



KOBELCO CONSTRUCTION MACHINERY SOUTHEAST ASIA CO., LTD.

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

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 job applicant of the company) in order to manage personal data and to notify our job applicant or candidate, 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:

1. Definition

1.1 “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 persons in particular according to PDPA

1.2 “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.

1.3 “Data subject” within the scope of this policy means “job applicant” or job candidate including person associated with such individual as those whose data subject designates as a contact or reference person for job application. The data subject has the rights and duties under the Personal Data Protection Act or “PDPA” and is the person who has been notified by this policy which may also refer to the data subject as “you”.

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1.4 Job applicant means a person who makes an offer or expresses his or her intention to be considered by the Company in order to enter into an employment contract or other related contracts. This policy may refer to applicants as “you”.

1.6 “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., hereinafter shall be referred to in this policy as “the Company”

1.7 Processing of personal data means the collection, use and disclosure of personal data

2. Source of personal data of job applicant.

2.1 The company collects personal data directly from job applicant as data subject from the following sources;

-The company collects your personal data in the process of applying for a job that you filled-out and transferred to the company through various channels such as applying in person at the company, sending data to the company via electronic form, including personal data that the company collects during the recruitment process such as exams, interviews, etc.

-The Company collects your personal data that you that you filled- out or submitted to the company through meeting, seminar, job fair or any other similar events.

-The Company collects your personal data from communications between you and the company such as telephone calls, contact via online channels such as email, website, chat application or program.

2.2 The company collects personal data of job applicant from other sources in the following cases:

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-The Company collects personal data of applicant or candidate from third parties, including agents, recruiters, recruiting or recruiting service providers on any computer system or platform which sends or transfers personal data about your job application to the company for consideration in recruitment process.

-The Company collects personal data of applicant or candidate from the references you specify in the job application.

- The company collects personal data of applicant or candidate from public sources such as public available website or online platforms, including the company's website, online job search platforms.

In principle, the company will not collect personal data of job applicant from other sources without the consent of the data subject except in cases where it can be done as provided by PDPA.

In case the company collects your personal data from a person other than data subject, the company will notify the data subject of its collection from other sources and obtain consent except provided by the law.

The collection of personal data from various sources as notified in the aforementioned paragraph shall be subject to the purposes stated in section 4 of this policy and in accordance with the legal grounds of PDPA as notified in section 5.

3. Purpose of processing personal data of job applicant.

3.1 The Company processes personal data of your as job applicant before entering into an employment contract with the company. The processing of data under these purposes shall include but not limited to the following activities;

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- Carrying out the examination of documents and evidence in the selection process, the selection of job applicants based on data in relevant documents, submitting or disclosing documents containing the applicant's personal data to the relevant departments or employees of the company for evaluation and consideration.

-Testing and interviewing through various methods such as in-person interviews, interview via meeting system or online interview.

-Evaluation of interview and selection of job applicant across different departments within the company and executing internal processes such as approval of job titles and salaries, notification of admission results through various channels

- Notification of the result and the requirements to submit additional personal data for concluding and entering into employment contracts.

3.2 The company processes personal data of job applicant in order to comply with relevant laws including the disclosure of information to government agencies or other agencies as required by laws, regulations, announcements under related laws, such as disclosure of information to government agencies in accordance with tax laws, labor law, Laws on communicable disease. The processing of personal data relating to the registration in the government system provided by law or lawful order. The disclosure of personal data to comply with the lawful order of the competent official, court order, executing officer

3.3 The company processes personal data of job applicant for the legitimate interests of the company as a personal data controller which include but not limited to the following activities;

- Processing of personal data of job applicant for human resource management of the company including the input of personal data into the system or human resource management program.

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- Processing of personal data of job applicant for internal and external audits including financial and accounting audit, investigating and preventing of fraud, misconduct, violation of regulation or any illegal actions, criminal investigation or to prepare for legal proceedings.

- Processing of personal data of job applicant for maintaining security of company's properties and premises, such as recording images from CCTV in buildings, premises, company assets

- Processing of personal data of job applicant via electronic means to maintain the security of the company's information system or communication system such as collecting personal data for job applicants who use or communicate in the company's computer system

-Processing of personal data for investigation and handling of complaints or inquiries of job applicants including for investigations or related legal process

3.4 The company processes personal data of job applicant for the purpose of preventing and suppressing danger to life, body or health of job applicant, employee of the company, or others, such as emergency contact control and prevention of infectious diseases, etc.

