

## PRIVACY NOTICE

### (FOR APPLICANT AND RELATED PERSONS)

#### MAYEKAWA (THAILAND) CO., LTD.

Pursuant to the Personal Data Protection Act B.E. 2562 and other related laws, including any further amendments thereof (“PDPA”), Mayekawa (Thailand) Co., Ltd. (the “Company”) hereby provide this Privacy Notice (“Notice”) to inform you of the details with regard to the collection, use and disclosure of your Personal Data by the Company. This Notice shall apply to you as the **Applicant** and **Related Person**.

#### 1) DEFINITION

“ <b>Personal Data</b> ”	means any information relating to a natural person, which enables the identification of such person, whether directly or indirectly, but not including the information of the deceased persons.
“ <b>Sensitive Personal Data</b> ”	means the Personal Data pertaining to racial, ethnic origin, political opinions, cult, religious or philosophical beliefs, sexual behavior, criminal records, health data, disability, trade union information, genetic data, biometric data, or of any data which may engender the unfair discrimination against the data subject or affect the data subject in the same manner as prescribed by data protection laws.
“ <b>Legal Basis</b> ”	means the justifiable ground to collect the Personal Data as prescribed in the PDPA.
“ <b>Applicant</b> ”	means a natural person who expresses his/her intention to be selected or interviewed by the Company to enter into a contract with the Company as a permanent employee or a temporary employee, including an outsourced employee, or other personnel in any other position who work or perform any tasks for the Company and receive wages, benefits and other forms of compensations, regardless of what they are called. Notwithstanding, whether such person expresses his/her intention by themselves or by the process of outsourcing agent or other organization. This includes the person who expresses their intention to have an internship with the company
“ <b>Related Person</b> ”	means other persons whose Personal Data is provided by the Applicant such as family members, emergency contact person, etc. including other third person referred by the Applicant for the purpose of achieving the objectives stated in this Notice.
“ <b>Processing</b> ”	means any collection, use and disclosure of Personal Data.

#### 2) CATEGORIES OF PERSONAL DATA WHICH THE COMPANY COLLECTS

The Company will collect all or part of your Personal Data as specified in this Privacy Notice, as necessary for proceeding with the purposes of the Company informed in this Privacy Notice.

<b>Personal identification and general contact information</b>	such as prefix, name, surname, nickname, age, gender, date of birth, nationality, occupation, current address or address of house registration, picture, signature, living status, marital status, family status, personal phone number, personal email address, etc.
<b>Information regarding education, trainings, working, expertise and skills</b>	such as educational and training background, training and testing information, extracurricular activities, work skills, language skills, special knowledge, work experience and work history, current and previous workplace, working period from past to present, applied position and proposed salary, date of application, application number, etc.
<b>Information on interviewing assessment</b>	such as assessment result, interview result and comments, employment conditions (e.g. position, probationary period, salary, or other conditions related to the employment offer), etc.
<b>Information contained in the reference documents</b>	such as information presented in Curriculum Vitae/Resume, application form, identification card, passport, military discharge/exemption letter, employment certificate, house registration document, health examination application, etc.
<b>Sensitive Personal Data</b>	such as religion, blood group, race, criminal background, or health information, e.g. disability status, weight and height, health examination result (medical certificate), body temperature, etc.
<b>Information of the Applicant's Related Persons as appear on the documents related to the job application of the Company</b>	such as prefix, name, surname, relationship with the Applicant, ages, occupation/positions, , personal e-mail address, house registration, etc.

**Remark:** In the case where you have given information on any third person or the Personal Data of any third person has appeared in the documents the Company collected from you in accordance with this Notice, you are obliged to inform such third person that you have provided his/her information to the Company together with the relevant details in this Notice which are related to such person.

### 3) SOURCE OF PERSONAL DATA

The Company will collect your Personal Data directly and indirectly from the following sources:

<b>From you directly</b>	<p>Collected by one of the following manners:</p> <ul style="list-style-type: none"> <li>• <b>Verbal communication:</b> such as through face-to-face interactions, or through telephone.</li> <li>• <b>Via documents:</b> such as job application form, cover letter, curriculum vitae/resume, application forms, or other documents relating to the job application procedures.</li> </ul>
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	<ul style="list-style-type: none"> <li>● <b>Other communication channels:</b> such as email, Line account, online network, e.g. recruitment websites in which you have provided your Personal Data for applying for a vacancy with the Company, etc.</li> </ul>
<b>From other sources or third parties</b>	<p><b>In case of Applicant</b></p> <ul style="list-style-type: none"> <li>● Recruitment agencies, personnel that recommended you, persons referred to in your job application to inquire regarding your work, other organizations you have/had worked for, government organizations, your employer in case you are applying as the outsourced employee of the Company, Royal Thai Police, hospitals, etc.</li> </ul> <p><b>In case of Related Person of the Applicant</b></p> <ul style="list-style-type: none"> <li>● such as the Applicant or the Personnel who has certain relationship with you.</li> </ul>

