

Announcement No. QTC66045

Personal Data Protection (Privacy Notice)

Approved by the Board of Directors Meeting No. 6/2023 on 9 November 20236

QTC Energy Public Company Limited recognizes the importance of personal data protection, which is a fundamental right to privacy. The Company respects the privacy rights of shareholders, directors, employees, business partners, trade partners, customers, contractors, and persons related to the Company’s business.

To ensure that such persons can be assured of receiving full protection in accordance with the Personal Data Protection Act B.E. 2562 (2019), the Company has issued this Personal Data Protection Notice, covering the methods by which the Company and its subsidiaries treat personal data, such as collection, retention, use, disclosure, as well as the various rights of data subjects, with details as follows:

1. Definitions

“Company”	means	QTC Energy Public Company Limited, all subsidiaries, and joint venture companies in which more than 50% of shares are held.
“Personal Data”	means	Information relating to a natural person that enables the identification of such person, whether directly or indirectly, but excluding data of deceased persons.
“Sensitive Personal Data”	means	Personal data that specifically identifies an individual to greater extent, such as racial or ethnic origin, political opinions, cult, religious or philosophical beliefs, sexual behavior, criminal records, health data, disability information, labor union information, genetic data, biometric data, or any other data affecting the data subject in a similar manner as prescribed by the Committee.
“Biometric Data”	means	Personal data arising from the use of techniques or technologies related to the application of physical or behavioral characteristics of a natural person, enabling the unique identification of that natural person from

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“Person”	means	others, such as facial recognition data, iris recognition data, or fingerprint recognition data.
“Data Controller:DC”	means	A natural person. A person or juristic person having the authority and duty to make decisions regarding the collection, use, or disclosure of personal data.
“Data Processor:DP”	means	A person or juristic person that carries out activities relating to the collection, use, or disclosure of personal data pursuant to the instructions of, or on behalf of, the data controller, provided that such person or juristic person is not the data controller.

2. Sources of Personal Data

The Company may obtain personal data from directors, shareholders, investors, employees, job applicants, recruitment agencies, customers or business partners of the Company, as well as persons related to the Company’s operations, such as sales and marketing activities, production and testing activities, accounting and finance activities, investment activities, outsourcing activities, or personal data that the Company is legally entitled to collect.

3. Collection of Personal Data

3.1 The Company may obtain the data subject’s personal data from the following sources:

- 3.1.1 Collected directly from the data subject, such as through the completion of forms by the data subject in paper-based or electronic form.
- 3.1.2 Collected from other sources, such as from third parties under the consent provided by the data subject to the disclosing party, or from data processors instructed by the Company to collect such data on behalf of or in the name of the Company.

3.2 Personal Data that the Company May Collect

- 3.2.1 Personal identification data, such as name, surname, date of birth, nationality, identification card number, or other identification documents issued by government authorities.
- 3.2.2 Contact information, such as address, email address, telephone number, and bank account number.

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- 3.2.3 Information related to website usage, such as IP address data and cookie (cookies) data.
- 3.2.4 Sensitive personal data, such as religion, health data, and criminal records.
- 3.2.5 Other information considered personal data, such as voice recordings, photographs, CCTV footage, and fingerprints.

3.3 Criteria for Collection of Personal Data

The Company shall collect personal data only to the extent necessary for the purposes notified to the data subject. The Company shall obtain explicit consent from the data subject before or at the time of collecting personal data, except in the following cases where the Company may collect personal data without obtaining consent:

- 3.3.1 For the achievement of purposes relating to the preparation of historical documents or archives for the public interest, or for study, research, or statistical purposes, whereby the Company shall implement appropriate safeguards to protect the rights and freedoms of the data subject.
- 3.3.2 For the prevention or suppression of danger to the life, body, or health of a person.
- 3.3.3 Where necessary for the performance of a contract to which the data subject is a party, or to take steps at the request of the data subject prior to entering into a contract.
- 3.3.4 Where necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Company.
- 3.3.5 Where necessary for the legitimate interests of the Company or of another person or juristic person, unless such interests are overridden by the fundamental rights relating to the personal data of the data subject.
- 3.3.6 For compliance with laws, such as the Credit Information Business Act B.E. 2559 (2016), the Civil and Commercial Code, or the Penal Code.

4. Purposes of Collection and Use of Personal Data

The Company shall collect or use the data subject’s personal data for the benefit of the Company’s operations, such as procurement, contracting, financial transactions, the conduct of Company activities, coordination and communication, or for improving operational quality and efficiency, such as the establishment of databases, analysis, and development of the Company’s operational processes, as well as for any other purposes not prohibited by law

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and/or for compliance with laws or regulations relevant to the Company’s operations. The Company shall retain and use such data only for the period necessary for the purposes notified to the data subject or as required by law.

