

## Privacy Notice for External Data Subjects

**Effective date: 1 June 2021**

The EGCO Engineering & Service Company Limited, subsidiary company under the control of the Electricity Generating Public Company Limited which are registered in Thailand (hereinafter referred to as "**the Company**"), give priority to protecting your personal data. This Privacy Notice for External Data Subjects (hereinafter referred to as the "**Privacy Notice**") describes how the Company collects, uses, discloses and/or transfers personal data, as well as the rights of the personal data subject whom the Company Interacts with for the business operations of the Company. Such person shall include but not be limited to:

(1) A business partner (as defined below in this Privacy Notice) who is an individual. (Whether such individual is a current, future, or former business partner).

(2) An authorized person, director, shareholder, employee, personnel, sales representative, person authorized to conduct a business relationship, and any other person having the same status, including a coordinator. (hereinafter collectively referred to as "**the person associated with the legal entity**") of the corporate clients or business partners.

(3) Shareholders of the Company

(4) Other persons, such as analysts and funds who/which come to contact government officials, community relations activity coordinators, whistleblowers, mass media, students and parents, or family income guarantors (In the case of participating in a vocational education scholarship project), students and teachers (In the case of participating in the Young Energy Conservation Project (hereinafter collectively referred to as the "**Participant in the vocational education scholarship and Young Energy Conservation project**").

(5) Visitors and users of the Company's platforms (such as the website).

As well as other persons related to the above persons from whom the Company has received personal data from the above persons. (Hereinafter referred to as "**you**").

In this Privacy Notice, whenever it refers to personal data, it shall mean information about an individual that makes it possible to identify that person directly or indirectly; or information which has been defined in the applicable personal data protection law or specified in this Privacy Notice. The Company shall collect your personal data as necessary to conduct its business, to comply with legal or contractual requirements, or for other purposes related to the Company's business operations. If the Company cannot collect, use, disclose and/or transfer personal data as described in this Privacy Notice, it may not be able to perform any actions related to the Company's business operations for you, nor perform its duties under the contract, nor conduct any action in accordance

with the relationship that the Company has with you, nor continue to perform duties as prescribed by the law.

Please note that in some cases your specific consent may be required for the collection, use, disclosure and/or transfer of your personal data. However, in most cases, the Company will collect, use, disclose and/or transfer the personal data only for purposes related to your relationship with the Company, as specified in this Privacy Notice, without the need for your separate consent.

Please read this Privacy Notice carefully in order to understand how and for what purpose we collect, use, disclose and/or transfer your personal data.

### **1. Personal data that the Company collects from you**

**"Personal Data"** means information about an individual that can be used to identify such person's identity, whether directly or indirectly. The Company may collect your personal data with the purpose to conduct our business, or to comply with legal or contractual requirements, or to conduct any other business operation of the Company. In addition, in some cases, the Company may obtain your personal data through (1) EGCO Group companies, and (2) Third parties (such as your company or agency, other business partners of the company (e.g. consultants, external service providers, banks and financial institutions, or any other organisation that has contact the network), whistleblowers, the Thailand Securities Depository Co., Ltd., etc.). The Company will collect, use, disclose and/or transfer your personal data in the following categories and types:

- 1) Identity information:** such as title, first name, last name, day/month/year of birth, nationality, occupation, details stated in the documents and/or copies of documents that are issued by the government (such as an identity card, passport, house registration book, government official identification card, certificate to enter and use certain reformed land (Sor Por Gor 4-01), death certificate), utility bill, photo, snapshot by a CCTV camera, video clip recording of yourself, signature, and any other information you share with the Company which may be treated as personal data.
- 2) Contact information:** e.g. workplace telephone number, home telephone number, mobile phone number, fax number, address shown in the house registration book, your current address, email address, and social media accounts (e.g. LINE).
- 3) Information as to educational history, employment history, qualifications:** such as profile documents (CV/resume), places of employment, job title, education history (such as grades, documents as to further study), training participation history and details, employment history and performance, work experience, commercial registration certificate, work permit, certificates related to your duties and professional licenses.
- 4) Information appearing on corporate documents:** such as a shareholder registration book, certificate of juristic person, a Memorandum of Association, VAT registration certificate and Phor Por 20.

