

**Privacy Policy and Notice on the Processing of Personal Data**  
**of**  
**THAI SHINMAYWA CO., LTD.**

Thai ShinMaywa Co., Ltd. (the “**Company**”) gives importance to the protection of personal data and the Company is well aware of its duties under the Thailand’s Personal Data Protection Act B.E. 2562 (as may be amended or supplemented from time to time) including its implementing and/or supplemental rules, regulations, notifications, and announcements (the “**Data Protection Law**”). Therefore, the Company has prepared this Privacy Policy and Notice on the Processing of Personal Data (“**Policy**”) and hereby notifies the Company’s collection, use, and disclosure of personal data as well as data subject’s rights as detailed below, to the data subjects, namely, the Company's individual customers, manufacturers, suppliers, vendors, business partners, service providers, contractual counterparties, shareholders, persons visiting/contacting the Company, and directors, staffs, employees and personnel, who are individuals, of such organizations, and other relevant individuals.

**1. Definitions**

|   |   |
|---|---|
| Personal Data   | : Any information relating to an individual which enables the identification of such individual, whether directly or indirectly, but not including the information of the deceased person in particular.  |
| Data subject(s)   | : Any individual person who can be identified, directly or indirectly, by Personal Data.  |
| Company’s customers, manufacturers, suppliers, vendors, business partners, service providers, contractual counterparties, shareholders, persons visiting/contacting the Company, and other relevant persons | Any individuals who are the Company's existing and/or potential customers, manufacturers, suppliers, vendors, business partners, service providers, contractual counterparties, shareholders, persons visiting/contacting the Company, and other individuals relevant to the Company, <u>or</u> any relevant directors, staffs, employees, and/or personnel, who are individuals, of companies/organizations/legal entities which are the Company's existing and/or potential customers, manufacturers, suppliers, vendors, business partners, service providers, contractual counterparties, shareholders, persons visiting/contacting the Company, and other persons relevant to the Company. |

**2. Types of Personal Data collected by the Company**

2.1. In the Company’s business operation, the Company must contact, coordinate, and proceed various actions with the Company’s customers, manufacturers, suppliers, vendors, business partners, service providers, contractual counterparties, shareholders, persons visiting/contacting the Company, and other relevant persons. Therefore, the Company may collect (and/or, by itself, prepare) the following Personal Data concerning such persons, including:

- name-surname, company, department, position, address, telephone number, e-mail address, photos, including business card;
- purchase orders, sales activities, and works;
- inquiries made through the Company’s website;
- copy of ID card, tax identification card, and/or copy of passport, including ID number, tax identification number, and/or passport number;
- contracts/evidence of engagement/hiring, sale and purchase of goods/services, and/or other transactions with the Company;

- copy of the first page of bank passbook including bank account number;
- income tax returns and withholding tax certificates; and
- CCTV records via CCTV surveillance cameras installed around and within the Company.

### **3. Sources of Personal Data**

3.1. The Company may collect Personal Data from the following sources:

- (1) From the data subjects directly;
- (2) From the organizations of the data subjects or other personnel of such organizations;
- (3) From the information that are already accessible by the public;
- (4) By the Company's preparation by itself (e.g. withholding tax certificates, etc.);
- (5) By automated means (e.g. CCTV records, etc.).

3.2. The Company receives Personal Data from the sources set out above in written and verbal forms, through phone calls or emails or posts, by the relevant data subject submitting or providing to the Company, or by the Company's searches from the internet or other public sources, or otherwise.

### **4. Collection, use and disclosure of Personal Data, and the purposes and lawful basis thereof**

4.1. The Company will duly collect, use and/or disclose Personal Data on a limited basis pursuant to the purposes and the lawful basis set out below, and the procedures pursuant to the Data Protection Law.

