

## Personal Data Protection Policy for Human Resources

Thanachart Capital Public Company Limited recognizes the importance of personal data protection (Data Privacy) of Data Subjects namely directors, executives, employees, staff, or job applicants of the Company as a fundamental right to personal privacy, where such Data Subjects expect their personal data to be securely maintained. In addition, personal data protection laws prescribe criteria and regulatory measures governing the collection, use, and disclosure of personal data, as well as the various rights of Data Subjects. Therefore, the Company has established this Policy to serve as the core principle for personal data protection and to outline the details pertaining to the collection, use, and disclosure of personal data, including their legal rights, as follows:

### **1. Definitions**

"Company" shall mean Thanachart Capital Public Company Limited.

"Data Subject" shall mean a director, executive, employee, staff, or job applicant of the Company who is the owner of the personal data.

### **2. Collection, Use, and/or Disclosure of Personal Data**

2.1 Collection, Use, and/or Disclosure of Personal Data: The Company shall utilize lawful methods to collect, use, and/or disclose the personal data of a Data Subject. In doing so, the Company shall collect personal data on a limited basis and only to the extent necessary for the purposes of the collection, use, and/or disclosure of such personal data, and in accordance with the provisions of the law.

2.2 The Company may collect, use, and/or disclose the personal data of a Data Subject, which has been provided to or is held by the Company, or which the Company has received or accessed from other reliable sources, including, without limitation: the Department of Business Development, Ministry of Commerce; the Department of Provincial Administration, Ministry of Interior; the Department of Consular Affairs, Ministry of Foreign Affairs; credit bureau companies; the Legal Execution Department; financial institutions; and professional advisors.

2.3 In the event that a Data Subject does not provide personal data, or provides personal data that is inaccurate or not current to the Company, such circumstances may affect the Data Subject in that they may be unable to execute transactions with the Company, may experience inconvenience, or may prevent the performance of an existing contract with the Company. This may further cause the Data Subject to sustain damage or lose opportunities, and may impact compliance with any laws with which the Data Subject or the Company is required to comply.

### **3. Personal Data Collected, Used, and/or Disclosed by the Company**

Personal Data collected, used, and/or disclosed by the Company is categorized into two types as follows:

### **3.1 General Personal Data**

The Company may collect, use, and/or disclose general personal data of the Data Subjects, categorized by the type of Data Subject as follows:

**(1) In the case where the Data Subject is a director and/or an executive of the Company who falls under the legal criteria requiring the Company to collect, use, and/or disclose their personal data:**

The Company may collect, use, and/or disclose the Data Subject's identification information, such as first name, last name, national identification number, passport number (in the case of foreign nationals), status, address, occupation, workplace, telephone number, facsimile number, email address, financial status information relating to the qualifications of the Company's directors and/or executives, securities holding information of the Company, and information or channels regarding the payment of meeting allowances, position allowances, or other remunerations in accordance with the Company's criteria, including any other information as far as necessary for the sole purpose of monitoring and verifying qualifications, as well as disclosing information as prescribed by law.

Further, the Company shall collect and store a list of names of connected persons or related parties of the directors and executives as defined by law, including securities holding information and other information of such related persons as far as necessary for the sole purpose of monitoring and verifying qualifications, as well as disclosing information as prescribed by law.

**(2) In the case where the Data Subject is an employee, staff member, or job applicant of the Company**

The Company may collect, use, and/or disclose personal data as follows:

(a) Identity information of the Data Subject (identification information) and contact information of the Data Subject, such as photographs, first name, last name, national identification number, passport number (in the case of foreign nationals), gender, date/month/year of birth, age, residential address, occupation, workplace, telephone number, fax number, and email address;

(b) Other personal information, such as marital status, information regarding children, emergency contact details, and beneficiaries;

(c) Employment-related information, such as position or status, job title, department, contractual details, personal background, employment history, and job application forms;

(d) Information regarding remuneration and benefits of the Data Subject, such as wages, salary, compensation, and other related entitlements;

(e) Bank account details for the payment of wages, compensation, or welfare and benefits;

(f) Attendance-related information, such as dates of absence, or the use of annual leave and other types of leave taken by the Data Subject;

(g) Information regarding disciplinary proceedings, such as misconduct or inappropriate behavior as an employee;

(h) Evaluation history, such as performance appraisals and reviews;

(i) Educational history, such as academic transcripts, certificates, and diplomas;

(j) Military status;

(k) Securities holdings information and other related data.