- 5) **Financial information:** such as details specified in a copy of a bank book page, bank account number, tax identification number, information on withholding taxes and financial status.
- 6) **Purchasing Order information:** such as order currency and terms of payment.
- 7) **Securities holding information (for the Company's shareholders):** such as the registration number of shareholders, type of person, number of shares, number of TSD member, reference type and reference number.
- 8) **Screening information of the external data subjects who came to contact us:** such as time of entry and travel history.
- 9) **Other information:** such as any other personal data that you have given to the Company on a voluntary basis, or that the Company has obtained from an external person or agency with the purpose to conduct the Company's business operations, or to comply with legal or contractual requirements, or to conduct any other business operation of the Company. This may include an application, quotation, or bid offer, contract document, payment document, complaint document, and other documents; and
- 10) **Sensitive personal data:** such as religious data (as shown on your ID card) and health data (such as food allergy, chronic disease). The Company shall collect, use, disclose and/or transfer sensitive personal data only with your explicit consent, or as permitted by law.

If you provide a third party's personal data to the Company (such as personal data of your emergency contacts and/or family members), or you may ask the Company to disclose the personal data of such third parties to external data subjects, you shall be responsible for providing the details specified by this Privacy Notice to such third parties, as well as asking for consent of the said persons (If consent is required). You should verify the accuracy and completeness of the personal data you have provided and notify the Company of any changes to the personal data provided. In addition, you shall also be responsible for taking all necessary action in order that the Company may legally collect, use, disclose and/or transfer personal data of the said persons as set out in this Privacy Notice.

## 2. How does the Company use your personal data and for what purposes?

The Company shall collect, use and/or disclose your personal data for the purposes described below, based on the following legal basis (1) When it is necessary for performance of a contract, for executing a contract, or for performing a contract with you, (2) When it is to perform duties under the law, (3) When it is necessary for the legitimate interests of the Company or a third party. This has to be balanced with the basic benefits, rights and freedoms relating to the protection of your personal data, (4) When it is for the purpose to prevent or suppress harm to the life, body, or health of the person, (5) When it is for the public interest, such as to carry out missions in the public interest, or to perform duties in exercising state power and/or (6) Your consent.

The Company will use the personal data you provide as well as other data for the following purposes:

**1) Identity verification:** for example, to verify the identities that are related to the Company's business operations, or when entering into contracts and transactions with you.

**2) Communicating with you:** for example, for business communications with you, corporate customers and/or business partners (including meeting arrangements); for coordination (e.g. the case of community relations work); for the transmission of journals and any documents; for informing you about any changes to the Company's policies or Privacy Notice in order to ask you for data; and for responding to any inquiries you have requested or responding with your complaints.

**3) Information technology management:** for example, for the management. Implementation and inspection of information technology and communication systems, both internal and external, including the information technology security system; for checking the system and developing the Company's external data subject's database system; and for setting out the right to access various systems of the Company.

**4) Corporate Transactions:** For example, to appoint representatives, give a proxy or power to handle transactions (e.g. renewal of licenses), disbursements, payment collection, such as handling various financial transactions with banks or financial institutions (e.g. proof and verification of identity for undertaking transactions, change in signature sample, opening an investment account, entering into a loan agreement, requesting a letter of guarantee, and any other related transactions); to allow banks or financial institutions and loan providers to consider details according to the terms of the loan agreement, to commit hedging transactions and related operations; to carry out legal transactions (e.g. to verify and draft legal and other documents); to provide goods and services, for using outsource service purposes; to prepare for inspection (e.g. the International Organisation for Standardisation (ISO)); for insurance purposes; to prepare records, evidence, and documents (e.g. evidence of implementation of the contract or proof of payment); for authorisation of payment; to liaise with the EGCO Group's companies on various matters (e.g. complying with the laws, regulations and policies), following up data from you) as well as to carry out any other activities related to the Company's business.

**5) Protection of the interests of the Company:** for example, creating a database, records, evidence and documents as well as preparing minutes of the directors' meetings and/or shareholders' meetings (e.g. hiring, disbursement, appointment of directors of trading partners); for exercising the rights or protecting the interests of the Company where it is necessary and legally able to do so (e.g. detection, prevention and response to claims, audits, investigations (including disclosure of data as to procedure or legal proceedings)); for considering and giving legal opinions; for examining or use as references where it is necessary (for example, as evidence supporting preparation of financial statements, a note to the financial statements, and auditing of the annual financial statements).

**6) Dispute resolution:** e.g. to resolve disputes; to enforce the contract of the Company; and to establish, use or submit legal claims.