4.2. The Company collects Personal Data to use and/or disclose for the following purposes:

- (1) To verify the identity and address of the Company's customers, business partners, manufacturers, suppliers, vendors, service providers, contractual counterparties, shareholders, persons visiting/contacting the Company, and other relevant persons;
- (2) For the Company's security purpose and crime prevention;
- (3) To address the inquiries made through the Company's website;
- (4) To prepare marketing materials and conduct marketing activities;
- (5) To enter into and prepare contracts/evidence of the sale of goods and/or services and/or other transaction agreements/contracts between the relevant persons and the Company, including for the performance of contracts/agreements, and to make claims or complaints in the event of non-performance of contracts/agreements;
- (6) To comply with applicable laws (e.g. preparing meeting invitation notices, convening shareholders' meetings, preparing the minutes of shareholders' meetings, preparing the shareholder register book, and submitting the list of shareholders to the Registrar in accordance with the Civil and Commercial Code, and issuing tax invoices, collecting evidence and preparing withholding tax certificates and other documents in accordance with taxation laws, etc.);
- (7) For internal administration and management and business operation of the Company and the Company's parent company, including (without limitation to) provisions of suggestion, assistance, cooperation, and/or coordination to the Company's customers, manufacturers, suppliers, vendors, business partners, service providers, contractual counterparties, shareholders, persons visiting/contacting the Company, and other relevant persons, and conducting satisfaction surveys; and
- (8) For the Company's accounting and audit.

4.3. The Company relies on the following lawful basis under the Data Protection Law to collect, use and/or disclose Personal Data;

- (1) The processing is necessary for the performance of a contract/agreement between the Company and Company's customers, manufacturers, suppliers, vendors, business partners, service providers, contractual counterparties, shareholders, and other relevant persons, or for proceeding with a request of such person before entering into such contract/agreement;
- (2) The processing is for compliance with the legal obligations to which the Company is subject;
- (3) The processing is necessary for the purposes of the legitimate interests pursued by the Company or other persons, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subjects;
- (4) The data subject has given consent to the processing of his or her Personal Data for one or more specific purposes; and/or
- (5) The processing is necessary in order to protect the vital interests of any person.

4.4. In addition, it is necessary for the Company to obtain certain Personal Data (e.g. name-surname of the contractual counterparty or the name-surname of the authorized director(s) or attorney(ies) of the contractual counterparty organization, etc.) in order to enter into relevant contract(s)/agreement(s) with the relevant party(ies). Otherwise, the Company may be unable to enter into such contract(s)/agreement(s).

## 5. Retention of Personal Data

### 5.1. Retention of Personal Data

The Company retains Personal Data in both hard copy form and electronic/soft copy form. Hard copies will be kept in locked cabinets at the relevant departments. Electronic/soft copies will be stored in the Company's internal computer system and internal server owned by the Company's parent company, ShinMaywa Industries, Ltd., with its server located in Japan, both with password requirement for access.

#### *Persons who have access to Personal Data*

- Only the staffs/employees in the relevant section and the Management of the Company would have access to Personal Data.

The Company may internally share certain Personal Data within the Company's relevant departments on a need-to know basis and on a case-by-case basis for reasonable purposes/reasons related to the Company's business operations, and the Company may disclose Personal Data to third parties as specified in paragraph 6 below.

### 5.2. Retention periods for Personal Data

5.2.1. The Company will retain Personal Data and documents containing such data for the following periods:

| No. | Type of Data / Document                      | Retention Period  |
|-----|--|---|
| 1.  | Satisfaction survey (for existing customers) | 3 years after completion.   |
| 2.  | Account and documents supporting accounting  | 10 years from account closing date (or until delivery of account and document to the Chief Accounting Inspector in case the Company ceases its business operation without liquidation). |
| 3.  | CCTV records                                 | 1 week from the date of record.   |

| No. | Type of Data / Document   | Retention Period   |
|-----|---|--|
| 4.  | Documents submitted to the Revenue Department (e.g. information on withholding tax with ID number and name of relevant persons, etc.), documents submitted to other government agencies and officials | 10 years from submission date.                                 |
| 5.  | Contact details, name card, name, address, telephone number, ID card number, tax ID card number, and picture of existing customers  | Permanent  |
| 6.  | Contact details of potential customers  | 1 year after completion of marketing campaign                  |
| 7.  | Contact details of contractor/supplier  | Until the end of the relationship with the contractor/supplier |

5.2.2. Notwithstanding the Personal Data retention periods set out in paragraph 5.2.1 above, if any law with which the Company must comply requires the Company to retain any Personal Data or any document containing such data for a longer period than the relevant period set out in paragraph 5.2.1 above, the Company will retain such Personal Data or document for the period required by law.