3.5 The company processes personal data of job applicant for the purpose of informing or offering about opportunities or job positions other than those you have applied, including the presentation of potential position after the end of selection process that you applied with the company.

3.6 In case that the Company processes personal data of job applicant for any purposes other than section 3.1-3.5 aforementioned, the company shall notify you on a case-by-case basis.

In case that the company changes purposes of processing your personal data, the company shall notify and obtain your consent if required by PDPA. In addition, the record of any change or amendment shall be recorded for evidence.

The Company shall process personal data under the aforementioned purposes in accordance with the conditions or legal basis of PDPA as notified in section 5.

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4. Legal basis for processing personal data of job applicant.

4.1 In principle, the company processes personal data of job applicant 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.

4.2 The company shall process personal data of job applicants in accordance with purposes notified in section 3.1 relating to selection process and preparation to enter or conclude an employment contract at the request of the applicant without consent unless it is required by PDPA. In case of sensitive personal data such as health information, criminal records, or in case of collecting your personal data from other source as notified in section 2.2, the company shall obtain applicant's consent according to consent form attached to this policy.

4.3 The Company shall process personal data of job applicant in accordance with purposes notified in section 3.3-3.4 without your consent, subject to the conditions and circumstances required by PDPA

4.4 The Company shall process personal data of job applicant in accordance with purposes notified in section 3.5 by obtaining consent from data subject according to consent form attached to this policy.

4.5 The Company shall process personal data of job applicant for the purpose notified in section 4.6 by obtaining consent on a case-by-case basis.

4.6 In case that the company processes personal data of job applicant 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 the withdrawal.

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5. Relationship with other Privacy Policies.

The company as a personal data controller shall process personal data of data subjects classified as different status and relationship with the company by establishing personal data protection policies, which is separated from this policy, in order to notify data subject according to his or her status and relationship. Therefore, the scope of this policy is only limited to the processing of your personal data as job applicant. If you, as a data subject, have a relationship with the company as a personal data controller by another status, the company shall notify you for the processing of personal data in accordance with other relevant policies applicable, such as in case that you have been successfully selected and offered to conclude employment contract with the company, the processing of your personal data is governed by "PERSONAL DATA PROTECTION POLICY FOR EMPLOYEE OF KOBELCO CONSTRUCTION MACHINERY SOUTHEAST ASIA CO., LTD." , which is separate from this policy.

6. Disclosure or transfer of personal data of job applicant to other persons or juristic persons.

6.1 The company shall disclose or transfer or transmit personal data of job applicant to other parties or entities for the purposes notified in section 4 without your consent as provided by PDPA. This may include but not limited to the transferring of personal data to affiliates, technical or system provider, data storage and cloud computing provider, software and application provider, in accordance with purposes in section 4.1.

6.2 The Company shall disclose or transfer or transmit personal data of job applicant to other persons or government agencies for the purposes notified in section 3.2 without your consent in accordance with the conditions required by PDPA.

6.3 The Company shall disclose or transfer or transmit personal data of job applicant to other parties or other entities for the purposes notified in section 3.3, including but not limited to the disclosure of your personal data to internal and external auditors, lawyers, legal advisors without your consent in accordance with the conditions prescribed by PDPA.

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6.4 The company shall disclose or transfer or transmit personal data of job applicant to other parties or other entities located outside the Kingdom of Thailand for the purposes notified in section 4 which the company shall process without consent, for example, transferring personal data of job applicant for selection related activities according to section 3.1 or for legitimate interest of the company according to section 3.2 in accordance with the conditions prescribed by PDPA.

6.5 In case of disclosure or transmission or transfer of the above-mentioned personal data to another person or entities considered as status of personal data processor, the company shall enter into a data processing contract with the such person as required by PDPA

6.6 In case the disclosure or transfer of the job applicant's personal data is not under lawful basis provided by PDPA that the company can process without consent, the company shall obtain consent form data subject in accordance with the consent form attached to this policy.

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

7.1 The Company shall collect, use and disclose of personal data of job applicant as described follows, for recruitment and selection process in accordance with purposes notified in section 3.1;

- General personal data such as name, surname, gender, photo, ID card number Passport, signature, date of birth, nationality, race, religion, blood group, marital status, etc.
- Personal data relating to physical characteristics such as height, weight, age, etc.
- Contact information such as telephone numbers, addresses, electronic mail addresses, contact or communicative information via chat or social media applications
- Qualification information such as education, training, professional experience, category of work-related experience, internship experience, certificate of qualification, academic transcript, score or test result, language proficiency score or result, documents relating to education level
- Other personal data appearing in job application form and supporting documents for job application process.