**7) Compliance with the laws, rules and policies:** e.g. for compliance with the regulations, rules, orders, policies and guidelines within the organisation (e.g. for complying with the Company's security measures and for conducting internal audits in accordance with the Company's regulations); for complying with the applicable laws, rules, orders and guidelines of regulators; for reporting or providing relevant data to government agencies, law enforcement agencies, or law

enforcement officers; for the purpose of registration, requesting or renewing a license, requesting a work permit; and for tax calculation, inquiries and remittances.

**8) Management and facilitation for entering the Company's premises or participating in activities with the Company:** for example, planning, execution, and organising activities and facilitating you to participate in such activities (such as booking air tickets, providing travel insurance, making accommodation reservations, and event registration).

**9) Life protection:** for example, to prevent or suppress harm to the life, body or health of a person.

**10) Implementation of a project (for a person participating in a vocational education scholarship and energy conservation youth camp project):** for example, to review and consider applications for employment, references and documents that you have sent to the Company; to assess the eligibility and qualification for a scholarship; for disbursement of funds for supporting the operation of scholarships, travel expenses of the school, or other compensation.

**11) Conducting the shareholders' meeting (for the Company's shareholders):** for example, sending the invitation letters and documents related to the shareholders' meeting; implementing giving a proxy to attend a shareholders' meeting, to verify identity and to check the right to attend a shareholders' meeting.

**12) Operations regarding dividends (for the Company's shareholders):** for example, to transfer dividends back to you instead of issuing a new check.

**13) Changes in the Company's business:** for example, in the case of the sale, transfer, merger of the business, reorganisation, or other similar case, the Company may transfer your data to one or more third parties, as part of such process.

When collecting personal data, as a person involved with a juristic person (for corporate clients and/or business partners), the Company will also use such personal data you have provided as well as other data for the following purposes.

**14) Business partner selection:** for example, to verify your identity and business partner status; to ascertain facts and/or to assess your suitability and the qualifications of business partners and of personnel to handle the work for the Company; for consideration of quotations or bids; for the selection of candidates for interview, and for consideration to renew a contract or any other consideration.

**15) Relationship management:** for example, to plan, execute and manage a contractual relationship with you (e.g. negotiation, price negotiation, price comparison, bidding, procurement, signing or extending a contract with you, corporate customers and/or business partners, signing the Supplier Code of Conduct, applying for partner registration, issuing a purchase order, issuing invoices and collecting expenses, preparing payment slips, making payments (such as wages, land use expenditures, or other compensation), conducting accounting operations, auditing); to monitor and assess you in performing duties under a contract; to send gifts on various occasions, as well as to support various operations, or any other related transactions.

**16) Introduce business partners to you:** for example, to introduce you to EGCO Group companies, or other persons.

In addition to the collection, use and/or disclosure of the personal data listed above, the Company shall also collect, use and/or disclose your personal data in a special category, which is known as "**sensitive personal data**", for the following purposes:

- **Data about religion:** for proving and verifying the identity of a person (as shown on the copy of the ID card).
- **Health data:** for planning, implementing, and organizing activities (such as events and food preparation).

### **3. To whom does the Company disclose your personal data?**

The Company may disclose your personal data to third parties, either within or outside Thailand, for the purposes described above, such as (1) Companies in the EGCO Group (2) Business partners of the Company (such as business partners, banks or financial institutions, consulting firms (such as consultants on Environmental Impact Assessment: EIA)), insurance companies, information technology service providers, and information technology support service providers (such as System Integrator), the International Organisation for Standardisation (ISO), airlines, and hotels).

In some cases, the Company may be required to disclose or share your personal data with governmental agencies, law enforcement agencies, or law enforcement officers, either within or outside Thailand (such as the Revenue Department, the Department of Business Development, Agricultural Land Reform Office, Department of Consular Affairs, a Police Station, the Lao Holding State Enterprise (LHSE), Electricite du Cambodge (EDC), or other government agency), as well as any other third party. If the Company believes that there is a need to obey any law or regulation, or it is necessary to protect the rights of the Company or a third party, or the safety of a person; or to detect, prevent, or resolve problems concerning corruption, security or safety; or to recommend you to such agencies or people.

In some cases, the Company may be required to disclose or share your personal data with investors, shareholders, assignees, persons to whom the right will be assigned, a transferee, or a person to be an assignee, in the case of an organisational restructuring or debt restructuring, merger, acquisition, disposal, purchase, joint venture, transfer of rights, liquidation, or any other event having a similar nature, and there is a transfer or disposal of the Company's, business, assets or shares either as a part or the whole.

