



Notification of Energy Complex Company Limited

No. PS/0012/65

Privacy Policy

Energy Complex Co., Ltd. (“Company”) is fully aware of the significance of personal data protection. Therefore, the company issues a personal data privacy policy to explain the measures used with the personal data, such as data collection, storage, use, and disclosure, and the data subject’s rights. The company wishes to declare its policy and requests that the data subject acknowledge it as follows.

No. 1 Definition

“Personal data” refers to an individual’s data that can directly or indirectly identify the person, but not including the data of a deceased person.

The term “Sensitive data” refers to the individual's sensitive legitimate data that might be a discrimination risk, such as race, ethics, political opinions, beliefs, religions or philosophies, sexual orientation, criminal records, health information, disability, labor union information, genetic information, biometric data, or other information that has a similar impact on the individual as determined by the Personal Data Protection Committee.

“Personal Data Protection Committee” refers to the appointed committee whose duties and authorities are to monitor and issue the criteria, measures, or regulations related to personal data protection according to the Personal Data Protection Act 2019 (B.E. 2562).

“Data subject” refers to a person who owns the personal data but not a person who owns the data or a person who creates or collects the data. The data subject is ordinary, not including a “juridical person” formed according to the law, such as a company, association, foundation, or organization.

A data subject is defined as follows.

1. The data subject who is a major refers to:

1.1 a person 20 years or over, or

1.2 a person who gets married at 17 years old or over, or

1.3 a person who gets married before 17 years old with court approval or

1.4 a minor whose legal representative consents to business or trade operation or signing a contract as the employee in a labor contract. The minor is deemed a major in the mentioned business operation or employment.

The data subject, who is a major, has the right to consent.

2. The data subject who is a minor refers to a person under 20 years and not a major, as mentioned in No. 1. The consent from a representative authorized to act on behalf of the data subject is required before a person gives any consent.

3. The quasi-incapable data subject refers to a person who is judged by the court as a quasi-incapable person due to physical or mental infirmity, habitual prodigality, chronic intoxication, or other similar causes that make him unable to manage affairs or managing affairs that cause detriment to their own or family property. The authorized guardian's consent is required before the person can consent.

4. The incompetent data subject refers to a person who is judged by the court as an incompetent person due to an unsound mind. The authorized curator's consent is required before this person can consent.

The consent from the data subject inconsistent with the personal data protection law is deemed a non-binding action to the data subject.

“Personal data controller” refers to an authorized individual or juridical person who decides on personal data collection, use, or disclosure.

“Personal data processor” refers to an individual or juridical person who processes the collection, use, or disclosure of personal data according to the order or on behalf of the personal data controller. The individual or juridical person is not the personal data controller.

No. 2 Sources of personal data

The company is allowed to collect personal data only in the following cases.

2.1 The company receives personal data from the data subject directly, and the company shall collect the data following the steps below.

(1) Steps of using the company services or requesting for use the rights, such as registration for service or receiving information, and job application.

(2) Data collection with consent of the data subject, such as filling out a survey or correspondence via email address or other communication channels between the company and data subject.

(3) Data collection using the company website via the browser's cookies of the data subject and the electronic transactions.

2.2 The company receives the data subject's data from a third person, and the company honestly believes that the third person has the right to collect the data subject's data and disclose it to the company.

No. 3 Personal data collection

The company collects personal data under the legal and fair objectives, scope, and measures as necessary for the operation under the company's objectives only. The company shall inform and get the data subject's consent via the electronic channel or the company method. The company shall ask for the data subject's consent before the collection unless the collection of personal data and sensitive data is under the exception prescribed in the Personal Data Protection Act 2019 (B.E. 2562) or other laws.

No. 4 Objectives of collecting or use of personal data

The company will gather and utilize personal data solely for the benefit of its operation, such as procurement, contract arrangement, financial transactions, company activities, and coordination, or for work efficiency enhancements, such as database setup, performance analysis, and development. The company will also utilize personal data for other purposes that are not prohibited by law and/or comply with laws or regulations related to the company's operation. The company will collect and use the data for only the necessary period based on the objective informed to the data subject or prescribed by law.

The company shall not take any actions apart from the objectives of data collection unless:

(1) The updated objective is informed to the data subject and receives the data subject's consent.