**3.2 Sensitive Personal Data (Sensitive Data)** which refers to personal data that is purely personal in nature to the Data Subject under Section 26 of the Personal Data Protection Act B.E. 2562 (2019), such as religious data appearing on a copy of the national identification card (if any); legal case data, including criminal history record information disclosed by the Data Subject to the Company in accordance with the criteria for assuming a position or being recruited as an employee of the Company; data regarding legal cases or offenses committed against the Company by the Data Subject; and health data received by the Company through medical expense claims submitted by the Data Subject for reimbursement.

The Company shall not maintain a policy to collect the sensitive personal data of the Data Subject, except:

(1) In the event that the Company has obtained explicit consent from the Data Subject for the purpose of identity verification of the Data Subject who applies for services and/or executes transactions with the Company;

(2) In the event of necessity for the legitimate interests of the Company (Legitimate Interest) or any other circumstances as prescribed by law.

#### **4. Purposes of Collection, Use, and/or Disclosure of the Data Subject's Personal Data and Data Processing**

The Company may collect, use, and/or disclose the Data Subject's personal data for the following purposes:

##### **4.1 Purposes for which the Company requires consent**

The Company relies on the consent of the Data Subject to collect, use, and/or disclose personal data in the following cases, unless there is a legal basis permitting the collection, use, and/or disclosure of personal data without the Data Subject's consent.

(1) The collection, use, and/or disclosure of sensitive personal data of the Data Subject for the following purposes:

(a) Religious data as shown on the copy of the national identification card (if any), for the purposes of using such copy for identity verification and authentication.

(b) Criminal history record information and health data disclosed by the Data Subject to the Company in accordance with the criteria for assuming a position or being recruited as an employee of the Company, for the purposes of reviewing employment applications, making hiring decisions, background screening, and monitoring and auditing.

(c) Health data received by the Company through medical expense claims submitted by the Data Subject, for the purpose of processing and reimbursing medical expenses to the Data Subject.

(2) In cases where it is necessary to transfer the personal data of the Data Subject to a destination country that may not possess an adequate level of data protection, and where consent is required by the law.

#### **4.2 Purposes for which the Company may rely on other criteria or lawful bases for collection, use, and/or disclosure of the Data Subject's personal data**

The Company may rely on the following criteria or lawful bases to collect, use, and/or disclose the personal data of the Data Subject, which include:

(1) It is necessary for the performance of a contract, for entering into a contract, or for the performance of a contract with the Data Subject.

(2) It is necessary for legal compliance.

(3) It is necessary for the Legitimate interests of the Company or of a third party, provided that such interests are balanced against the fundamental rights, freedoms, and interests relating to the protection of the personal data of the Data Subject.

(4) It is necessary for preventing or suppressing a danger to a person's life, body, or health; and

(5) Public interest, for the performance of a task carried out in the public interest, or for the exercising of official authority.

The Company will rely on the criteria or lawful bases in (1) to (5) above to collect, use, and/or disclose the personal data of the Data Subject for the following purposes:

- **Where the Data Subject is a director and/or an executive of the Company**

The Company will collect, use, and/or disclose the personal data of the Data Subject as necessary for corporate governance, qualification verification, and compliance with statutory disclosure obligations.

- **Where the Data Subject is an employee or staff member of the Company**

The Company will collect, use, and/or disclose the personal data of the Data Subject as necessary for the following purposes:

(a) Personnel recruitment, such as employment decisions or changes to the type of employment contract (e.g. changing the Data Subject's status from an intern, temporary worker, or part-time worker to a full-time employee);

(b) Internal organizational management, such as workforce restructuring, transfers, changes in job responsibilities, employee level adjustments, and retirement, among others;

(c) Provision of training and personnel development, including orientation and onboarding processes, organizing both internal and external training course activities, maintaining training records, and submitting training courses and related expenses for government agency certification, among others;

(d) Payment of salaries, remuneration, and benefits, such as wages, salary increment rates, bonuses, as well as various welfare benefits;

(e) Leave management, ensuring compliance with the Company's work rules and regulations;

(f) Contact and communications, including providing references and recommendations;

(g) Statistical and analytical purposes, aiming at personnel development and improvement of work processes;

(h) Compliance with legal obligations, such as regulations concerning labor, occupational health and safety, or compliance with requests from government agencies concerned;

(i) Maintenance of employee disciplinary action records for efficient administrative management or for establishing disciplinary measures when necessary.