The Company shall not undertake any action inconsistent with the stated purposes of data collection, except where:

4.1 A new purpose has been notified to the data subject and consent has been obtained from the data subject.

4.2 Such action is carried out in compliance with the Personal Data Protection Act or other relevant laws.

5. Disclosure of Personal Data

In disclosing personal data collected by the Company, at any time, the Company shall act in accordance with the following principles and guidelines:

5.1 The Company shall disclose personal data only for the purposes notified to the data subject.

5.2 For personal data that the Company is permitted to collect without obtaining consent from the data subject in accordance with the details specified in Clause 3.3, the Company shall disclose such personal data only for the purposes specified in Clause 3.3. The Company shall record such disclosure in the Company’s Record of Processing Activities (RoPA).

5.3 Disclosure of Personal Data to the Company’s Data Processors

5.3.1 In the course of the Company’s business operations, the Company may assign persons other than the Company’s personnel to carry out certain tasks in accordance with the Company’s instructions and defined scope of work. In performing such tasks, if such persons are required to process the personal data of the data subject collected by the Company for the purpose of carrying out the assigned duties in accordance with the Company’s instructions and for the purposes determined by the Company, such persons shall be regarded as the Company’s data processors.

5.3.2 In assigning the Company’s data processors to process personal data, the Company shall require such data processors to comply with instructions and operating conditions relating to personal data protection in accordance with sound personal data protection policies and standards, and in compliance with the requirements of the Personal Data Protection Act B.E. 2562 (2019) and relevant regulations. The Company shall enter into

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a Data Processing Agreement with the data processors, containing clear provisions requiring the data processors to use their best efforts to protect personal data.

6. Retention Period of Personal Data

The Company shall retain your personal data for the period necessary to achieve the purposes specified for such personal data processing. The retention period for personal data will vary depending on the purposes specified for such processing. In addition, the Company shall retain personal data for the period required by applicable laws (if any), taking into consideration the statutory prescription periods for legal proceedings that may arise from or relate to the documents or personal data collected by the Company in each case, with due regard to the Company’s practices as a primary consideration. Upon expiry of the aforementioned retention period, the Company shall delete or destroy such personal data from the Company’s storage or systems, and from the systems of other persons providing services to the Company (if any), or anonymize your personal data so that you can no longer be identified, unless the Company is permitted to continue retaining such personal data in accordance with personal data protection laws or other applicable laws.

7. Security Measures

For the purpose of maintaining the confidentiality and security of personal data, the Company has implemented the following measures:

- 7.1 Strictly defining access rights, use, disclosure, and processing of personal data, including identification or authentication of persons accessing or using personal data, in accordance with the Company’s information policy.
- 7.2 In the transmission or transfer of personal data for storage in databases within other systems, service providers must have agreements or personal data protection measures equivalent to or better than those under this Notice.
- 7.3 In the event of a breach of the Company’s security measures resulting in a personal data breach or public disclosure of personal data, the Company shall notify the data subject as soon as possible. The Company shall assess risks and establish measures to mitigate risks and reduce the impact arising from the processing of personal data. However, the Company shall not be liable for any damage arising from the use or disclosure of personal data to third parties, including negligence or failure to log out from the Company’s

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databases, communication systems, or social media systems, whether by the data subject or other persons authorized by the data subject.

7.4 The Company conducts reviews and assessments of the effectiveness of its personal data protection systems through the internal audit function.

8. Rights of the Data Subject

The data subject has the following rights:

8.1 Right to Withdraw Consent

Where the Company has requested and obtained consent from the data subject for the collection, use, or disclosure of personal data for the purposes consented to by the data subject, the data subject has the right to withdraw such consent at any time by submitting a written request to the Company.

8.2 Right of Access and to Obtain a Copy of Personal Data

The data subject has the right to access and obtain a copy of the personal data retained by the Company, subject to the requirements of personal data protection laws.

8.3 Right to Request Disclosure of the Source of Personal Data Obtained from Other Sources

Where the Company has obtained the data subject’s personal data from a source other than directly from the data subject, and the Company intends to use such data, the Company shall notify the data subject within 30 days from the date of receipt of such personal data (unless exempted by law from such notification). In such case, the data subject may inquire and request the Company to disclose the source of such personal data.

8.4 Right to Receive Personal Data and Request the Company to Transfer or Transmit Personal Data to Another Data Controller

Where the Company has arranged the data subject’s personal data in a format that can be read or used by automated devices and can be transmitted by automated means.

The transfer or transmission of personal data under this provision refers to cases where the data subject’s data is stored in electronic form, and such transmission can be carried out only through electronic devices capable of reading data in electronic form. This does not include cases where the Company is requested to deliver or dispatch the data subject’s personal data in other formats.