5.2.3. If the Company considers that certain Personal Data and/or documents containing such data may be necessary or important for the Company's establishment of a right of claim under the law, compliance with, or exercise of a right of claim under, the law, or raising of a defense under the law, or may help the Company in any potential dispute, claim and/or litigation in any form, the Company may retain such data and/or document for a longer period than the relevant period set out in paragraph 5.2.1 or paragraph 5.2.2.

5.2.4. The Company will ensure to erase or destroy or anonymize Personal Data upon the end of the relevant retention period set out above, or erase or destroy or anonymize the Personal Data that is irrelevant or unnecessary as per the purpose of collection of such Personal Data or as requested by the relevant data subject who is entitled to such request, or erase or destroy or anonymize the Personal Data for which the relevant data subject has withdrawn his/her consent (only in case the collection of relevant Personal Data requires consent).

## 6. Transfer and/or disclosure of Personal Data

6.1. The Company may disclose Personal Data to the following persons and agencies for the following reasons:

- (1) Government agencies and officials such as the Revenue Department, the Department of Business Development, the Ministry of Commerce, or other competent government agencies/officials in order to comply with applicable laws, lawful orders of government agencies or court's orders to which the Company is subject.
- (2) Bank in order to process payments to relevant persons.
- (3) Customers In the Company's business operation, the Company has customers to whom the Company provides advice, assistance, cooperation, coordination, sale of products and services, and/or enter into agreements/contracts with; therefore, the Company may have to disclose certain Personal Data to its customers.

- (4) Business partners, manufacturers, suppliers, vendors, and service providers The Company has business partners, manufacturers, suppliers, vendors and service providers (e.g. advertising companies, event agencies and event coordinators of promotional events to which the Company invites potential and existing customers, etc.) to whom the Company necessarily hires or engages, and/or provides advice, assistance, cooperation, coordination, and/or enter into agreements/contracts with, in the Company's business operation. Therefore, the Company may have to disclose certain Personal Data to such persons.
  - (5) Professional advisor(s) The Company may engage professional advisor(s) e.g. legal advisor, financial advisor, etc. Therefore, the Company may have to disclose certain Personal Data as necessary for such professional advisor(s) to perform their duties as per the agreements they have with the Company.
  - (6) Auditor As the Company has an independent auditor who audits the Company's account, the Company must disclose certain Personal Data to the auditor for such purpose.
  - (7) Public The Company may sometimes promote itself and its products and services through social media. In doing so, it may disclose photos of its events and activities (which may include photos of participants) to the public.
  - (8) Other person(s) for compliance with the laws and as permitted by the Data Protection Law.
- 6.2. In addition, for internal administration and record, the Company may disclose names-surnames, business cards, contact details, address, telephone number, ID card number, Tax ID card number, picture and positions of the Company's individual customers or the directors, staffs, employees, and personnel of the Company's customers which are companies, entities, and organizations, to the Company's parent company being **ShinMaywa Industries, Ltd.** which is incorporated under the law of Japan and located in Japan.
- 6.3. The disclosure mentioned above will be made on a limited basis and the Company will disclose only the Personal Data that are necessary to achieve the lawful purpose of the disclosure, and the Company will, to the extent practicable, ensure that the persons to which the Personal Data are disclosed by the Company will comply with the Data Protection Law.
- 6.4. In the event that the Company must obtain consent from the relevant data subject pursuant to the Data Protection Law for disclosing any Personal Data to any person(s) set out above, the Company will request for such consent and must duly obtain such consent from the relevant data subject before disclosure.

## **7. Security measures with respect to Personal Data**

The Company will implement appropriate measures to secure Personal Data to prevent unauthorized or undue loss, access, use, change, amendment, or disclosure of Personal Data by using technologies and other methods including the followings:

- (1) The Company will classify the types of Personal Data and clearly define who has the right to access each type of such data.
- (2) The Company will store Personal Data securely.
- (3) The Company will set up a system to check and erase, destroy, or anonymize Personal Data as specified in paragraph 5.2.4 above by appropriate means.
- (4) The Company will ensure that its personnel must enter their individual username and/or password before accessing and using the Company's computer system and that such usernames and passwords are kept strictly confidential.
- (5) The Company will take steps to prevent other persons to whom the Company disclose Personal Data from using or disclosing such data without authorization or wrongly.