### **4. Transfer of your personal data abroad**

The Company may transfer your personal data to a third party in overseas countries, for example (1) Companies within the EGCO Group the located in overseas countries for the benefit of carrying out their duties and related work. This shall include allowing companies in the said Group to be able to access according to their rights; for the benefit of legal practice; for the purpose of procurement of goods and services; and for introducing you to the companies in the EGCO Group, (2) Banks or financial institutions; for committing various financial

transactions (e.g. identification and verification of a person undertaking a transaction, change in signature sample, opening an investment account, entering into a loan agreement, requesting a letter of guarantee, and any other related transactions); to allow banks or financial institutions, and loan providers to consider details according to the terms of the loan agreement and/or (3) governmental agencies, law enforcement agencies, or law enforcement officers in overseas countries in order to comply with the applicable laws as well as to introduce you to the said agencies.

However, some recipients of the personal data may reside in countries where the personal data the Protection Committee under the Personal Data Protection Act 2019 has not yet issued any announcement stipulating that such countries have adequate standards for personal data protection.

If the Company is obliged to transfer your personal data to a destination country having a personal data protection standard that is not comparable to the standard established in Thailand, the Company will take appropriate steps and measures to safely complete the transfer of your personal data; or in the case that such transfer is permitted under the Personal Data Protection Law, the Company may enter into an agreement with the third party receiving your personal data to ensure that your personal data will be protected according to the protection standards that are appropriately equivalent to those stipulated in Thailand.

#### **5. Length of time the Company may keep your personal data**

The Company will collect your personal data as necessary for the purposes for which it was collected as detailed in this Privacy Notice, and in accordance with the applicable law. However, the Company may keep your personal data for a longer period of time in order to comply with the law, the applicable rules, as well as the internal policies or operational requirements of the Company as necessary, such as in the event of a dispute.

#### **6. Minor, quasi-incompetent person and an incompetent person**

In some cases as required by law, the Company may be unable to collect, use and/or disclose the personal data of minors, quasi-incompetent persons, and incompetent persons without the consent of a parent, guardian or curator, so if you are aged under 20 years old, quasi-incompetent or incompetent, you must make sure that you have obtained the consent of a parent, guardian or curator (if consent is needed). If the Company knows that it has collected the personal data of minors without the parent's consent, or collected personal data of a quasi-incompetent or incompetent person without the consent of the guardian or curator, without intent, the Company shall delete such data immediately or collect, use and/or disclose it only if the Company is able to rely on a legal basis other than such consent.

#### **7. Your rights**

Under the provisions of the applicable laws and related exceptions, you shall have the following rights in relation to your personal data.

- **Access:** You may request data about the collection, use, disclosure and/or transfer of your personal data, including the copies of your personal data, as well as data about how your personal data that is collected without asking for your consent has been obtained.
- **Correction:** You may ask the Company to correct your incomplete, inaccurate, misleading, or outdated personal data.
- **Deletion or destruction of data:** You may request the Company to delete, destroy or do otherwise to make your personal data become non-personally identifiable data as required by law.
- **Transfer of data:** You may request to obtain the personal data relating to you in an organized format that can be read or used in electronic format as required by law, in order to transmit or transfer such data to another data controller.
- **Challenge:** You may challenge the collection, use or disclosure of your personal data in some activities described in this Privacy Notice.
- **Suspension of use:** You may request suspension of the use of your personal data; for example, if such data is in the review process to ensure that the data is correct, updated, complete and not misleading; or if such data needs to be deleted because it has been collected illegally.
- **Withdrawal of consent:** You may withdraw the consent you have given to the Company for the collection, use, disclosure and/or transfer of your personal data at any time, unless there is a restriction on the right to withdraw your consent as prescribed by law, or a contract that benefits you.
- **Complaints:** You may make a complaint to the competent authority, if you see that the Company or other person acting on behalf of the Company collects, uses, discloses and/or transfers your personal data unlawfully, or does not comply with the law on the protection of personal data. However, please inform the Company about your problem in order that the Company may resolve such problem before you contact the relevant agency.

If you wish to exercise your rights as described above, please contact the Company according to details shown in the topic "Company's contact information" set out below, and/or complete the request to exercise the right of the personal data subject on the Company's website.

In addition, your exercise of right as set out above may be limited by the applicable laws and relevant exceptions, and in certain circumstances the Company may lawfully deny your request, for example, in the case that the Company has duties set out by the law or a court order. However, if your request is rejected, the Company shall inform you of the reason for such rejection.