#### 4) PURPOSE OF COLLECTING PERSONAL DATA

The Company shall solely collect your Personal Data for use and/or disclosure in compliance with the following objectives and any one of the following legal basis as the specified case may be:

##### **Legal Basis for processing of General Personal Data**

- For compliance with the agreement or entering into the agreement.
- For the legitimate interest of the Company or third parties.
- For compliance with the laws enforced on the Company.
- For preventing and suppressing danger to life, body, and health of a person.
- Request for explicit consent.

##### **Legal Basis for processing of Sensitive Personal Data**

- To establish rights to a legal claim, the compliance, or exercise of rights to claim as permitted by law; or for dispute allegations.
- For the necessity of legal compliance to achieve the objectives required by law.
- Request for explicit consent.

In the case of necessity where the Company is required to collect additional Personal Data or use the Personal Data for other purposes apart from the stipulated objectives within this Notice, the Company is obliged to inform you on the Personal Data collection and/or notify the new objectives respectively. If required by laws, the Company may request for additional consent on collecting, using, or disclosing of your Personal Data according to the PDPA.

##### ➤ **Purposes of Collection of Personal Data of Applicant**

- For considering the application, utilizing the Personal Data and internally disclosing the Personal Data within the Company for the interview, performance assessment, qualification and suitability of the position applied,

and other vacancies which the Company deems appropriate, including contacting for interview appointment, notifying the interview result and vacancy offer for entering into an employment agreement with you.

- For checking the Applicant's background from third parties or external organizations including checking the legal qualifications relevant to your work, for instance, laws on working of foreigners and career which are subject to legal conditions, etc.; and helping you to acquire such qualification, for instance, filing of work permit application, filing of application for professional license and submission of visa application, etc. This shall include examining and collecting your health data and other required information to consider the eligibility and suitability of your position for the purpose of labor protection and welfare.
- For recording or maintaining your Personal Data for consideration and contacting to you. In the event the Company re-opens this vacancy or other vacancies in the future which the Company has considered the said vacancy appropriate for you (only if you do not pass the job interview or do not enter into a contract with the Company for other reasons).
- For undertaking the Company's quality assurance, internal audit, internal control.
- For protecting the legitimate rights of the Company or disputing allegations against the Company such as legal action, initiation of legal proceeding, litigation, alternative dispute resolution and other proceedings to protect the legitimate rights of the Company or dispute allegations against the Company as permitted by law.

➤ **Purposes of Collection of Personal Data of Applicant's Related Person**

- For checking the Applicant's background and qualifications, which may include internally use and disclosure of the Personal Data within the Company for the interview, performance assessment, qualification and suitability of the position applied by the Applicant, and other vacancies which the Company deems appropriate to the Applicant.
- For recording or maintaining your Personal Data for supporting the consideration and contacting the Applicant in the event the Company re-opens this vacancy or other vacancies in the future which the Company has considered the said vacancy appropriate for the Applicant (only if the Applicant does not pass the job interview or do not enter into a contract with the Company for other reasons).
- For recording or maintaining your Personal Data as the supporting information in the employee record and for proceeding with any actions concerning the provision of welfare to the employees (in case the Applicant has entered into the employment contract and being the employee of the Company).
- For protecting the legitimate rights of the Company or disputing allegations against the Company such as legal action, initiation of legal proceeding, litigation, alternative dispute resolution and other proceedings to protect the legitimate rights of the Company or dispute allegations against the Company as permitted by law.

## 5) IMPACT FROM THE REFUSAL IN PROVIDING PERSONAL DATA

### 5.1 Personal Data of Applicants

The Company will collect your Personal Data to determine your qualification and suitability of entering into an employment agreement. In the event where you do not provide necessary Personal Data to the Company, the Company may not be able to accurately assess your ability and suitability. In some cases, such Personal Data is an essential element for the applied vacancy. As such, the Company may decide to reject your application if you do not provide such required Personal Data.

### 5.2 Personal Data of Applicants' Related Persons

In case you do not provide the Company with your Personal Data which is necessary for determining the qualification of the Applicants, the Company may not be able to efficiently assess the qualification of the Applicants and may not be able to proceed with any appropriate actions associated with the hiring process.

