

Personal Data Protection Policy of Thailand Privilege Card Co., Ltd.

1. Scope and Objectives

Thailand Privilege Card Co., Ltd. (hereinafter referred to as “Company”) has realized the importance of protecting the Personal Data of members applying for membership with the Company (hereinafter referred to as “Member” or “Members”) under the Personal Data Protection Act B.E. 2562 (A.D. 2019). The Company has accordingly issued this personal data protection policy with the scope covering all Members, and with the objectives to set in place the methods of collecting, using, and disclosing the Members’ Personal Data, in respect of any of the Company’s services. Please review this policy to acknowledge and understand the objectives of the Company’s collection, use, and disclosure of the Members’ Personal Data herein.

2. Definition

Unless specifically defined otherwise herein, the defined terms shall have the following meanings.

“**Personal Data**” means the information about customers which can identify the Members, directly or indirectly, excluding the information about the deceased, juristic entity, or information processed to be no longer able to identify the Members owners of their personal data.

“**Sensitive Data**” means Personal Data concerning racial or ethnic origins, political opinions, religious or philosophical beliefs, sexual behaviors, criminal records, which affect the Personal Data owners pursuant to the Personal Data Protection Committee’s announcement(s), whereby collection, use and/or disclosure thereof by the Company can be made only upon necessity allowed by law. The Company may have to collect, use and/or disclose biometric data, e.g. face recognition data, fingerprint recognition data, iris recognition data, voice recognition data, for the purpose of proving and identifying the identity of customers applying for Thailand Elite Card’s membership and/or accommodating transactions via available channels.

“**Personal Data Processing**” means any undertaking by the Company to the Members’ Personal Data, including collecting, using, disclosing, and deleting Personal Data.

3. User of Members’ Personal Data

The Company is the “Controller of Personal Data” of all Members, hence having the duty and responsibility for the processing and maintaining security of the Members’ Personal Data. The Personal Data Processing shall be conducted to the extent necessary for the provision of services upon request, including sales promotion or marketing promotion, as the case may be, with the objectives, scope and methods as determined by law.

The Company may provide Personal Data of the Members to organizations or third parties, in capacity of the “Personal Data Processor”, for their processing thereof, for and on behalf of the Company.

4. Members’ Personal Data which the Company might Collect

Where the Company needs to receive banking and/or financial services in respect of its transacted businesses from banks and/or financial institutes, particularly the transacted businesses involving the Members, the Members need to provide their Personal Data to the Company (which will become part of the Company’s transacted businesses with the banks and/or financial institutes) so that the Company will be able to carry out its transacted businesses with those banks and/or financial institutes. Such Personal Data includes:

- Personal Data stated in the applications
- Identity documents in support of the applications
- Services usage data under the Company’s privileges

The Company also processes Personal Data collected from the Company’s information technology system, including close-circuit television (CCTV), entry-exit building data system, and computer traffic data under the computer-related crime law (cybercrime law).

The Company generally collects almost Personal Data of the Members directly from the Members via the application of Thailand Elite Card’s application processes. The Company may however collect additional information from other sources, e.g. third party service providers, and the Company’s business partners, which additional information shall be scrutinized and certified as suitable under the objectives of this policy.

The Company may process Personal Data of the Members drawn up in form of document and/or images and/or electronic format.

5. Rationale for Company’s Use of Members’ Personal Data

The Company shall use Personal Data of the Members for all undertakings in accordance with the Company’s objectives and services. The Company shall process Personal Data of the Members rationally (per the basis of Personal Data Processing), taking into account one or more reasons combined in arriving at the result, as follows:

5.1 Contractual Basis

Due to the Company’s obligations to perform under the contract, Personal Data Processing on contractual basis is to enable the Members to receive the services

from and/or transactions with the Company under the contract with the Company to which the Members are parties, or as per the Members' request, prior to or during receiving the services, e.g.

- (1) making use of the membership benefits / notifying the result of making reservation for services / information services / improving Personal Data / customers relations services / data processing for development of services and products / membership benefits offering / notice of yearly membership fees / service fees and renewal fees
- (2) other undertakings to achieve the objections of providing services under the contract, e.g. complaint handling
- (3) processing of such data by the Company and/or jointly with third parties, e.g. sales promotion offering

5.2 Legitimate Interests

Given the need for the Company to achieve its legitimate interests, the Company may process Personal Data of the Members in order to manage, review, and prepare the Company's internal reports, to ensure maintenance of the services standard, to manage the risks to which Company is exposed, and to conduct the Company's regular operation, e.g.

