 (“**PDPA**”) which came into effect on 15 November 2013, is an act to regulate the processing of personal data in commercial transactions and to provide for matters incidental to such processing.
- 2.2 Section 7 of the PDPA requires a data user (a person who processes personal data) to provide the data subject (an individual who is the subject of the personal data) with a notice of the information set out in section 7(1) of the PDPA.
- 2.3 Therefore, in relation to persons who are bound by the AFX Rules (“**Regulated Person**”), the Labuan International Financial Exchange Inc (“**the Exchange**”) is giving the notice required under section 7(1) of the PDPA via the PDPA Amendments.



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**3. DETAILS OF THE PDPA AMENDMENTS**

3.1 **New Rules 15 to 17** is inserted in **Chapter 8** of the LFX Rules, which contains the following:

- (a) that a Regulated Person who provides or has provided personal data to the Exchange pursuant to or in connection with the LFX Rules should read and be aware of the personal data notice available at the Exchange’s website; and
- (b) if a Regulated Person provides the Exchange with personal data of another individual (“**data subject**”), that Regulated Person must notify the data subject of the Exchange’s personal data notice before providing the personal data. This requirement is not necessary if Section 41 of the PDPA relating to repeated collection of personal data in the same circumstances applies or if the Exchange specifies that it is not necessary for the Regulated Person to give the data subject the notice.

3.2 The PDPA Amendments are attached in **Appendix 1** for your reference. Please refer to **Appendix 2** for the details of the Exchange’s personal data notice which may be amended from time to time.

**4. PROVIDING NOTICE OF THE PERSONAL DATA NOTICE TO EXISTING OFFICERS AND AGENTS OF LISTED ISSUERS**

Further to the above, you are required to notify your existing directors, officers and employees in writing as soon as reasonably practicable, of the Exchange’s personal data notice if you had, in the past, provided the Exchange with the personal data of such director, officers, employees or agents.

**5. IMPLEMENTATION**

The PDPA Amendments and the requirements set out in paragraph 4 above takes effect immediately.



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**6. ADDITIONAL INFORMATION**

This letter and all the above mentioned documents are also available for reference at the Exchange’s website at <http://lfxsys.lfx.com.my>.

**7. CONTACT PERSONS**

For further clarification in relation to this matter, please contact the following officers:

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**Issued By: Labuan International Financial Exchange Inc. - REGULATION**