

PRIVACY NOTICE

(FOR PERSONNEL OF THE COMPANY 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 **Personnel of the Company and Related Person**.

1) DEFINITION

“ Personal Data ”	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.
“ Sensitive Personal Data ”	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.
“ Legal Basis ”	means the justifiable ground to collect the Personal Data as prescribed in the PDPA.
“ Personnel ”	means persons who work or perform any tasks for the Company and receive wages, benefits, and other forms of compensations, regardless of what they are called, in return for their works or performances, such as directors, executives, employees, managers, personnel, a person hired by the Company to be an internship for a short-term work experience offered by the Company or other persons of similar nature.
“ Related Person ”	means other persons whose Personal Data is provided by the Personnel of the Company for the purpose of achieving the objectives stated in this Notice including but not limited to reference person, family members, emergency contact person, etc. including other third person referred by the Personnel of the Company to be a part of the recruitment process and the employment process.
“ Processing ”	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.

2.1 Personal Data of Personnel

Personal identification and general contact information	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, clothing size etc.
Information regarding education, trainings, working, expertise and skills	such as educational and training background, training and testing information, extracurricular activities, work skills, language skills, special knowledge, engineer license information, work experience and work history, current and previous workplace, working period from past to present, etc.
Information regarding human resource management	such as wage information, bank account number, the social security information, provident fund information, group life/health insurance information, tax deduction details, taxpayer number of a foreigner, probation evaluation result, annual evaluation result, behavioral and disciplinary record, holiday and leave record, etc.
Information contained in the reference documents	such as information presented in an identification card, passport, driving license, military discharge/exemption letter, employment certificate, salary certificate, salary pay slip, bank account book, house registration document, evidence of name changing, the social security card, tax identification card, Thai work permit or Thai professional license, academic credential, degree certificate, degree certification documents, family certificate, insurance certificate, business card, social security registration form, letter of consent for checking background, criminal background report, employment agreement and its related documents, language and computer skill certificate, and other documents which are provided to the Company, etc.
Sensitive Personal Data	such as religion, blood group, race, criminal background, face recognition, palm recognition, fingerprint, or health information, e.g., disability status, weight and height, medical conditions, health examination result medical certificate), annual health examination result, body temperature, vaccine information, ATK/RT-PCR test result, smoking information, etc.

2.2 Personal Data of Personnel's Related Person

Personal information and general contact information	such as prefix, name, surname, age, nationality, occupation, current address or address of house registration, personal phone number, personal email, etc.
Sensitive Personal Data	such as health data, contagious, 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:

<p>From you directly</p>	<p>Collected by one of the following manners:</p> <ul style="list-style-type: none"> ● Verbal communication: such as through face-to-face interactions, or through telephone. ● Via documents: such as job application form, cover letter, curriculum vitae/resume, application forms, business card, contract, social security form, provident fund, group insurance or other documents relating to the job application procedures, hiring, or performing of any work for the Company. ● Other communication channels: such as email, online network, e.g. recruitment websites in which you have provided your Personal Data for applying for a vacancy with the Company, etc.
<p>From other sources or third parties</p>	<p>In case of Personnel</p> <ul style="list-style-type: none"> ● such as recruitment agencies, persons referred to in your job application to inquire regarding your work, other organizations you have/had worked for, government organizations, medical facility that provided your health examination, commercial bank, other company which is responsible for providing benefits to you, e.g. provident fund management company, life insurance company, affiliated companies, government authorities that are required by law to collect and disclose your Personal Data to public, e.g. Department of Business Development, Ministry of Commerce, the Royal Thai Police, etc. <p>In case of Related Person of the Personnel</p> <ul style="list-style-type: none"> ● such as the Personnel who has certain relationship with you.

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 Personnel**

- For communicating in relation to entering into employment agreement, director hiring agreement, and contractor agreement including execution, amendment and termination of such agreements.
- For checking the legal qualifications relevant to your work, for instance, laws on working of foreigners or safety and work environment; and helping you to acquire such qualification, for instance, filing of application for work permits, submission of visa application and appointment of the safety officer, etc. This shall include reviewing and collecting other required information to consider the eligibility and suitability of your position for the purpose of labor protection and welfare.
- For proceeding for contacting and operating the Company's business in accordance with your position such as creating a business card, use and disclosure of your information in order to liaise with customers, business partners, government authorities, and entering into contract between the Company and customers or business partners, including the delegation of power to act on behalf of the Company in some cases, e.g., to contact with government agencies on behalf of the Company.
- For human resource management of the Company such as employees registration, IT system registration for employees, controlling and checking of work attendance (e.g. checking the clocking in-out or check-in, check-out systems on MTH Connect Application or CCTV system) absence and leave, assessment of productivity and working capability, promotion consideration, disciplinary action consideration, termination of employment and informing news and policies of the Company for the interest in monitoring and management of employees pursuant to the working regulations of the Company and in the event that there is a legal requirement.