## **8. Changes to this Privacy Notice**

The Company may revise or update this Privacy Notice from time to time. Please check this Privacy Notice periodically for any amendments or updates to this Privacy Notice. The Company shall notify you if such changes materially affect you and will ask for your consent again (if necessary and as required by the law).



## **9. Links to other websites**

In the case that you use the Company's website, the website may contain links to other platforms, websites or services operated by the third parties. However, the Company cannot affirm any contexts or operation, nor be responsible for any activities in connection with the collection, use and/or disclosure of your personal data by such platforms, websites, or services.

For this purpose, the Company recommends that you check the Privacy Notice of such platform, website, or service linked to the Company's website (if any) to acknowledge and understand how such platform, website, or service collects, uses and/or discloses your personal data.

## **10. Use of cookies**

The Company uses similar cookies and technologies. Cookies are files containing small alphanumeric characters that we store on your browser or your computer's internal hard drive. If data from cookies can be personally identifiable, directly or indirectly, whether it is a single item of data or a combination with any other data, the Company will treat such data as personal data under this Privacy Notice.

The Company uses cookies in order to learn more about how you interact with the content on our website and to help building up experiences that will give you greater satisfaction. Whenever you visit the Company's website, cookies will remember the type of browser you use. Cookies will also remember your preferences, such as language and region, which will be automatically set when you return to the site. Also, cookies allow you to rate web pages and fill out comment forms. Some cookies used by the Company are session cookies that only remain active until you close the browser you are using. All other cookies are persistent cookies, they are stored on your computer for a longer period of time.

Certain operations within the Company's website may contain a link to a platform, website, or other service operated by a third party; for example, when you visit a web page that contains a YouTube video, or if there is a link to YouTube, these videos or links (and other content provided by third parties) may also contain third parties' cookies. You may check out the Privacy Notice of these third parties to search for data regarding the use of cookies by third parties. For other sections, please see the above topic -Links to other websites-.

The Company shall not use cookies to collect your personally identifiable data. However, if you do not wish to accept cookies, you can choose to decline or block cookies that the Company or a third party's platform, website, or service designated for you by changing the settings in your browser - please see additional information on the Help menu in your browser - Please note that most web browsers automatically accept cookies, so if you do not desire to use cookies, you may need to keep blocking or deleting cookies. If you desire to know about the use of cookies in other devices' browsers (such as a smartphone, tablet, etc.), the details about how to decline or delete such cookies, please see the operating instructions of your device. However, you should be aware



that even if you refuse to use cookies, you will still be able to visit the Company's website, but some functions on the website may be inaccurate or ineffective.

## 11. The Company's contact information

If you have any doubts, comments and/or questions about the collection, use, disclosure and/or transfer of your personal data, or you wish to exercise your rights in accordance with this Privacy Notice, you can contact the Company via:

### **EGCO Engineering & Service Company Limited**

- Head Office: 222, EGCO Building, 14<sup>th</sup>, 15<sup>th</sup> Floor, Vibhavadi Rangsit Road, Thungsonghong Sub-district, Laksi, Bangkok 10210. Tel: 02-998-5000
- Branch Office: 35 Rayong Highway No.3191 Road, Tambol Huaypong, Amphur Muang, Rayong 21150. Tel: 0-3868-2611-4
- E-mail: pdpacommittee@egco.com

\*\*\*\*\*

A business partner includes but is not limited to:

- **Business partners:** such as business partners (e.g. small fuel distributors, product suppliers, land lessors), bank or financial institutions (including banks or financial institutions, creditors, representatives of banks or financial institutions, creditor groups, banks or financial institutions contacted for investment purposes), the Electricity Generating Authority of Thailand (EGAT), Provincial Electricity Authority (PEA), associated companies including joint ventures (JV), as well as other companies having complementary networks.
- **Service Providers:** such as payroll service providers, consultants (e.g. HR consultants, Quality Assessment Review (QAR), Environmental Impact Assessment (EIA)), professional advisers (e.g. an auditor, financial advisor, legal advisor), service providers concerning preparation of the environmental quality monitoring report and work environment measurement report, safety inspection service providers for electrical systems, certification service providers for the International Organization for Standardization (ISO), accounting service providers, tax payment service providers, event service providers, service providers for translation, printing and interpretation, travel service providers, license renewal service providers, visa extension service providers, training agencies, as well as software providers, information technology service providers and information technology supporting service providers (such as System Integrators).
- **Other persons:** such as asset management companies, infirmaries providing health-check services, life insurance companies, insurance companies, airlines, hotels, business partners that have an agreement to provide welfare services to the Company.