



## Notification of Energy Complex Company Limited

PS/0016/65

### Privacy Notice – Shareholder & Directors

Energy Complex Co., Ltd. (“Company”) is aware of the significance and duties under the Personal Data Protection Act 2019 (B.E. 2562). The company prioritizes the privacy of shareholders, directors, and their representatives. It is determined to protect data to ensure that personal data are protected under the personal data protection law and other relevant laws. Therefore, the company announces this privacy notice to inform the details concerning data collection, use, and disclosure (collectively called “**processing**”) and the legitimate rights of the data subject as the following details.

#### No 1. Types of persons to collect personal data

This privacy notice covers the personal data of shareholders, directors, their representatives, and any persons concerned with company personnel, such as the family member of the shareholder and director and the emergency contact person.

“**Shareholder**” refers to a shareholder of Energy Complex Co., Ltd.

“**Director**” refers to a director of Energy Complex Co., Ltd.

#### No. 2 Personal data refers to:

**2.1 “Personal data”** refers to data concerning an individual that can identify the person directly or indirectly but not including data of a deceased person, such as name, surname, nickname, date of birth, address, phone number, ID card number, disabled person ID card number, passport number, social security number, driving license number, tax number, bank account, credit card number, e-mail, car registration number, motorbike registration number, land title deed, IP Address, Cookie ID, and Log File.

However, the following data is not considered personal data: business contact information that does not identify the person, such as the company name, company address, legal entity number, work phone number, work e-mail, workgroup e-mail such as info@company.co.th, anonymous data or pseudonymous data that become anonymous by the technical technique, and data of a deceased person.

**2.2 “Sensitive data”** refers to personal data concerning race, ethics, political opinions, beliefs, religions or philosophies, sexual orientation, criminal records, health information, disability, labor union information, genetic information, biometric information, or other data that have a similar effect on the data subject as determined by the Personal Data Protection Committee, which the company must operate the data carefully. The company shall collect, use, and/or disclose sensitive data when receiving your consent or if necessary for the proceeding the law allows.

Hereinafter in this privacy notice, if there is no specification of “personal data” and “sensitive data” concerning the service user, they are collectively referred to as “**personal data**”.

If the company receives a copy of your ID card or identification document or exports data from your ID card or identification document via an electronic method for authentication purposes for legal relations and/or any transactions with the company, the receiving data may contain sensitive data. The company has no plans to store the mentioned data; therefore, please remove or conceal the data. If you fail, the company reserves the right to take necessary actions to protect your sensitive information.

### No. 3 Collecting personal data

The company stores your personal data as necessary based on the objective of the data use and the company shall inform you afterward. Collected personal data by the company are categorized.

| Type of Personal Data | Collecting Details  |
|-----------------------|---|
| Personal data (basic) | For example, title, name, surname, nickname, gender, photo, weight, height, date of birth, age, nationality, ID number, passport number, social security number, driving license number, tax number, bank account number, loan account number, car registration number, current address, permanent address, e-mail, phone number, marriage status, military status, education, and work background. |
| Sensitive data        | For example, race, religion, health record, criminal record, and face recognition that has your consent or is allowed by the law.   |
| Other data            | For example, resume/curriculum vitae (CV), learning record, skills and competencies, licenses, testing or interview data, communication record on social media, financial data, opinions, locations, machine ID, voice record, CCTV record, picture or video from participating company’s activities, and other data that are considered personal data as prescribed by law.                        |
| Third party data      | For example, spouse, family members, reference or emergency contact, beneficiary by collecting personal data, such as name, surname, relationship, phone number, and other data are collected.  |

## **No. 4 Sources of personal data**

### **4.1 From the data subject directly**

From the recruitment process, investment, filling out documents, job application, change in shareholder, account, capital increase or decrease, questionnaire, interview, and the amendment of your data from the employment or procedures while you are the shareholder, director, or their representative.

### **4.2 From other sources**

The company may collect your data from other sources, such as the Department of Business Development, the Ministry of Commerce, the website of the reference person, the reference person for personal data checks, or other relevant government authorities.

### **4.3 Personal data of the third party**

The company may receive personal data of the third party who relates with you via you, such as spouse, child, father, mother, family members, emergency contact, beneficiary, and reference person. The company shall use the data to manage your welfare and benefits, make contact in emergency cases, or refer to for your interest. Please notify this privacy notice them to acknowledge and ask for their consent, if necessary, unless there are other legal regulations to disclose the third party's data without their consent.

## **No. 5 Objectives of personal data collection, use, and disclosure**

The company collects, uses, or discloses your personal data with the objectives under the following data processing principles.

