



KOBELCO CONSTRUCTION MACHINERY SOUTHEAST ASIA CO., LTD.

PERSONAL DATA PROTECTION POLICY FOR VISITOR OF KOBELCO CONSTRUCTION MACHINERY SOUTHEAST ASIA CO., LTD.

1. Objectives of this policy

KOBELCO CONSTRUCTION MACHINERY SOUTHEAST ASIA CO., LTD. (hereinafter referred to in this Policy as the “Company”) as the Personal Data Controller, committed to the protection of personal data in the conduct of business appropriately and in accordance with "Personal Data Protection Act B.E. 2562" (Personal Data Protection Act hereinafter referred to as PDPA or the Act) therefore establishes this policy (which can also be referred to as privacy policy for the visitor of the company) in order to manage personal data and to notify visitor, who has status of “data subject”, about details related to the collection, use and disclosure of personal data in accordance with rules and conditions stipulated by PDPA as follows:

2. Definition

2.1 “Personal data” means information about an individual which makes it possible to identify that person either directly or indirectly but does not include data relating to juristic person and data of a deceased person in particular according to PDPA

2.2 “Special category of personal data” or “Sensitive personal data” means data that can identify an individual, either directly or indirectly, and is information as specified in Section 26 of the PDPA including political cult religion or philosophy sexual behavior, criminal records, health information, disability, Labour Union status, genetic data, biological data or any other data which affects the data subject in a similar manner as prescribed by PDPA.

2.3 “Visitor” means a natural person who enters a places or promises which is the property of the company and the company processes personal data of such person in order to determine the conditions for entering and leaving the company's premises or properties, regardless of status or legal relationship between visitor and the company.

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2.4 Personal data of visitor means personal data of visitor who are natural person including sensitive personal data for which the company collected as part of the determination and condition for entering into and leaving out of the places or premises of the company.

2.5 Processing of personal data means the collection, use and disclosure of personal data.

2.6 “Personal Data controller” means a person or juristic person who has decision-making powers to collect, use and disclose of personal data which, according to this policy, is KOBELCO CONSTRUCTION MACHINERY SOUTHEAST ASIA CO., LTD. and hereinafter shall be referred to as “the Company”.

3. Scope of Policy and Fundamental Principles

3.1 Personal data in this policy includes personal data of visitor which are in the possession or control of the Company regardless of the format or channel or technology the data is saved or stored in, such as documented, printed, electronic or digital data, Information in the system or program for the management of the company.

3.2 This policy only covers the processing of personal data of visitors for the purpose of determination of conditions for the entry into and exit from the Company's places or premises regardless of status or legal relationship between visitor and the company. In case that the visitor is a customer, supplier or employee of the Company, the processing of personal data for purposes related to these statuses or legal relationships shall be subject to another privacy policy separated from this policy.

3.3 In processing personal data of visitor, the company will use lawful means as well as to do so under limited scope as necessary for the purposes specified in section 4 of this Policy.

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4. Purpose of processing personal data of visitor.

The company processes personal data of visitor for the following purposes;

4.1 Processing of visitor's personal data for the legitimate interests of the company which includes but not limited to the following sub-purposes or activities;

- Processing of the visitor's personal data in order to maintain property security which includes premises buildings, factories, buildings, other real estate of the company including other assets located or kept in the company's premises

- Processing of personal data of visitors for quality control in production management, for checking and evaluation of various standards in order to use within a company or affiliates

- Processing of visitor's personal data for internal and external audit or inspection in connection with financial and accounting, investigating and preventing fraud, misconduct or illegal activities or for preparation of legal proceeding or litigation.

- Processing of visitor's personal data for preventing crime, or illegal activities or any activities violating rules or regulations in using property of the company.

4.2. Processing of personal data of visitor for preventing and suppressing danger to life, body or health of visitor or our employee or other person within the area of the company, such as processing personal data for the control and prevention of infectious diseases.

4.3. Processing of personal data of visitor for performing legal obligations imposed to the company by relevant laws such as public health laws, including subordinated laws of local authorities.

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4.4 Processing of personal data of visitor for the purpose of contacting or coordinating or cooperating between the company and visitors

The company shall not process your personal data which is inconsistent to the purposes for which the data is collected as notified in this policy unless (1) The company has notified the new purpose and obtained your consent prior to or at the time of processing. (2) It is a case prescribed by law.

Regarding the process of personal data of visitor for the aforementioned purposes, the company shall proceed according to the conditions or legal grounds set forth in section 5 of this policy.

5. Legal basis for processing personal data of visitor

5.1 In principle, the company processes personal data of visitor on basis of consent by means required by PDPA, except where the law stipulates condition that can be processed without obtaining the consent of data subject, such as the performance of a contract, legal obligation, legitimate interests of the data controller, the protection of life, health or safety of other data subject, the investigating by competent authority or court order.