(j) Conducting internal audits to monitor complaints or claims, monitoring inappropriate employee behavior, and preventing fraud;

(k) Making emergency contacts to individuals designated by the Data Subject;

(l) Preventing unlawful activities or negligence of duties by employees;

(m) Establishment, compliance with, exercise, or defense of legal claims;

(n) Other purposes related to the employment of the Data Subject (such as performing activities or operations for or on behalf of the Company), or as specified in the Data Subject's employment contract, work rules and regulations, or any relevant human resources documents.

- **Where the Data Subject is a job applicant:**

The Company will collect, use, and/or disclose the personal data of the Data Subject as necessary for the following purposes:

(a) Processing the Data Subject's application for an internship, part-time work, temporary work, or employment;

(b) Identity verification and communication;

(c) Appraisal and scoring of applicants for employment decisions;

(d) Suitability assessment;

(e) Determination of salary or other remuneration, as well as the reimbursement of various expenses;

(f) Background screening based on the Company's criteria, should the Data Subject be offered a position with the Company;

(g) Making emergency contacts to individuals designated by the Data Subject;

(h) Other purposes reasonably required by the Company, as specified in the job application or any other relevant documents.

**4.3 The Company will not collect, use, and/or disclose the personal data of the Data Subject for purposes other than those previously notified to the Data Subject, unless:**

(1) a new purpose has been notified to the Data Subject and consent has been received from the Data Subject; or

(2) it is a case prescribed by law.

## **5. Disclosure of Personal Data**

5.1 The Company shall disclose the Data Subject's personal data only in accordance with the purposes notified to the Data Subject. In this regard, the Company shall disclose the Data Subject's personal data under the following circumstances:

(1) The Company has received consent from the Data Subject;

(2) It is necessary for the performance of a contract or at the request of the Data Subject, including disclosure for executing transactions or any activities of the Data Subject, to enable operations to achieve the Data Subject's objectives;

(3) It is necessary for Legitimate interests, such as disclosure to juristic persons or organizations for investigation and fraud prevention, or for maintaining the Company's security, among others;

(4) It is for compliance with laws, official regulations, or orders of competent regulatory authorities concerned or lawful government agencies, such as the Bank of Thailand, the Securities and Exchange Commission, the Stock Exchange of Thailand, the Thailand Securities Depository Co., Ltd., the Thailand Clearing House Co., Ltd., the Office of Insurance Commission, the Anti-Money Laundering Office, the Department of Business Development of the Ministry of Commerce, the Revenue Department, courts, or the Legal Execution Department, among others.

(5) Disclosure to individuals, juristic persons, or any other organizations as follows:

(a) The Company's external service providers (Outsourced Service Provider), such as provident fund managers, payment service provider banks, insurance companies, hospitals, visa or work permit application agents (in the case of foreign nationals), human resources information system providers, and training service providers, among others.

(b) Government agencies or legally authorized bodies, such as the Bank of Thailand, the Anti-Money Laundering Office, the Revenue Department, the Securities and Exchange Commission, the Stock Exchange of Thailand, the Office of Insurance Commission, the Department of Business Development of the Ministry of Commerce, the Ministry of Labour, the Social Security Office, the Department of Skill Development, the Legal Execution Department, the Student Loan Fund, and the Department for Empowerment of Persons with Disabilities, courts, the police or any other government agencies as prescribed by law, for compliance with laws, regulations, or legal obligations.

## **6. Cross-Border Transfer of Personal Data**

The Company does not maintain a policy of transferring the Data Subject's personal data to foreign countries. In the event that the Company is required to transfer the Data Subject's personal data to a country with inadequate personal data protection standards, the Company shall comply with the criteria prescribed by law and/or adopt necessary and appropriate measures, such as entering into a confidentiality agreement between the Company and the data recipient, among others.

## **7. Security of Personal Data**

The Company recognizes the importance of maintaining the security of the Data Subject's personal data. In this regard, the Company has established appropriate security measures to prevent unauthorized or unlawful loss, access, destruction, use, alteration, amendment, or disclosure of personal data. This is to ensure compliance with the stipulations set forth in this Policy and/or the information technology security practices of the Company.