**5.1 Contractual Basis** To comply with the contract that you are the signatory, such as a joint venture contract, partnership contract, capital increase or decrease contract, contract for director appointment, or other contracts, or to execute your request/application before signing a contract as the case may be.

**5.2 Legal Obligation** To perform the obligation determined by laws, such as the civil and commercial code, partnership law, commercial registration law, public limited companies law, state enterprise law, the law of taxation, anti-money laundering law, computer law, and personal data protection law.

**5.3 Legitimate Interest** For the legitimate interest under the expected and reasonable scope that does not violate your basic rights and liberty.

**5.4 Consent** The company shall ask for your consent if required by law, or the company has no reason to implement the above processing basis with your personal data.

## Objectives for shareholders and directors

The company collects, uses, or discloses your personal data under the following objectives.

| Operational Objective   | Details  | Fundamental of Data Processing  |
|---|--|---|
| <p>1. To process the company's procedures and steps between you and the company</p> | <p>1) To participate in the shareholder and board of director meeting.</p> <p>2) To exercise your right as the shareholder to vote and to appoint the proxy.</p> <p>3) To register on the shareholder account book and maintain and update the data.</p> <p>4) To pay the dividend.</p> <p>5) To communicate with you regarding the information concerned the shareholder and board of director, letter to the shareholder and board of director, meeting invitation letter, notice, information about the dividend, minutes of meeting, Annual General Meeting, Extraordinary Annual General Meeting, and survey on the satisfaction toward the management of CEO and department management.</p> <p>6) To provide your personal data to the authorized person, stock registrar, and securities registrar for the interest of your shareholding on behalf of the company.</p> <p>7) Management of shareholder and board of director register, proxy, and other affairs for the shareholder, which are the legal obligation.</p> <p>8) Management of the company, such as the establishment, capital increase or decrease, business restructuring, and register change.</p> <p>9) To be compliant with the legal regulations.</p> | <ul style="list-style-type: none"> <li>● Contractual Basis</li> <li>● Legal Obligation</li> </ul> |
| <p>2. To organize the shareholder meeting</p>                                       | <p>1) To collect the health and food allergy data of the shareholder who is interested in joining the meeting and the director who joins the meeting or activities of the company.</p> <p>2) To check and collect a proof of identity, which may include a document containing sensitive data.</p>   | <ul style="list-style-type: none"> <li>● Consent</li> </ul>                                       |

| Operational Objective   | Details   | Fundamental of Data Processing  |
|---|---|---|
| <p>3. To follow the relevant laws</p>   | <ol style="list-style-type: none"> <li>1) To monitor the internal affairs and manage the company business efficiently.</li> <li>2) To comply with the company regulations and audit (internal and external).</li> <li>3) To organize activities for the shareholder and director to participate and recognize the company business briefly, such as a company tour.</li> <li>4) To apply for the website or application's membership arranged by the company for the shareholder and director under the determined conditions.</li> <li>5) To record the picture, voice, and/or participate in the shareholder or director meeting, and manage the meeting, such as register the attendance and record the resolutions.</li> <li>6) To record the minute and issue the report for relevant people, such as a legal advisor, shareholders and directors, and publish on the company website and other channels.</li> <li>7) To use as the database and execute any processes regarding the benefits of the shareholder or director, such as the right to reserve to buy the company share that firstly were proposed to the public.</li> <li>8) To use as the company's stakeholder database and/or use the data to handle the relationship or coordination.</li> <li>9) To establish the legal claims, be compliant with or exercise the legal right to claim, or for contestation over the right of claims, proceedings, and any legal actions.</li> </ol> | <ul style="list-style-type: none"> <li>• Legitimate Interest</li> </ul> |
| <p>4. To maintain safety and security in the company's buildings and premises and the assigned buildings and areas for management</p> | <ol style="list-style-type: none"> <li>1) To maintain safety and security in the company's buildings and premises, and assess the safety risk, the pass before entering the office/branch office, car sticker request, the record of company access, and recording of the company premise area with CCTV.</li> </ol>  | <ul style="list-style-type: none"> <li>• Legitimate Interest</li> </ul> |

| Operational Objective | Details   | Fundamental of Data Processing |
|-----------------------|---|--------------------------------|
|                       | 2) To communicate in any emergency or necessary cases.<br>3) To use as a reference of treatment in case of illness or injury of yourself or other persons |                                |

## No. 6 Disclosure of personal data

6.1 Your personal data may be disclosed or sent to departments in the company that have the roles only under the objective. To execute the processes, management, and internal communication, these persons or the teams may be allowed to access your personal data as necessary and if related only. The right to access is determined by the roles and responsibilities of the support departments and teams, such as digital, accounting, and finance.