5.2 The company shall process personal data of visitor in accordance with purposes notified in section 4.1-4.3 without your consent, subject to the conditions and circumstances required by PDPA. In case the processing of personal data under the aforementioned purposes, requires the company to process sensitive personal data, company shall proceed without consent under conditions set forth by PDPA.

5.3 The company shall process personal data of visitor for the purpose notified in section 4.4 by obtaining consent in the form attached to this policy.

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5.4 In case that the company processes personal data of visitor under consent basis according to the form attached to this policy, you have the right to withdraw consent at any time under the conditions of PDPA. However, withdrawing consent shall not affect the collection, use, disclosure of personal data that the company have already processed prior to such withdrawal but this may result in the company being unable to perform some or all of the objectives as stated in this Policy.

6. Collection of personal data directly from data subject.

6.1 The Company shall not collect personal data of visitor from sources other than the data subject except in cases where it can be done as provided by law. In case that the Company collects personal data from a person other than data subject, the Company shall notify the data subject of its collection from other sources and obtain consent except in case provided by law.

6.2 In case the visitor has a status of an employee, contractor, agent or person assigned by the customer or visitor of the company, the processing of personal data of visitors in accordance with this policy is limited only for the purpose of entering and leaving the company's places or premises. In addition, the processing under this policy is not related to the processing of personal data for purposes related to the contract between the company and our customer or visitor which is covered and notified by separate policy.

7. Personal data of visitor processed by the company and the retention period.

7.1 The Company shall process and retain the visitor's personal data for the purpose in section 4.1 as follows;

- Name, surname.
- Information used to verify identity, Identification card or other official document which is used to identify person.
- Photo or video from CCTV within the company's premises. This includes photograph or image of you and your registration plate of the vehicle that you bring into the company.

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The aforementioned data shall be retained for a period of time while the visitors being entered, stayed in the area controlled by the company, and shall also be retained for a period of 30 days from the date the visitor leaves the company. However, the Company may retain such data for a longer period of time as required by law for the exercise of claims, litigation.

-In the case of personal data collected by Closed-Circuit Television Video (CCTV), including photographs, video and/or audio, the Company shall retain the following information: (1) Under normal circumstances, visitor's personal data is retained for 30 days (2) In cases where it is required as evidence in an investigation or prosecution, or in the case of requested by data subject, personal data may be retained more than 30 days, for the period necessary to pursue the relevant prosecution or litigation.

7.2 The Company shall process and retain the visitor's personal data for the purpose in section 4.2 as follows;

-Name, surname.

- Information used to verify identity, Identification card or other official document which is used to identify person.

-Information related to the screening for communicable disease risks such as body temperature, information about health questions and/or travel history during the past period prior to visiting the company.

The aforementioned data shall be retained for a period of time while the visitors being entered, stayed in the area controlled by the company, and shall also be retained for a period of 30 days from the date that visitor leaving the company unless the company has a duty to retained or to submit to government agency as required by laws.

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7.3 The Company shall process the personal data of visitor for the purposes in section 4.3 as required by law and shall be retained for the period specified by law

7.4 The company shall process personal data of visitor for the purposes in section 4.4, including name, surname, contact information business card information which shall be retained for a period of 1 year or as you request to withdraw your consent.

7.5 The Company provides an audit system for deletion or destruction of personal data of visitor after the expiration of the retention period or which is irrelevant to or unnecessary for the purposes of processing notified by this policy

8. Disclosure or transfer of personal data of visitor to other persons or juristic persons.

8.1 The Company shall disclose or transfer or transmit personal data of visitor, without your consent as required by law, to other persons or entities that process personal data of visitor on behalf of or by the instruction of the Company, such as a security service provider who has a contract with company for the purposes in section 4.1 and/or 4.2. However, If the personal data processed include special type or sensitive personal data of visitor, the company shall obtain consent for processing.

8.2 The company shall disclose or transfer or transmit personal data of visitor to other person for the purposes of section 4.3 without obtaining consent as required by law. This includes, but is not limited to, disclosing or transferring personal data of a visitor to a competent official or government agency upon lawful request or order.

8.3 The Company shall disclose or transfer or transmit the personal data of visitor to another person or juristic person for the purpose of coordination or cooperation or business opportunities in accordance with purposes in section 4.4, by obtaining your consent with the form attached to this policy.

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9. Security of personal data

9.1 The Company shall provide appropriate security measures for personal data of our visitor to prevent the loss, access, use, alteration, alteration or disclosure of personal data without authorization and shall periodically review such measures or update the measures when technology changes in order to maintain level of appropriate measures, this shall be in accordance with the minimum standards announced by the Committee under PDPA.