## 6) DISCLOSURE OR TRANSFER OF PERSONAL DATA

To achieve the objectives of Personal Data collection as stated in this Notice, the Company may in some cases be required to disclose your Personal Data to persons or organizations including but not limited to the following:

- Customers, or business partners Service providers and agents who have been hired by the Company, for instance, service providers on IT system or other databases, job recruitment agents, recruitment, and platform service providers, auditors, legal consultants, business consultants, or other external expertise consultants;
- Your employer in case you are the outsourced employee;
- Reference persons whom you have specified in the document used to collect Personal Data;
- Organization which the Applicant had prior worked with or the reference person which the Applicant had specified;
- Government agencies, for instance the Royal Thai Police, police stations, etc.;
- Private sectors, for instance, commercial banks, hospitals, recruitment agencies etc.;
- Police officers, courts, arbitrators, lawyers, and persons or organizations associated with the judicial process and dispute resolution; and
- Persons involved in merger and acquisition, company restructuring.

## 7) RETENTION PERIOD OF PERSONAL DATA

### ➤ Personal Data of the Applicant

The Company will collect and retain your personal data for the period necessary to **consider entering into an employment agreement with you**. Once such objective has elapsed, the Company will store your Personal Data for the following retention periods:

- In the case the Company employs you, the Company will retain your personal data for the duration of the employment agreement, and after the end of employment agreement in accordance with Privacy Notice (For Personal of the company and related persons).
- In the case the Company does not employ you for any reason such as the Company does not offer you employment or you decline such offer, the Company will continually store your Personal Data for no more than **4** months from the interview date. And in case you consent the Company to collect and store your Sensitive Personal Data in the Company's database for such job application purpose, your Sensitive Personal Data will be retained under such same period.
- In the case the Company does not accept you for an internship for any reason, the Company will continually store your Personal Data for no more than **30** days from the date the Company receives your personal information.

➤ **Personal Data of the Applicant's Related Person and Personnel's Related Person**

The Company will collect and retain your Personal Data for the same retention period for the Personal Data of the Applicant as specified herein.

Nonetheless, the Company may retain all or part of your Personal Data for a duration beyond the period specified above for compliance with the law, and to protect the legitimate rights of the Company, or to rebut any allegations made against the Company. In such case, the Personal Data may be retained for as long as it is necessary for the Company to abide with the specified objectives and/or for the duration stipulated by law.

## **8) RIGHTS OF DATA SUBJECT IN THE PROCESSING OF PERSONAL DATA**

You have the following legal rights to your Personal Data collected by the Company:

- 1. Right on withdrawal of consent** – You may withdraw some or all your given consent for the collection, use, and disclosure at any time throughout the period the Company keeps the Personal Data. Notwithstanding, the withdrawal of consent shall not affect the completeness or accuracy of the collection, use, or disclosure of Personal Data by the Company that you have already given consent prior to the withdrawal;
- 2. Right to access and request for a counterpart of Personal Data** – you are entitled to request access to and obtain a copy of the Personal Data related to you, or to request the disclosure of the acquisition of the Personal Data obtained without your consent;
- 3. Right on the portability in sending or transferring of Personal Data** – you have the right to request the Company to send or transfer the Personal Data concerning you to another person pursuant to the condition prescribed by law;

4. **Right to object on the collection, use or disclosure of Personal Data** – you are entitled to object to the collection, use or disclosure of your Personal Data by the Company pursuant to the condition prescribed by law;
5. **Right on the erasure of Personal Data** – you have the right to request the Company to erase, destroy or anonymize the Personal Data to become anonymous data which cannot identify you pursuant to the condition prescribed by law;
6. **Right to restrict processing of Personal Data** – you have the right to request the Company to restrict the use of your Personal Data pursuant to the condition prescribed by law;
7. **Right on rectification of Personal Data** – you have the right to request the Company to rectify incorrect information or input data to any incomplete information;
8. **Right to complaint** – you are entitled to file a complaint with the personal data protection committee in the event that the Company or employee or contractor of the Company violates or does not comply with the PDPA.

In this regard, you can exercise your rights by notifying the Company in writing according to the “**Form**” designated by the company. The detailed contact information are as below. In the case where the Company may not fulfill such request, the Company shall provide a reason on the refusal along with the response.

#### 9) AN AMENDMENT OF THE NOTICE

The Company reserves the right to rectify this Notice as appropriate. This Notice was last updated on **September 13, 2022**.

#### 10) CHANNEL AND CONTACT INFORMATION OF THE COMPANY

##### **MAYEKAWA (THAILAND) CO., LTD.**

**Address:** 2/3 Bangna Tower A Building, 4th Floor, Moo 14, Bangna-Trad Road, Tambol Bangkaew, Amphur Bangplee, Samutprakarn Province, 10540, Thailand.

**Telephone number:** 02-751-9610 to 17

**Email address:** [pdpa@mth.co.th](mailto:pdpa@mth.co.th)

**Website:** <https://mayekawa.co.th/pdpa-policy/>

**QR Code:** 