



Policy

PIMS SCOPE

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RECORD OF CHANGE

No	Effective Date	Version	Change Description	Reason	Reviewer	Final Reviewer	Approver
1	01-Jul-2021	1.0	Newly issued	BS 10012:2017 Requirements/ GDPR, Clause 4.3	LinhDTD1	Michael Hering	HoanNK
2	01-Apr-2022	1.1	4. 13 added: PDPL, UAR, Decree-Law No. 45 of 2021 4. 15 added: Decree of the Vietnamese Government: Nghị Định Quy Định Về Bảo Vệ Dữ Liệu Cá Nhân 4. 16 PDP_Handbook_Version_V 3.2	Biannually revision	LinhDTD1	Michael Hering	HoanNK
3	01-Nov-2022	1.2	Added 4.3 Data Protection Law, Vietnam, Overview. Added 4.2 15 Republic Act 10173 Data privacy Act 2012 Added 4.2 17 PDPA Malaysia Added 4.2.18 TISAX	Biannually revision	LinhDTD1	Michael Hering	HoanNK
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1 INTRODUCTION

FPT Software Company, Ltd. ("FPT Software" hereinafter) Corporate Data Protection Policy, procedures, guidelines, statements and templates lay out strict requirements for processing personal data pertaining to customers, business partners, employees or any other individual. It meets the requirements of the European Data Protection Regulation/Directive as well as other national Data Protection Regulations and ensures compliance with the principles of national and international data protection laws in force all over the world. The policy, procedures, guidelines, statements and templates set a globally applicable data protection and security standard for FPT Software and regulates the sharing of information between FPT Software, subsidiaries and legal entities. FPT Software have established guiding data protection principles – among them transparency, data economy and data security – as FPT Software guidelines.

1.1 Purpose

The purpose of this document is to provide a record of the scope of the personal information management system (PIMS). Content within this document feeds into the Personal Data Protection Handbook_v3.3 and the Data Protection Policy (Policy_Personal Data Protection Management_v3.4).

This document is reviewed biannually as part of a management review.

1.2 Application of national Laws

The Data Protection Policy, procedures, guidelines and templates comprises the internationally accepted data privacy principles without replacing the existing national laws. It supplements the national data privacy laws. The relevant national law will take precedence in the event that it conflicts with the Data Protection Policy and guidelines, or it has stricter requirements than this Policy and guidelines. The content of the Data Protection Policy, procedures and guidelines must also be observed in the absence of corresponding national legislation. The reporting requirements for data processing under national laws must be observed.

Each subsidiary or legal entity of FPT Software is responsible for compliance with the Data Protection Policy, this guideline and the legal obligations. If there is reason to believe that legal obligations contradict the duties under the Data Protection Policy, procedures or the guidelines, the relevant subsidiary or legal entity must inform the Global Data Protection Officer. In the event of conflicts between national legislation, the Data Protection Policy and this guideline, FPT Software will work with the relevant subsidiary or legal entity of FPT Software to find a practical solution that meets the purpose of the Data Protection Policy, guidelines and this procedure.

1.3 Responsibilities

The Global Data Protection Officer is responsible for defining the scope of the PIMS and for ensuring that it takes into account all relevant internal and external issues, and the needs and requirements of interested parties.

2 Scope of the Personal Information Management System

The Personal Data Management System of FPT Software including the Personal Data Protection Handbook V3.4, the Data Protection Policy (Policy_Personal Data Protection Management_v3.4) and Personal Data Protection arrangements (data protection handbook including policies, procedures, guidelines, statements, records, templates) are subject to development, review, evaluation and continuous improvement.

All FPT Software's business processes and information systems involved in the collection, processing, use and transfer of personal data and all employees, contractors and 3rd party providers involved in the processing of personal data on behalf of FPT Software are in scope.

All departments, legal entities, subsidiaries and functions globally which are involved in collecting, use, processing and international data transfer of personal identifiable information are in scope

Countries in scope:

FPT Software, Vietnam
FPT Software, Australia
FPT Software, Canada
FPT Software, Philippines
FPT Software, China
FPT Software, Czech
FPT Software, Germany
FPT Software, India
FPT Software, Indonesia
FPT Software, Japan
FPT Software, Korea
FPT Software, Hongkong
FPT Software, Malaysia
FPT Software, Myanmar
FPT Software, Singapore
FPT Software, Slovakia
FPT Software, France
FPT Software, Thailand
FPT Software, Taiwan
FPT Software, Asia Pacific PTE
FPT Software, UK
FPT Software, USA

Legal entities in scope:

CzechFPT Czech s.r.o.
Akavault PTE. Ltd.
Aura Network Limited
F-Agrex Global Ltd.
MJS-FPT Ltd.FPT
Asia Pacific PTE. Ltd
FPT Australasia Pty. Ltd.
FPT Canada
FPT Company for Information Technology
FPT Consulting Japan Co.,Ltd
FPT Consulting LLC
FPT Consulting service limited
FPT Deutschland GmbH
FPT Digital Processing Service Company Limited
FPT Digital Processing Service Company Limited - Quy Nhon branch
FPT India Private Limited
FPT Information System Singapore Pte. Ltd.
FPT Japan Holdings
FPT Japan Holdings Co., Ltd - Korea branch
FPT Mobile Applications Co., Ltd
FPT Myanmar Company Ltd.
FPT Okinawa R&D Co.,Ltd
FPT Semiconductor Join Stock Company.
FPT Siam Limited
FPT Slovakia s.r.o
FPT Smart Technologies Company Limited
FPT Software Japan Company Limited
FPT Software Korea Co., ltd
FPT Software Malaysia Sdn. Bhd
FPT Software Netherlands B.V.
FPT Software Phillippines Corp.
FPT Software Process Services Company Limited
FPT Software Quy Nhon Co.Ltd
FPT Software Rumania S.R.L.
FPT Software Scandinavia ApS
FPT Software Solutions Asia Pacific PTE. LTD
FPT Software Thang Long Company Limited
FPT Software United Kingdom Ltd.
FPT Technology DMCC
FPT Technology Solutions Company Limited
FPT USA Corp.

Funix Online Education Joint-stock Company
Guangxi FPT Software Co., Ltd.
Homa Technologies Join-stock Company
Intellinet Consulting LLC
Intertec Consulting, LLC
Intertec International S. de R.L. de C.V
Intertec International S.A.S.
Intertec International, Ltd.
Micra Consulting International, Ltda
Nami Technology Joint-stock Company
NEXT ROBOTICS Joint-Stock Company
SBI FPT Limited Liability Company
Shanghai FPT Software Co., Ltd.,
Suzhou FPT Software Co., Ltd
Trandata Technology Engineering joint stock company
UTOP Technology Joint-stock Company

Departments in scope:

Artificial Intelligence Center-AIC
Amazing Market Group-AMG
FSOFT Competency Unit - Customize Energy Platform-CEP
FSOFT Design-DES
FPT Digital Processing Service Company Limited-DPS
Digital Transformation Group-DXG
Enterprise Business System in Vietnam-EBS
Emerging P&L-EPL
Sale Group America Market-FAM
FPT Asia Pacific-FAP
FSOFT Incubator Unit - Consulting Japan-FCJ
FSOFT Delivery Unit - Danang-FDN
FPT Germany-FEU
FSOFT Global Communication Department-FGC
FSOFT Delivery Unit - HCM City-FHM
FSOFT Delivery Unit - Hanoi-FHN
FSOFT Accounting Department-FHO AF
Business Command Center-FHO BCC
FSOFT Branding and Communication Management Department-FHO BCM
Head Office Board of Director-FHO BOD
CDTO Head Office-FHO CDTO
CFO Office-FHO CFOO
FSOFT CEO Office-FHO COF

FSOFT Corporate Planning department-FHO CPD
Corporate Training Center-FHO CTC
FSOFT Academy-FHO FA
FSOFT Finance Control Department-FHO FC
International Business Relations Department-FHO FCR
FSOFT Infrastructure Department-FHO FID
FSOFT Tools Department-FHO FST
FSOFT Union and Culture Department-FHO FUN
Workforce Assurance Department-FHO FWA
Automotive Projects-FHO HAP
FSOFT Human Resource Policies & Rewards Department-FHO HRPR
FSOFT Digital Transformation-FHO iDX
FSOFT Information & Technology Department-FHO IT
FSOFT Legal, Risk and Compliance Department-FHO LRC
FSOFT Marketing, Communication & Partnership Department-FHO MCP
FSOFT Productivity Improvement Department-FHO PID
FSOFT Procurement Center-FHO PRC
FSOFT Shared Services Center-FHO SSC
FSOFT Solution & Technology-FHO STU
FPT India-FINDIA
FPT Japan-FJP
FPT Korea-FKR
FPT Software Malaysia - Indonesia-FMI
FPT Nanning-FNG
FPT Okinawa R&D-FNS
FPT Philippines-FPHI
FSOFT Quality Control Department-FQC
Financial Services Solutions Group-FSG
FPT Slovakia-FSK
FPT Software Vietnam-FVN
Global Automotive & Manufacturing-GAM
Global Healthcare Center-GHC
FSOFT Competency Unit - Global Smart Technologies-GST
FSOFT Competency Unit - Independent Verification Services-IVS
Japan End-user Services Unit-JES
Low Cost Projects-LCG
MJS Projects-MJS
CyberSecurity Assurance Service-SAS
Software Engineering Process Group-SEPG
SBI FPT JV Projects-SFJ
FPT Smart Technologies Co. Ltd-STJ

3 Document Owner and Approval

The Global Data Protection Officer (GDPO) is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of the GDPR, other national/international data protection regulations and Guideline_Personal Data Protection Policy Development_v2.4.