- For recording or maintaining your information on the Company's database for reference evidence in relation to employment and compliance with the employment agreement and, i.e. storage information of application form, entering or exiting the Company's premises, annual health check which is the welfare of the Company, etc. as well as in case of storage for compliance with the laws enforced on the Company, i.e., storage and disclose documents to government authorities that are required by law or informing information to government authorities.
- For paying wages, bonus, incentive and other expenses that you pay in advance for working, the proceeding, which is regarded to social security, the proceeding which is regarded to payment of your tax, providing various welfares and arranging the Company's activities such as health insurance, annual health check, annual travel, etc. This shall include the disclosing your information to government authorities such as the Social Security Office, the Revenue Department, including other agencies, commercial banks, insurance companies, provident fund managers, airline companies for the said purposes.
- For internally or externally conducting skills training for Personnel of the Company in Thailand or overseas, including disclosing information to government agencies such as Department of Labor Protection and Welfare, Ministry of Labor, Department of Skill Development, etc., and disclosing to other third parties for the said purpose such as affiliates, external training organizer, airline companies, outside service provider for VISA, air ticket booking, hotel, car rent or translation etc.
- For administrative management of information and technology management of the Company such as the proceeding upon the employee requests of the Company, the delivery to personnel of devices or tools for working of the Company, checking the usage and returning of such devices or tools, installing a security system on the computer equipment and network of the Company, and restricting access and use of information on the Company's database. This shall include the organizational management and business operation of the Company, for instance, sale and acquisition of business, merger and acquisition of business and business restructuring.
- For personnel's security including preventing the spread of covid-19 by recording the body temperature of each personnel and disclose to other personnel of the Company and related organization on health care in case there is a request.
- 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 Personnel's Related Person**

- For contacting and coordinating with you in case of emergency may occur to the personnel of the Company within the Company's areas or during the performance of duty for the Company.

- 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.
- 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 including to process visa and work permit for foreign employee's related person.
- 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

➤ **Persona Data of Personnel**

The Company will collect and Process your Personal Data for compliance with the employment agreement, as well as the legitimate interests for the business operations of the Company and third parties which the Company has a business relationship with. In case you do not provide Personal Data to the Company, the Company may not be able to perform its duties as an employer, or as a contracting party with third parties which the Company has a business relationship with, which may affect how you work with the Company. Further, in some cases, the Company may request for your consent to collect or Process your Personal Data for personnel management, providing benefits or welfares, and if you do not provide your consent or you later withdraw your consent, the Company may not be able to proceed to achieve the objectives which the Company has informed you, whether in whole or in part. Nonetheless, you may choose to give or not give consent or withdraw your consent voluntarily and independently. Whereby such refusal or withdrawal of consent will not affect the evaluation of your work performance and ability to work with the Company.

➤ **Personal Data of Personnel's Related Person**

In the event that you do not consent to the collection of Personal Data, the Company may not be able to contact you in the event of an emergency with employees or in the event of necessity, including the case that the Company has to ask for consent to collect personal information necessary to provide welfare for you, who is a member of the employee's family, such as health insurance for you, but you do not provide consent or withdraw consent thereafter. Withdrawal of consent may result in the Company being unable to take any action to achieve the objectives which the Company has notified you. This may include that you may not receive certain benefits of the Company.

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;
- Reference persons whom you have specified in the document used to collect Personal Data;
- External training agencies or organizations;
- Government agencies, for instance, the Social Security Office, the Revenue Department, the Customs and Excise, the Ministry of Commerce, the Ministry of Labor, the Immigration Office, Embassies, Royal Thai Police, police stations, etc.;
- Private sectors, for instance, commercial banks, insurance companies, provident fund managers, airline companies, travel companies, hospitals, hotels, online website, organization relating to the prevention of Covid-19 etc.;
- Government Official, Administrative Officer, 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.
- Affiliated companies overseas.

In some circumstances where it is necessary for the Company internationally to send or transfer your Personal Data to the parent company, and other affiliated companies or other organizations situated abroad for the objectives specified above, the Company will ensure that the destination country has adequate Personal Data protection measures in conjunction with conforming to current data protection laws. Where it is necessary for the Company to send or transfer Personal Data to a country which does not have the protective measures required by law or in the event where such measures are not legally recognized, the Company is required to comply with the additional conditions stipulated in the PDPA for sending or transferring Personal Data legally. This shall include the request for your consent if necessary or taking other appropriate measures for you to enforce your rights, for example providing effective legal remedies in accordance with the legal requirements.

7) RETENTION PERIOD OF PERSONAL DATA

➤ Personal Data of Personnel

The Company will collect your Personal Data in accordance with the following retention period:

- The Company will and store your Personal Data throughout the entire period of the employment agreement, the director hiring agreement (if any), the contractor agreement, and after the end of your relationship as our Personnel for up to **10** years.
- The Company will collect and store your Personal Data throughout the entire period of the internship agreement and may retain your Personal Data after the end of your relationship as our Intern for up to **10** years.
- In case of information related to annual health check, health information, criminal record, and group insurance, the Company will maintain your personal data throughout the entire period of the employment agreement, director hiring agreement, labour agreement (if any) and after the end of your relationship as our Personal for up to **10** years.
- In case of face recognition, palm recognition, fingerprint data, the company will delete or destroy **immediately**, from the date after the end of your relationship as our Personnel.

➤ **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 **January 20, 2023**

10) CHANNEL AND CONTACT INFORMATION OF THE COMPANY

MAYEKAWA (THAILAND) CO., LTD.

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