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In case that a job applicant has been successfully selected to enter into employment contract with the company, the aforementioned personal data shall be retained for the period notified by the company in accordance with the employee's personal data protection policy. In case that the job applicant has not been selected to enter in to employment contract, the aforementioned personal data shall be retained for 6 months from the end of the application process for an evidence of related claim and legal procedures unless there is a reason that the company is required by laws to further retain.

In case that the company processes personal data of job applicant as described in section 7.1 relating to special type or sensitive personal data such as religious information, blood group, which appears on the identity card, health related information, for the purposes notified in section 3.1, the company shall proceed according to section 9.

7.2 The company shall process personal data of person associated or in relationship with job applicant such as references and family members whose their data were collected from job application and recruitment process such as personal data derived from interviews, examination of qualification, for processing under the purpose notified in section 3.1 and shall be retained as follows;

(a) In case that a job applicant has been successfully selected to enter into employment contract with the company, the aforementioned personal data of associated person shall be retained for the period notified by the company in accordance with the employee's personal data protection policy.

(b) In case that the job applicant has not been selected to enter in to employment contract, the aforementioned personal data of associated person shall be retained for 6 months from the end of the application process for an evidence of related claim and legal procedures unless there is a reason that the company is required by laws to further retain

7.3 The company shall process personal data of job applicant as described in section 7.1 for the purposes notified in section 3.2 and shall be retained for a period of time required by law.

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7.4 The company shall process personal data of job applicant as described in section 7.1 for the purposes notified in section 3.3 and shall be retained for the period that is necessary for the life, health of the person, or as permitted by law.

7.5 The company shall process personal data of job applicant as described in section 7.1 for the purposes notified in section 3.4 and shall be retained throughout the period that the company has legitimate interests under the conditions provided by PDPA.

7.6 The company shall process personal data of job applicant as described in section 7.1 for the purposes notified in section 3.5 which shall be retained until the data subject exercises the right to withdraw consent unless the company is entitled to retain such data on other legal basis as provided by PDPA or other laws.

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

8.1 The Company shall not process sensitive personal data of job applicant without your consent except in case that the company is required by law to process such data.

8.2 In case of processing sensitive personal data of job applicant or candidate for the purpose notified in section 4 in which the consent is required, such as processing the data appears on ID card, job applicant form, and sensitive personal data collected in accordance with purposes in section 3.1 relating to the process of entering into employment contract such as criminal record, health-related information, medical certificate, the company shall obtain consent form from data subject in the form attached to this policy and shall be retained for the period necessary to such purposes.

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9 Security of personal data

9.1 The Company shall provide appropriate security measures for personal data of job applicant 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 Employees of the Company, in addition to being data subject who have rights under PDPA and this policy, shall have duties under employment contract, working regulations on processing personal data in compliance with their position within the scope of its intended use and in accordance with the security standards applicable to this Policy.

9.4 In processing personal data of job applicant 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 in accordance with details and instructions specified by the Company in Personal Data Processing Agreement.

10. Rights of data subject

The Job applicant 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 an 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, 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 job applicant 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 job applicant on the basis of consent, such as section 4.5, the data subject has the right to withdraw his or her consent. However, such withdrawal may affect the consideration and decision of the company in selection process and your opportunity for entering into employment contract with the company.

Tasith (Assembly) Factory

WHA Eastern Seaboard Industrial Estate 1, 500/5 M. 3, T. Tasith, A. Pluakdaeng, Rayong 21140 Tel. +66 (0) 3895 0040-4 Fax +66 (0) 3895 0045-6

Pluakdaeng (Fabrication) Factory

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Philippines Branch

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KOBELCO CONSTRUCTION MACHINERY SOUTHEAST ASIA CO., LTD.

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

The Company may consider revising this Policy in order to comply with PDPA as well as the regulation, commissioner rules or subordinate laws relating to PDPA. Therefore, you as a data subject shall be requested to follow up on the updated version of this policy which the company shall announce and notify to data subject in the future.

12. Channel to contact Personal Data Controller

Job applicant 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

13 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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