- (6) The Company will notify any data breach incident with respect to Personal Data to the Office of the Personal Data Protection Committee without delay within the period specified by the Data Protection Law. If such data breach has a high risk of affecting the rights and freedoms of an individual, the Company will promptly notify the data subject of the incident with a plan to remedy the damage resulting therefrom without delay.

## 8. Data Subject's Rights

A data subject is entitled to the rights in relation to the Personal Data concerning him/her as prescribed in the Personal Data Protection Law as follows:

- (1) Right to Withdraw Consent In case the Company relies only on a data subject's consent as its lawful basis to collect, use and/or disclose Personal Data, the data subject may, at any time, withdraw his/her consent. The Company will notify such data subject withdrawing his/her consent of the effects that may occur as a result of his/her consent withdrawal at the time of withdrawal.
- (2) Right of Access A data subject has the right to access and request a copy of Personal Data concerning him/her which are under the responsibility of the Company or request the Company to disclose its acquisition of such Personal Data for which he/she did not give consent.
- (3) Right to Data Portability A data subject has the right to receive Personal Data concerning him/her from the Company in case the Company has made such Personal Data in the format that is commonly used and readable by automatic machine and can be used and disclosed by automatic means. A data subject also has the right to request the Company to send or transfer the Personal Data in such format to other data controller(s) if it can be done by automatic means and/or request to obtain the Personal Data in such format that the Company sends or transfers to other data controller(s), unless it is technically unfeasible.
- (4) Right to Object A data subject has the right to, at any time, object to the collection, the use or the disclosure of Personal Data concerning him/her under certain circumstances prescribed under the Data Protection Law.
- (5) Right to Erasure A data subject has the right to request the Company to erase or destroy or anonymize Personal Data concerning him/her under certain circumstances prescribed under the Data Protection Law.
- (6) Right to Restriction of Processing A data subject has the right to request the Company for restriction of its use of Personal Data concerning him/her under certain circumstances prescribed under the Data Protection Law.
- (7) Right to Rectification A data subject has the right to request the Company to rectify inaccurate Personal Data concerning him/her and ensure that the Personal Data concerning him/her is up-to-date, complete and not misleading.
- (8) Right to Lodge Complaint A data subject has the right to lodge a complaint with the competent authority or committee under the Data Protection Law in the event that the Company including its personnel or contractor(s)/service provider(s) violate or fail to comply with the Data Protection Law.

The data subject can contact **the Company** in order to exercise any right under subparagraphs (1) – (7) above as per the details set out in paragraph 10 below.

## 9. Modification of Policy

The Company may review and revise this Policy on a regular basis as to ensure its consistency with the relevant guidelines and the Data Protection Law. The Company will notify the data subjects of

such changes to this Policy by publicizing the updated Policy on the Company's website as soon as possible.

#### 10. Information about the Company and contact details

If a data subject has any question or suggestion in relation to the Company's protection of Personal Data or wishes to exercise a right as data subject, please contact **the Company's Personnel and General Affairs Section** (or the section in charge of general affairs and personnel of the Company) as per the following contact details:

|                   |   |
|-------------------|---|
| Company's Name:   | Thai ShinMaywa Co., Ltd.  |
| Address:          | 199, 199/1 Moo 12, Soi Petchakasem 120, Petchakasem Road, Om Noi, Krathum Baen, Samutsakorn Province 74130, THAILAND  |
| Contact Channels: | Tel.: 0-2420-0089 ext.26<br>Email: <a href="mailto:tsmc@shinmaywa.co.jp">tsmc@shinmaywa.co.jp</a>                     |
| Website:          | <a href="https://www.shinmaywa.co.jp/thai/english/index.html">https://www.shinmaywa.co.jp/thai/english/index.html</a> |

This Policy is last updated in March 2023.