## **8. Data Subject's Rights Regarding Personal Data**

8.1 In the event that a Data Subject wishes to know or request a copy of their personal data which is under the responsibility of the Company, or requests the Company to disclose the acquisition of personal data for which the Data Subject has not given consent, the Data Subject may make a request in accordance with the criteria and procedures prescribed by the Company.

8.2 In the event that a Data Subject considers any personal data related to them to be inaccurate, outdated, incomplete, or misleading, the Data Subject may request the Company to rectify such data to ensure it is accurate, up-to-date, complete, and not misleading, by making a request to the Company in accordance with its prescribed criteria and procedures.

In the event that the Company does not fulfill the Data Subject's request under the first paragraph, the Company shall prepare a record of the Data Subject's request together with the reasons as evidence for the Data Subject's inspection.

8.3 A Data Subject has the right to withdraw their consent given to the Company for the collection, use, and/or disclosure of their personal data at any time, unless there is a restriction on the withdrawal of consent by law or by a contract that benefits the Data Subject (such as when the Data Subject continues to use services or engage in transactions with the Company, or when the Data Subject still has outstanding debts or legal obligations to the Company, among others. Any withdrawal of consent shall not affect the collection, use, or disclosure of personal data for which the Data Subject has previously given consent. However, such withdrawal of consent may cause inconvenience to the Data Subject when using services or executing transactions with the Company, may restrict access to certain functionalities, or may cause the services received from the Company to be less efficient than originally intended.

8.4 A Data Subject has the right to receive personal data concerning them from the Company. In the event that the Company has arranged such personal data to be in a format which is generally readable or usable by means of automated tools or equipment, and can be used or disclosed by automated means, including:

(1) The right to request the Company to send or transfer the personal data in such format to other Data Controllers, when it can be done by automated means; or

(2) The right to directly receive the personal data that the Company sends or transfers in such format to other Data Controllers, unless it is impossible to do so due to technical circumstances.

8.5 The Data Subject has the right to object to the collection, use, or disclosure of personal data concerning them at any time in the following cases:

(1) Where the personal data is collected due to the necessity for the performance of a task carried out for the Company's public interest, or for the purpose of the Company's Legitimate interests, unless:

(a) The Company can demonstrate compelling legitimate grounds that override the Data Subject's interests; or

(b) It is for the establishment, compliance, or exercise of legal claims, or the defense against legal claims.

(2) Where the collection, use, or disclosure of personal data are for the purposes of direct marketing.

(3) Where the collection, use, or disclosure of personal data are for the purposes of scientific, historical, or statistical research, unless it is necessary for the performance of a task carried out for the Company's public interest.

8.6 A Data Subject has the right to request the Company to delete, destroy, or anonymize personal data so that the Data Subject can no longer be identified, under the following circumstances:

(1) When the personal data is no longer necessary to be retained for the purposes for which it was collected, used, or disclosed.

(2) When the Data Subject withdraws consent for the collection, use, or disclosure of the personal data, and the Company has no other legal authority to continue collecting, using, or disclosing such personal data.

(3) When the Data Subject objects to the collection, use, or disclosure of the personal data pursuant to Clause 8.5 (1), and the Company cannot reject such objection request, or when the collection, use, or disclosure of the personal data is for direct marketing purposes.

(4) When the personal data has been unlawfully collected, used, or disclosed.

8.7 The Data Subject has the right to request the Company to suspend the use of personal data in the following cases:

(1) When the Company is in the process of verification at the Data Subject's request to ensure that the personal data of the Data Subject is accurate, up-to-date, complete, or not misleading.

(2) When it is personal data that must be deleted or destroyed due to being personal data that was collected, used, or disclosed unlawfully, but the Data Subject requests the suspension of its use instead.

(3) When the personal data is no longer necessary to be retained for the purposes of collection, but the Data Subject has a necessity to request its retention for the establishment of legal claims, compliance with the law, the exercise of legal claims, or the defense against legal claims.

(4) When the Company is in the process of proving overriding legitimate grounds, or for the establishment of legal claims, compliance with the law, the exercise of legal claims, or the defense against legal claims, in the event that the Data Subject exercises the right to object to the collection, use, or disclosure of the data.

8.8 The Data Subject has the right to lodge a complaint with the expert committee pursuant to the law on personal data protection in the event that the Company or the personal data processor, including employees or contractors of the Company or of the personal data processor, violates or fails to comply with the law on personal data protection or notifications issued thereunder.