8.5 Right to Object to the Collection and Use of Personal Data

The data subject has the right to object to the collection and use of personal data in the following cases by notifying the Company in writing:

8.5.1 Where the collection of personal data is exempt from consent requirements because it is necessary for the legitimate interests of the Company or another person or juristic person that is not the data controller, unless such interests are overridden by the fundamental rights relating to the personal data of the data subject.

8.5.2 Where the collection, use, or disclosure of personal data is for the purpose of direct marketing.

8.6 Right to Request Deletion or Destruction

The data subject may request the Company to destroy the data subject’s personal data and/or anonymize the personal data provided by the data subject so that the data subject can no longer be identified, in the following cases:

8.6.1 Where the personal data is no longer necessary for retention in accordance with the purposes.

8.6.2 Where the data subject withdraws consent for the collection, use, or disclosure of such personal data, and the Company has no lawful authority to continue collecting, using, or disclosing such personal data.

8.6.3 Where the data subject exercises the right to object to the collection, use, or disclosure of personal data, and the Company has no grounds to reject the request; or

8.6.4 Where the personal data has been collected, used, or disclosed unlawfully.

8.7 Right to Request Restriction of Use of Personal Data

The data subject may request the Company to immediately restrict the use of personal data by notifying the Company in writing in the following cases:

8.7.1 Where the data controller is in the process of verifying the accuracy, completeness, or updating such personal data so that it is current, as requested by the data subject.

8.7.2 Where the personal data may be deleted or destroyed, but the data subject requests restriction of use instead of deletion or destruction.

8.7.3 Where the personal data is no longer necessary for retention in accordance with the purposes of collection, but the data subject requires retention for the establishment, compliance with, exercise of, or defense of legal claims.

8.7.4 Where the Company is considering the exercise of the right to object to the collection, use, or disclosure of the data subject’s personal data.

8.8 Right to Request Rectification of Personal Data

Where there is any change to the personal data provided by the data subject to the Company, or personal data collected by the Company, the data subject may notify the Company to amend or update such personal data.

8.9 Right to Lodge a Complaint

Where the data subject finds that the Company and/or the Company’s employees have taken any action in violation of or not in compliance with the Personal Data Protection Act B.E. 2562 (2019), the data subject may notify the Company and/or relevant government authorities of such improper action through the channels provided for exercising data subject rights.

Upon receiving a request from the data subject to exercise rights, the Company shall consider such request and take appropriate action within no more than 30 days from the date of receipt of the request. However, the Company reserves the right to consider requests for the exercise of data subject rights and to proceed in accordance with personal data protection laws.

9 Use of Cookies for Data Collection

9.1 Cookies is a type of file consisting of text. Cookies are created when a user accesses a website, where the server creates such cookies. Cookies are stored in your browser when you visit that website, and the content of the cookies can be retrieved or read only by the server that created them. Such content will be sent back to the originating website upon each visit. Information contained in cookies generally includes identifying information, the website name, as well as certain numbers and letters. Cookies store details relating to website browsing behavior and items frequently selected by the data subject and the data subject’s browser. The data subject may review additional details regarding the **cookie policy** relating to the collection and use of your data.

9.2 Other Websites

This website may contain links to other websites. If the data subject clicks on a link to another website, this may permit third parties to collect and disclose the data subject’s information. The Company does not control such other websites and assumes no responsibility for the

privacy statements of those websites. When you leave the Company’s website, the data subject is advised to read the privacy notice of every website visited.

10 Policy Review

The Company may amend this Notice from time to time in order to align with any changes relating to the processing of your personal data and as required by personal data protection laws or other applicable laws. The Company will notify you of any material amendments to this Notice, together with the updated Notice, through appropriate channels.

11 Channels for Exercising Data Subject Rights

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Tel: 0-2379-3089-92 ต่อ 221

Fax: 0-2379-3099

Email: contact@qtc-energy.com

Where the data subject wishes to contact the relevant government authority in relation to personal data protection, contact may be made with the Office of the Personal Data Protection Committee.

Tel: 02 141 6985 ext. 99

Address: 7th Floor, Ratthaprasasanabhakti Building, Government Complex Commemorating His Majesty the King’s 80th Birthday Anniversary, 5 December 2007, Chaeng Watthana Road, Thung Song Hong Sub-district, Lak Si District, Bangkok 10210

This hereby repeals Announcement No. QTC65025 dated 12 May 2022, and this Notice shall apply in its place.

Announced on 15 November 2023

(Mr. Ruangchai Kritsanakriangkrai)

Managing Director

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QUALITY OF DETAILS >>
D - DYNAMICS E - ENVIRONMENT
T - TEAMWORK A - ACHIEVEMENT
I - INNOVATION L - LEADERSHIP S - SERVICE



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เป็นสิ่งที่ยอมรับไม่ได้”

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