6.2 The company may disclose your personal data (as necessary) to outside personnel or organizations according to the objectives prescribed in this policy. The outside personnel or organizations may be located in Thailand or abroad.

1) Subsidiaries, joint ventures, and companies in the PTT Group

The company may share your personal data with companies in the PTT Group and joint venture for risk management, data exchange, and internal audit.

2) Outsiders who are service providers related to the company's operation

The company may disclose your personal data to such persons, whether they are the data controller or processor, such as the bank that provides the information technology service, Cloud and data storage service providers, application providers, hospitals, survey and analysis service providers, and translation service providers.

3) Relevant government authorities

The company may disclose your personal data to the state officers and government authorities who have the legal authority to protect the rights of the company, others, or your interest and to respond to the request of the government authorities, such as the State Audit Office of the Kingdom of Thailand, Office of the National Anti-Corruption Commission, Department of Disease Control, Royal Thai Police, Court of Justice, Revenue Department, Department of Business Development, Ministry of Commerce, Department of Mineral Fuels, Department of Consular Affairs, embassy, Legal Execution Department, Department of Public Works and Town & Country Planning, Department of Labor Protection and Welfare, Student Loan Fund, Social Security Office, Department of Skill Development, and Department of Labor Employment. The company shall send your personal data only if they comply with the law and the company sees fit.

4) Outside people or organizations

The company may disclose your personal data to outside people or organizations, such as a professional advisor (legal advisor, outside auditor) and outside organizations that the company would like to publicize or process activities according to the objective stated above.

## **No. 7 Sending or transmitting personal data abroad**

7.1 The company may transmit your personal data of shareholders, directors, and their representatives abroad when necessary on a contractual basis. This can occur if the shareholder, director, or representative is a signatory between the company and an individual or legal entity in the interest of the shareholder, director, or representative. The company may also transfer the personal data to process requests before employment or to prevent or suspend harm to the shareholder, director, or representative's life, body, or health. This is done to comply with the law or execute the mission for the public interest.

7.2 The company may collect the shareholder, director, and their representative's data on the computer, server, or Cloud served by another person and use the other's program or platform in the form of software and platform package service and to process the shareholder, director, and the representative's data. The company shall not allow an unconcerned person to access personal data and determine them to have the appropriate preventive measures to protect personal data.

7.3 If it becomes necessary to send or transfer the personal data of a shareholder, director, or their representative abroad, the company is required to adhere to personal data protection laws and take appropriate measures to ensure the protection of the personal data of the shareholder, director, and their representative. Additionally, the company must ensure that these individuals can exercise their legal rights pertaining to their personal data. The data receiver must also be requested to implement appropriate preventive measures, process the data only as necessary, and prevent disclosure or unauthorized use of personal data.

## **No. 8 Retention and retention period**

The company shall retain your personal data as necessary and as long as you are the shareholder or director or throughout the necessary period to achieve the related objectives of this privacy notice. The company may retain the data after this period if it is allowed or prescribed by law.

The company shall delete, destroy, or anonymize your data when there is no need for retention or the retention period ends.

## **No. 9 Personal data protection by company**

The company shall store your personal data based on the technical and organizational measures to maintain data processing safety appropriately and prevent violations. The company sets the policy, regulations, and criteria for personal data protection and preventive measures to prevent the data receiver from using or disclosing the data for other purposes without authority or wrongfully. Further, the company revises the policy, regulations, and criteria as necessary and appropriate. The executives, employees, contractors, suppliers, advisors, and data receivers must maintain confidentiality according to the measures determined by the company.

## **No. 10 Rights of the Data Subject**

You have the right to execute the following processes.

### **(1) Right to withdraw consent**

If you have given consent to the company to collect, use, and/or disclose your data (either before or after the effectiveness of personal data protection law). In that case, you have the right to withdraw your consent at any time while the company possesses your data unless there is a legal limitation or beneficial contract for you.

Your consent withdrawal may affect the work consideration and your deserved rights and interests from the company. You may not receive any useful information. Therefore, you must study and query the impact before withdrawing your consent.

### **(2) Right to access**

You have the right to access your personal data and request the company to make a copy of such data for you. You also have the right to request the company to disclose the acquisition of the data possessed by the company. The company may reject your request if the access or receiving of a copy affects the rights and liberty of others or if the company must comply with the law or order of the court that does not allow data disclosure.

### **(3) Right to data portability**

You have the right to receive your personal data if the company arranges them in a readable or useable format using an automatic method or equipment and uses or discloses the data with the automatic methods. Moreover, you have the right to request the company to send or transfer the data in that format to another data controller if it can be processed with the automatic method and the right to receive such data that the company sent or transferred to the data controller directly unless it cannot be processed due to a technical problem.