9.2 The Company shall provide appropriate security measures in accordance with the standard of the Ministry of Digital Economy and Society Regulations and other related subordinate laws by establishing administrative measure, technical measure, physical measure which cover the following measures:

- (1) Controlling access to personal data, data storage, data processing equipment by taking into account the practical in use and the protection of security.
- (2) Determination of permission or assignment of right to access personal data.
- (3) User access management to control access to personal data for authorized persons.
- (4) Determination of user responsibilities to prevent unauthorized access, disclosure, theft of personal data, theft of storage or processing devices.
- (5) Providing a means to check a traceability of access, change, deletion or transfer of personal data in consistent with the methods and mediums used for collecting, using or disclosing personal data.

The detail of security measures of personal data shall also be in accordance with conditions set out in relevant policies and/or regulations such as the "IT Policy".

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9.3 Employee, personal data processor or other persons assigned by the Company shall manage personal data of visitor carefully within the scope of its intended use and in accordance with the security standards applicable to this Policy. The company has also arranged an agreement or contract with such person to instruct and determine the duty to maintain the security of personal data.

9.4 In processing personal data of visitor in accordance with the purposes notified in section 4, the Company may have other entities acting as data processor to collect, use and disclose personal data on behalf of or on the Company's order, such processors shall be obliged to provide appropriate security measures, which shall include the measures in section 9.2, in accordance with details and instructions specified by the Company in Personal Data Processing Agreement.

10 Rights of data subject

The visitor under the definition of this policy shall be entitled to data subject's rights as stipulated by PDPA as follows:

10.1 Data subject has the right to know about his or her personal data by making a request to the company in accordance with the condition, criteria, method and a form provided by the company. Upon receiving such request, the company shall promptly notify the existence of or detail of such personal data to data subject within a reasonable period of time and in accordance with the condition prescribed by PDPA.

10.2 If the data subject is of an opinion that any personal data relating to him or her is not correct, data subject has the right to notify the company to correct, change or update the data. In this case, the company shall prepare a record demonstrating details of request, response, or objection of request relating to the storage, correctness or any action relating to personal data as evidence.

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10.3 Data subject has the right to check the existence and characteristics of his or her personal data, purpose of processing and the place of business of the company. In addition, data subject shall be entitled to several rights as follows;

- 1) Requesting a copy or certified copy of the data subject's personal data.
- 2) Requesting the company to correct, change or update his or her personal data.
- 3) Requesting an objection or request to suspend the use or disclose his or her personal data.
- 4) Requesting the company to delete or destroy his or her personal data.
- 5) Requesting to disclose the acquisition of personal data in the case where such data were processed without consent.

In the event that the Company collects, uses and discloses personal data for the purpose of performing contract with data subject or for legitimate interests of the Company or for the performance of legal duties of the Company, the company shall be entitled to object or refuse the aforementioned rights of data subject 3) and 4)

10.4 The Company shall be entitled to object or refuse the aforementioned rights of visitor as data subject under the condition of PDPA or the exercise of such rights are contrary to or inconsistent with the provisions of the law or affecting the rights and liberties of other people or in the case of personal data of the data subject has been made anonymous or can no longer identify the data subject.

10.5 In case where the Company process personal data of visitor on the basis of consent, the data subject has the right to withdraw his or her consent. However, such withdrawal may affect benefits of data subject that the Company has provided in addition to the employment contract. In addition, the withdrawal may affect the benefits from contract or relevant agreements as well as an opportunity for further contract or other legal act, depending on the nature of the contract on a case-by-case basis.

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11 Review of policies, sub-policies, regulations and guidelines.

The Company may establish guidelines for the protection of personal data of visitor, specifying the details of the personal data protection policy as well as may prescribe additional rules and practices to be in compliance with the PDPA announcement and or as amended in the future and other relevant laws.

12. Processing of Special category of personal data or “Sensitive personal data”

12.1 The Company shall process sensitive personal data of visitor which is part of or contained in identity card such as religion or blood types, for the purposes notified in section 4.1 based on express consent of data subject in the form attached to this policy unless provided by the law.

12.2 The Company shall process sensitive personal data of visitor which is part of or contained in identity card such as religion or blood types, including Information related to the screening for communicable disease risks such as body temperature, information about health questions and/or travel history during the past period prior to visiting the company, for the purposes notified in section 4.2 based on express consent of data subject in the form attached to this policy unless provided by the law.

12.3 The Company shall process sensitive personal data of visitor which is part of or contained in identity card such as religion or blood types, including Information related to the screening for communicable disease risks, for the purposes notified in section 4.3 without your consent as provided by relevant laws.

13. Channel to contact Personal Data Controller

The visitor as a data subject could contact the company for the purpose of exercising data subject’s right and for other purposes relating to PDPA at Corporate Planning Section / Tel. +66 (0) 3895 0040-4 ext. 404

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14. Acknowledgment of the Policy

I have read and fully understood this Policy that the company has notified therefore signed for acknowledgment.

Signed _____
(_____)

Date.....

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