A current version of this document is available and published to FPT Software employees on QMS.

This procedure was approved by the CFO, board member responsible for data protection, see record of change.

4 APPENDIX

4.1 Definition

Abbreviations	Description
PII, Personal Identifiable Information, Personal Data	Refer to the personal data defined by the EU GDPR (Article 4 (1)), 'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
Data Subject	EU GDPR (Article 4 - 1), Data subject refers to any individual person who can be identified, directly or indirectly.
Data Controller	EU GDPR (Article 4 - 7), Data Controller means the natural or legal person, public authority, agency or anybody which alone or jointly with others, determines the purpose and means of processing of personal data; where the purpose and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.
Data Processor	EU GDPR (Article 4 - 8), Data Processor means a natural or legal person, public authority, agency or anybody which processes data on behalf of the controller.
Recipient	EU GDPR (Article 4 - 9), A natural or legal person, public authority, agency or anybody, to which the personal data are disclosed, whether third party or not.
Third Party	EU GDPR (Article 4 - 10), A natural or legal person, public authority, agency or anybody other than the data subject, controller, processor and persons who under direct authority of controller or processor, are authorized to process personal data
DPO/GDPO	Data Protection Officer/Global Data Protection Officer
DPIA	Data Protection Impacted Assessment
PIMS	Personal Information Management System
EU	European Union

4.2 Related Documents

No	Code	Name of documents
1	EU GDPR	EU General Data Protection Regulation
2	95/46/EC	EU Data Protection Directive 95/46/EC
3	Privacy shield	EU-U.S. and Swiss-U.S. Privacy Shield Frameworks designed by the U.S. Department of Commerce and the European Commission and Swiss Administration to provide companies on both sides of the Atlantic with a mechanism to comply with data protection requirements when transferring personal data from the European Union and Switzerland to the United States in support of transatlantic commerce.
4	APPI	Act on the Protection of Personal Information, Japan. It came into force on 30 May 2017.
5	PDPA	Personal Data Protection Act 2012, Singapore
6	PDPO	Personal Data (Privacy) Ordinance, Hongkong, 2012
7	PIPA	South Korea's substantial Personal Information Protection Act (PIPA) was enacted on Sept. 30, 2011
8	PIPEDA	Personal Information Protection and Electronic Documents Act, Canada 2018
9	Privacy Act, APPs, CDR	Privacy act Australia including Australian Privacy Principles, Consumer Data Right
10	HITRUST	Health Information Trust Alliance (CSF, Common Security Framework)
11	HIPAA	Health Insurance Portability and Accountability Act of 1996 (HIPAA), US
12	PCI DSS	Payment Card Industry Data Security Standard, May 2018
13	CCPA	California Consumer Privacy Act of 2018, Cal. Civ. Code §§ 1798.100 et seq.
14	VCDPA	Virginia Consumer Data Protection Act, 01/2023
15	PDPL, UAE	Decree-Law No. 45 of 2021
16	DPA Philippines	Republic Act 10173, Data privacy Act 2012
17	PIPL	Personal Information Protection Law of the People's Republic of China and related laws and regulations

No	Code	Name of documents
18	PDPA Thailand	Thailand's Personal Data Protection Act, 06/2022
19	PDPA Malaysia	Personal Data Protection Act 2010, Malaysia
20	TISAX	Trusted information security assessment exchange
21	BS10012: 2017	British Standard Personal Information Management System
22		<p>Vietnamese laws on Privacy:</p> <ul style="list-style-type: none"> - Article 21 of the 2013 Constitution - Article 38 of the Civil Code 2015 - Article 125 of the Penal Code - Clause 2 of Article 19 of the Labor Code <p>Decree of the Vietnamese Government: Nghị Định Quy Định Về Bảo Vệ Dữ Liệu Cá Nhân Came in force 07/2023</p>
23	FPT Software Personal Data Protection Handbook	PDP_ Handbook_Version_V3.4

4.3 Data Protection Law, Vietnam, Overview

There is no single data protection law in Vietnam. Regulations on data protection and privacy can be found in various legal instruments. The right of privacy and right of reputation, dignity and honour and fundamental principles of such rights are currently provided for in Constitution 2013 (“**Constitution**”) and Civil Code 2015 (“**Civil Code**”) as inviolable and protected by law.