In this regard, the aforementioned rights of the Data Subject are subject to various relevant factors. The Company may not be able to fulfill the Data Subject's request in cases where it is required by law, or where the personal data has been anonymized so that the Data Subject can no longer be identified, or where the Company

has Legitimate interests to collect, use, and/or disclose the personal data. This includes, for example, instances where the Data Subject continues to use the services or engage in transactions with the Company, or where the Company is under a legal obligation to comply, such as retaining the Data Subject's personal data for the duration prescribed by law, or for the establishment, exercise, or defense of legal claims, even if the Data Subject has already terminated their relationship with the Company, among others.

#### **9. Links to Third-Party Websites**

When using the Company's application or website, there may be links to online social networks, platforms, and other websites operated by third parties. In this regard, the Company will only provide links to websites that maintain personal data protection standards. However, the Company cannot be held responsible for the content or personal data protection standards of such other websites, unless otherwise specified. Any personal data provided by the Data Subject to such third-party websites will be collected by said third parties and will be subject to the privacy notices or policies of those third parties (if any). In such cases, the Company recommends that the Data Subject review and comply with the personal data protection policies appearing on those websites, which are separate from this Policy.

#### **10. Retention Period for Personal Data**

The Company shall retain the Data Subject's personal data for as long as necessary to fulfill the purposes notified to the Data Subject or as specified in this Policy. In the event that the Data Subject terminates the use of services, ceases transactions, or terminates the relationship with the Company, the Company shall retain the Data Subject's personal data for a period of 10 years thereafter, or for the period required by law, applicable statutory limitation periods, or for the exercise of legal claims. Upon the expiration of such retention period, the Company shall proceed to delete, destroy, or anonymize the personal data so that the Data Subject can no longer be identified.

#### **11. Information Regarding Third Parties**

If the Data Subject provides personal data of any third parties, such as spouses, children, shareholders, directors, beneficiaries, or emergency contact details (such as the first name, last name, address, email address, and/or telephone number of such individuals), the Data Subject shall be responsible for ensuring that such individuals permit the Company to use their personal data in accordance with this Personal Data Protection Policy. In addition, the Data Subject shall be responsible for informing such individuals of this Policy and obtaining the necessary consent from the individuals concerned.

#### **12. Updates, Reviews, or Amendments to the Personal Data Protection Policy**

The Company may update, review, or amend this Policy, whether in whole or in part, from time to time, to ensure alignment with the Company's operational guidelines, laws, and regulations of competent authorities concerned. In the event of any amendment to this Policy, the Company will promptly publish the revised version on the Company's website.

### 13. Contacting the Company

If the Data Subject wishes to contact the Company, has any inquiries, or wishes to request information regarding the details of the collection, use, and/or disclosure of personal data, including the rights of the Data Subject under this Policy, or wishes to withdraw consent for the collection, use, and/or disclosure of personal data, or in the event that any unauthorized use of the Data Subject's personal data is discovered, the Data Subject may contact the Company through the following channels:

Data Protection Officer :	Email address : DPO-TCAP@thanachart.co.th
Contact Address :	Thanachart Capital Public Company Limited, No. 444, MBK Tower, Floor 16-17, Phayathai Road, Wang Mai Subdistrict, Pathum Wan District, Bangkok 10330

### 14. Governing Law

This Policy shall be governed by and construed in accordance with the laws of Thailand. The courts of Thailand shall have exclusive jurisdiction to adjudicate and settle any disputes arising out of or in connection with this Policy.

### 15. Scope of Application for Personal Data Collected Prior to the Effective Date of the Personal Data Protection Act, B.E. 2562 (2019)

For personal data that the Company collected before the Personal Data Protection Act, B.E. 2562 (2019) came into full force and effect, the Company is permitted to continue collecting and using such personal data in accordance with the original purposes. A Data Subject who no longer wishes to permit the Company to collect and use their personal data may notify the Company, indicating the withdrawal of their consent in accordance with the criteria prescribed by the Company. Any disclosure and other processing activities, apart from the aforementioned collection and use of personal data, shall strictly comply with the Personal Data Protection Act, B.E. 2562 (2019).

### 16. Effective Date

This Personal Data Protection Policy for Human Resources shall be in full force and effect from 1 June 2022 onwards.