(2) It complies with the Personal Data Protection Act or other relevant laws.

No. 5 Disclosure of personal data

The company shall not disclose personal data without the data subject's consent and shall disclose personal data to informed objectives only. However, to benefit the company's operation and service, the company may need to disclose personal data to the subsidiaries or other persons in or outside the country, such as the service providers who must execute the related operation with the personal data. To disclose personal data to such a person, the company shall request the receiver to keep the data confidential and not use the data for other purposes except the scope defined by the company.

Moreover, the company may disclose the data subject's data under the criteria prescribed by law, such as disclosure to government authorities and agencies and regulatory agencies, including the case that is requested under the jurisdiction, such as a request from the accessor, prosecution, or from private authorities and outsiders who are related with legal proceedings.

No. 6 Transmit the personal data abroad

6.1 The company may send or transmit personal data to its subsidiaries or other persons abroad if it is necessary to comply with a contract in which the data subject is a partner or it is necessary to execute a contract between the company and an individual or legal entity for the data subject's benefit, or it is required to process a request made by the data subject before signing the contract or to prevent harm to life, body, or health of the data subject to compliance with the law, or necessary for public benefit.

6.2 The company may collect personal data from a computer, server, or Cloud served by other parties and use the program or application of other parties in a software package and platform form to process the personal data. However, the company shall not allow irrelevant parties to access personal data and shall request other parties to set appropriate preventive measures.

6.3 In case of personal data delivered abroad, the company shall comply with the personal data protection law and implement the appropriate measures to ensure the personal data is protected and the data subject can legally use the rights related to the personal data. Further, the company shall stipulate a data receiver to set the appropriate preventive measures and process the data as necessary to prevent other persons from using or disclosing personal data without lawful authority.

No. 7 Guidelines for personal data protection execution

The company shall set measures, including personal data security measures that comply with the laws, regulations, and practices of personal data protection for the employees and relevant persons, and support and promote the knowledge and awareness of collection, storing, using, and disclosing personal data to employees. Employees shall follow the privacy policy and practice described by the company so the company can comply with the policy and personal data protection law accurately and efficiently.

No. 8 Personal data retention period

The company shall retain the given personal data as long as necessary for data processing. After this period, a maximum of ten years from the last data processing day, the company shall destroy the personal data when there is no necessity.

No. 9 Rights of the Data Subject

The data subject has the following rights following execution.

9.1 Right of withdrawing consent in processing the given data. The withdrawal of consent has no impact on collecting, using, or disclosing personal data that already has consent.

9.2 Right of personal data access, request of a copy of data, and disclosing data acquisition without consent.

9.3 Right to rectification

9.4 Right to erasure

9.5 Right to restriction

9.6 Right to data portability

9.7 Right to object

The data subject may request using the right by requesting the company in writing or filling out the form by e-mail via “the company contact” shown at the bottom. The company shall consider and inform the result within 30 days after receiving the request. The company may reject the data subject’s right if prescribed by law.

No. 10 Connecting with the outsider's website

Some potential links may connect with other social networks, platforms, and websites operated by outsiders via the company's website and applications. The company is endeavoring to link with websites that have personal data protection standards in place. However, the company cannot take responsibility for other websites' content or personal data protection standards. Such person shall collect any personal data given to an outsider's website and is under the outsider's data protection policy/announcement (if any). In this case, the data subject must study and follow such websites' personal data protection policy/announcement separately.

No. 11 Review and amendment of privacy policy

The company may revise or amend this policy occasionally to be consistent with the laws and regulations, the change of the company's operation, and the recommendations and opinions of authorities. The company shall announce the change in advance before it is effective.

No. 12 Company Contact

Energy Complex Company Limited

Location: Energy Complex Company Limited 5 5 5 / 1 Vibhavadi Rangsit Road,
Chatuchak Sub-district, Chatuchak District, Bangkok 10900
Tel: 0-2140-1234
E-mail: callcenter@energycomplex.co.th

Data Protection Officer

Location: Energy Complex Company Limited 5 5 5 / 1 Vibhavadi Rangsit Road,
Chatuchak Sub-district, Chatuchak District, Bangkok 10900
Tel: 0-2140-1148
E-mail: pdpa@energycomplex.co.th

No. 13 Applicable laws

This personal data protection policy 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