Regarding personal data, the guiding principles on collection, storage, use, process, disclosure or transfer of personal information are specified in the following main laws and documents:

- **Criminal Code** No. 100/2015/QH13, passed by the National Assembly on 27 November 2015
- Law No. 24/2018/QH14 on Cybersecurity, passed by the National Assembly on 12 June 2018 (“**Cybersecurity Law**”);
- Law No. 86/2015/QH13 on Network Information Security, passed by the National Assembly on 19 November 2015; as amended by Law No. 35/2018/QH14 dated 20 November 2018, on amendments to some articles concerning planning of 37 Laws (“**Network Information Security Law**”);
- Law No. 59/2010/QH12 on Protection of Consumers’ Rights, passed by the National Assembly on 17 November 2010; as amended by Law No.35/2018/QH14 dated 20 November 2018, on amendments to some articles concerning planning of 37 Laws (“**CRPL**”);
- Law No. 67/2006/QH11 on Information Technology, passed by the National Assembly on 29 June 2006; as amended by Law No. 21/2017/QH14 dated 14 November 2017 on planning (“**IT Law**”);
- Law No. 51/2005/QH11 on E-transactions, passed by the National Assembly on 29 November 2005 (“**E-transactions Law**”);
- Decree No. 85/2016/ND-CP dated 1 July 2016, on the security of information systems by classification (“**Decree 85**”);
- Decree No. 72/2013/ND-CP dated 15 July 2013 of the Government, on management, provision and use of Internet services and online information; as amended by Decree No. 27/2018/ND-CP dated 1 March 2018 and Decree No.150/2018/ND-CP dated 7 November 2018 (“**Decree 72**”);
- Decree No. 52/2013/ND-CP dated 16 May 2013 of the Government; as amended by Decree No. 08/2018/ND-CP dated 15 January 2018, on amendments to certain Decrees related to business conditions under state management of the Ministry of Industry and Trade and Decree No. 85/2021/ND-CP dated 25 September 2021 (“**Decree 52**”);
- Decree No. 15/2020/ND-CP of the Government dated 3 February 2020 on penalties for administrative violations against regulations on postal services, telecommunications, radio frequencies, information technology and electronic transactions (“**Decree 15**”);
- Circular No. 03/2017/TT-BTTTT of the Ministry of Information and Communications dated 24 April 2017 on guidelines for Decree 85 (“**Circular 03**”);

- Circular No. 20/2017/TT-BTTTT dated 12 September 2017 of the Ministry of Information and Communications, providing for Regulations on coordinating and responding to information security incidents nationwide (“**Circular 20**”);
- Circular No. 38/2016/TT-BTTTT dated 26 December 2016 of the Ministry of Information and Communications, detailing cross-border provision of public information (“**Circular 38**”);
- Circular No. 24/2015/TT-BTTTT dated 18 August 2015 of the Ministry of Information and Communications, providing for the management and use of Internet resources, as amended by Circular No. 06/2019/TT-BTTTT dated 19 July 2019 (“**Circular 25**”); and
- Decision No. 05/2017/QĐ-TTg of the Prime Minister dated 16 March 2017 on emergency response plans to ensure national cyber-information security (“**Decision 05**”).

Applicability of the legal documents will depend on the factual context of each case, e.g businesses in the banking and finance, education, healthcare sectors may be subject to specialized data protection regulations, not to mention to regulations on employees’ personal information as provided in Labour Code 2019 (“**Labour Code**”).

The most important Vietnamese legal documents regulating data protection are the Cybersecurity Law and Network Information Security Law. Cybersecurity laws in other jurisdictions that were inspired by the GDPR of the EU, the Cybersecurity Law of Vietnam shares similarities with China’s Cybersecurity Law enacted in 2017. The law focuses on providing the government with the ability to control the flow of information. The Network Information Security Law enforces data privacy rights for individual data subjects.

A draft Decree detailing a number of articles of the Cybersecurity Law (“**Draft Cybersecurity Decree**”), notably including implementation guidelines for data localization requirements, together with a draft Decree detailing the order of and procedures for application of a number of cybersecurity assurance measures and a draft Decision of the Prime Minister promulgating a List of information systems important for national security, are being prepared by the Ministry of Public Security (“**MPS**”) in coordination with other relevant ministries, ministerial-level agencies and bodies.

MPS has drafted a Decree on personal data protection (“**Draft PDPD**”), which is contemplated to consolidate all data protection laws and regulations into one comprehensive data protection law as well as make significant additions and improvements to the existing regulations. The Draft PDPD was released for public comments in February 2021 and was originally scheduled to take effect by December 2021. The Finalization process consuming much more time than the MPS first anticipated. PDPD was finalized and was coming in force 07/2023.