
Personal Data Protection Policy

v2020-1

—9 November 2020 —

Introduction

To ensure that the personal data of the employees or staff and the stakeholders of Namyong Terminal Public Company Limited, and its subsidiary (“**the Company**”) are fully protected pursuant to the law on personal data protection, the Company’s Board of Directors has approved the personal data protection policy and authorized the data controller as appointed by Company’s Board of Directors to prepare the policies, announcements, measures, or guidelines for the compliance with the law.

Definitions

“**Company**” means Namyong Terminal Public Company Limited and the subsidiary

“**Office**” means the Office of the Personal Data Protection Commission or other agency prescribed by the law.

“**Personal Data**” means any information relating to a natural person, which enables the identification of such person, whether directly or indirectly, including, but not limited to full name, address, telephone number, genetic data, biometric data (sensitive data), as well as other data prescribed by law or the Office.

“**Data Subject**” means a natural person whom the Personal Data is enabled to identify, whether directly or indirectly.

“**Data Controller**” means a person or a juristic person having the authority on the collection, use, or disclosure of the Personal Data.

“**Data Processor**” means a person or juristic person who operates in relation to the collection, use, or disclosure of the Personal Data pursuant to the orders given by or on behalf of the Data Controller.

“**Data Protection Officer**” means the employee of the Data Controller or the Data Processor or the service provider who is engaged by the Data Controller or the Data Processor under an agreement having the duties specified in Section 42 of the Personal Data Protection Act B.E. 2562 (2019) or other relevant notifications of the Office.

Scope of Application

This policy applies to the employees or staff and the stakeholders of the Company, as well as any person related to the Personal Data processing pursuant to the order or on behalf of the Company.

Policy and Guideline for Collection, Use or Disclosure of the Data

Collection of Personal Data

The Company has the policy to collect the Personal Data from the Data Subject only and will not collect the Personal Data without consent from the Data Subject.

Rights to Collect, Use or Disclose Personal Data without Consent

The Company has the right to collect, use or disclose the Personal Data of the Data Subject without consent in following cases:

1. The collection, use, or disclosure of the Personal Data is for the purpose of scientific, historic and statistic research.
2. It is for the preventing or suppressing a danger to life, body, or health of a person or public health.
3. It is necessary for the performance under the contract to which the Data Subject is a contracting party, as well as to comply with the law and exercise the rights under the law.
4. It is necessary for the performance of the duties carried out for the public interest by the Data Controller, or for the exercising of official authority vested in the Data Controller.
5. It is necessary for legitimate interest of the Data Controller, except where such interests are overridden by the fundamental rights of the Data Subject.
6. It is necessary for compliance with the law to which the Data Controller is subjected.

Security Measures in relation to Personal Data

The Company has arranged an appropriate security and safety measure in order to prevent unauthorized or unlawful loss, access, use, alteration or the disclosure of the Personal Data.

Confidentiality of Personal Data

The Company and the Data Controller has in place a measure and guideline on confidentiality of the Personal Data acknowledged or acquired from the duties under the Personal Data Protection Act B.E. 2562 (2019).

Audit System for Deletion or Destruction of the Personal Data

The Company and the Data Controller have arranged an audit system to delete or destroy the Personal Data when the retention period is due, when there is no necessity to keep or when the Data Subject requests for or withdraws the consent. In this regard, the Data Subject may request for the deletion or destruction of the Personal Data to the Data Controller at csnyt@namyongterminal.com.

Violation of Personal Data

Upon acknowledgement or realization that there is a violation in relation to Personal Data which affects the right and freedom of the Data Subject, the Company and the Data Controller will notify to the Data Subject and proceed with the relevant laws to prevent such violation.

Rights of Data Subject to Request for Deletion of Personal Data

1. In the case where the Personal Data is obtained unlawfully or without consent of the Data Subject, the Data Subject has the right to request for the deletion of such data.
2. In the case where the Data Subject is aware that the Personal Data collected by the Company is not up-to-date or incomplete, the Data Subject has the right to object to the collection, use or disclosure of such data or request the Data Controller and the Company to update or complete the data in order to prevent any misunderstanding.

Rights of Data Subject to Object or Withdraw Consent for Collection, Use or Disclosure of Personal Data

The Data Subject has the right to object or withdraw the consent for collection, use or disclosure of the Personal Data in the following cases:

1. when there is no necessity to collect, use or disclose the Personal Data or the purpose of such collection, use, or disclosure has changed;
2. when the Data Subject has withdrawn the consent; and
3. when the collection, use or disclosure of the Personal Data is carried out without consent or unlawfully.

Policy and Guideline on Collection, Use or Disclosure of Data of Employees or Staff

In addition to the below, this policy shall apply to the employee or staff of the Company.

1. The Personal Data of the employees that the Human Resource Department or other departments are required to collect, use or disclose in accordance with their duties, including name, address, telephone number, working position, gender, age, and other information necessary for contacting with government agencies or private agencies.
2. In the case that the data is the Personal Data under Section 26 of the Personal Data Protection Act B.E. 2562 (2019) or other notification of the Office (“**Sensitive Data**”) of the employees or staff of which the Human Resource Department or other departments are aware or acquire from other sources, if it is necessary to collect, use, or disclose in accordance with the duties, the employees or staff shall be notified for consent.
3. The Company will collect, use or disclose the Personal Data of the employees or staff for the performance of duty of Human Resource Department or other departments during the employment of the personnel and employees and within 2 years after the employment is terminated or expired.
4. The employees acknowledge and give consent to the performance of the duties of the Human Resource Department or other departments for which the Personal Data of the employee or staff in using the Personal Data, such as to the duties to comply with laws on labor protection, the laws on social security, the laws on labor relation, the laws on insurance law, taxation law and other related laws.

Punishment

Any non-compliance with this Personal Data Protection Policy may be regarded as a wrongdoing and subject to disciplinary punishment or legal sanction under the laws.

Conclusion

Implementation of Personal Data Protection Policy

This policy and guideline on personal data protection is effective from 9 November 2020 onwards until the Company’s Board of Directors approves a new policy and guideline on personal data protection.