Anyhow, your personal data must be the data you have given consent to the company to collect, use, and/or disclose, or the data that are necessary for the company to collect, use, and/or disclose to facilitate you to use the company's products and/or services as per your objective, that you are the signatory with the company or other personal data prescribed by the authorized person.



#### **(4) Right to object data processing**

You have the right to object to the collection, use, and/or disclosure of your data at any time if the collection, use, and/or disclosure of your data aims for the necessary processes under the legal interest of the company, individual, or legal entity under your expected and reasonable scope, or for processing the mission for the public interest. The company will continue collecting, using, and/or disclosing your data as long as it can give a more vital legal reason than your basic right, or it is for confirming the legitimate rights, compliance with laws, or litigation, as the case may be.

Additionally, you have the right to object to the collection, use, and/or disclosure of your personal for marketing and scientific, historical, or statistical research purposes.

#### **(5) Right to erasure**

You have the right to request for the deletion or destruction of your personal data or anonymize them if you believe your data are collected, used, and/or disclosed wrongfully or if the company does not need them for the relevant purposes prescribed in this privacy notice, or you use the right to withdraw your consent or object as stated above unless the company must be compliant with the law or exercise the legal right to retain such data.

#### **(6) Right to restriction**

You have the right to request the temporary suspension of data used in case the company is investigating the request to amend the data, your objection, or other cases that the company has no necessity and must delete or destroy your data, but you request the suspension instead.

#### **(7) Right to rectification**

You have the right to request the company to amend and update your data accurately and completely to avoid misleading.

#### **(8) Right to lodge a complaint**

You have the right to complain to the person in authority if you believe that the data collection, use, and/or disclosure violates or is not compliant with the relevant law.

You can request to use the legal right by filling out the Data Subject Request Form on [www.energycomplex.co.th](http://www.energycomplex.co.th) or email [pdpa@energycomplex.co.th](mailto:pdpa@energycomplex.co.th) to request the form.

The exercise of your rights above may be limited under the relevant laws. In some cases, the company may reject or cannot process your request due to necessary reasons, such as to comply with the law or the court order for the public interest, or the right may violate the rights and liberty of others. If the company rejects the request, the company shall inform the reason.

### **No. 13 Personal data security measures**

The company prioritizes the significance of data security, such as encryption and data access limitation, to ensure that the company personnel and outside service providers operating on the company's behalf follow the personal data protection standard, which includes the duty to prevent data leaking. In addition, the company shall implement the appropriate security measures for data processing.

The company reviews and revises the personal data security steps and measures constantly to maintain the appropriate data security level to the risk and to continue the confidentiality, completion, availability, and liquidity of the data processing process, as well as to prevent the loss and unauthorized data access, use, modification, amendment, or disclosure. The company shall implement security measures to process all electronic or document data.

#### **No. 14 Connecting with the outsider's website**

Using the company's applications or website, it may connect with social media, platforms, and other websites operated by outsiders. The company is trying to connect with the website that the standards of personal data protection are in place only. However, the company cannot be responsible for content or personal data protection standards on that website unless stated otherwise. Such persons collect any data given to the outsider's website and are under the personal data protection notice/policy of such persons (if any). Please study and follow the personal data protection notice/policy that appeared on that website separately.

#### **No. 15 Update of privacy notice of shareholder and director**

The company shall review and announce the privacy notice of shareholders and directors every three years unless there is a change in law or proceeding with significance. The company shall announce the essence of the update before the effective date and publish the updated version via the appropriate channel. The company may ask for your consent if required by law. The company recommends checking the update of this privacy notice periodically.

#### **No. 16 Contact channels**

If you believe that processing your personal data is not compliant with the Personal Data Protection Act 2019 (B.E. 2562), you have the right to complain to the personal data protection officer.

#### **Energy Complex Company Limited**

Location: Energy Complex Company Limited 555/1 Vibhavadi Rangsit Road, Chatuchak Sub-district, Chatuchak District, Bangkok 10900  
Tel: 0-2140-1234  
E-mail: [callcenter@energycomplex.co.th](mailto:callcenter@energycomplex.co.th)

#### **Data Protection Officer**

Location: Energy Complex Company Limited 555/1 Vibhavadi Rangsit Road, Chatuchak Sub-district, Chatuchak District, Bangkok 10900  
Tel: 0-2140-1148  
E-mail: [pdpa@energycomplex.co.th](mailto:pdpa@energycomplex.co.th)

**No. 17 Applicable laws**

The privacy notice is under enforcement and interpretation according to Thai laws, and the Thai court has authority for any potential dispute consideration.

Announced on 19 May 2022.

Sirasak Chandrema

President