- (1) voice recording via the Member Contact Center or closed circuit television (CCTV)
- (2) customers relation management, e.g. complaint handling and customers satisfaction survey
- (3) organizational risks management, investigation, internal management, including referring these tasks to and for a conduct of the same by a parent company or subsidiary
- (4) control, prevention, mitigation or transfer of risks liable to occur out of fraud, cybercrime, breach of contract, illegal acts (e.g. prevention and suppression of money laundering, terrorism and proliferation of weapons of mass destruction financing, offenses against property, life, body, liberty, or reputation), including sharing of Personal Data to escalate the operational standard level of the group companies engaged in tourism or other related businesses to achieve such control, prevention, mitigation or transfer of risks
- (5) collection, use and/or disclosure of Personal Data of directors, or authorized representatives, or agents of juristic entity customers

- (6) communication, image / footage recording, voice recording conducted at meetings, seminars, recreations, or exhibition booths
- (7) collection, use and/or disclosure of Personal Data of a person subject to receivership order

5.3 Legal Obligation

Given the Company's obligation to comply with laws, the Company may process Personal Data of the customers or the Members pursuant to the laws enforceable by the offices regulating the Company's business operations, e.g. the Immigration Bureau, the Consular Department, the Ministry of Foreign Affairs, the Tourism Authority of Thailand, the Ministry of Tourisms and Sports, the Office of the Personal Data Protection Committee, the State Audit Office of the Kingdom of Thailand, including the laws enforceable by the offices regulating capital market transactions, e.g. Cybersecurity Act B.E. 2562 (A.D. 2019), Money Laundering Control Act 2542 (A.D. 2009), and other laws requiring the Company to submit information, be it in the country and abroad, including the rules and regulations issued pursuant thereto, e.g. Civil Procedure Code empowering the court to summon the parties to submit documents or information for the proceedings.

5.4 Consent

Given the requirement for the Company to receive consent from customers, the Company shall seek consent of customers to process Personal Data of the Members for the purposes of any marketing, sales promotion, benefits offering, products offering, or services, or statistics, study, analysis, evaluation of the information, or other purposes not prohibited by law. The Personal Data Processing shall be in accordance with the purposes informed only. In certain cases, the Company may consider processing Personal Data of the Members for other purposes related and not contrary to the original purposes, subject however to the Members' consent.

If the Members wishes to withdraw their consent for such processing, they can contact and inform the Company at the available channels under Clause 11. Withdrawal may nonetheless affect the Members' use of the services of and/or transactions with the Company, e.g. not receiving notices of benefits, promotions, or new offerings, not receiving better products or services that meet the Members' expectations, or not receiving news / information beneficial to the Members. Accordingly, for the benefits of the Members, the Members should study or inquire about the consequences prior to withdrawing consent.

6. Disclosure of Personal Data to Others

The Company may disclose Personal Data of the Members to others to the extent necessary for carrying out Personal Data Processing in accordance with the Company's duty or responsibility under the contract or law or as per the Members' consent. The Company may send or transfer Personal Data of the Members to certain others or under circumstances, as follows:

- 6.1 to distributing agents or service providers which are third parties, be it individuals and/or juristic entities, for them to provide services to the Company and the Members, e.g. a group of financial businesses, financial institutes, business partners, consultants, experts, and providers of services in certain fields, e.g. information technology and communications, insuring companies, liaisons tasked with boarder-crossings, sales promoters, other third parties, with whom or which the Company cooperates in respect of the Company's provision of services.
- 6.2 to government branches, or regulatory offices, e.g. the Office of Consumer Protection Board, the Fiscal Policy Office, the Anti-Money Laundering Office, the Revenue Department, the Office of the National Anti-Corruption Commission, the Legal Execution Department, the Royal Thai Police, the State Audit Office of the Kingdom of Thailand, or any other persons to whom or juristic entities to which the Company shall make a disclosure to the extent required by law or relevant rules and regulations, or by other specific circumstances, e.g. an order of the court.
- 6.3 to establish the right of claim under the contract or law or to defend any claim presented
- 6.4 to persons or juristic entities or departments or organizations abroad in accordance with the contract between the Company and such persons or juristic entities, or departments or organizations, all for the interests of the Members or in accordance with law, whereby the destination country in which Personal Data is to be received shall be ruled to have in place adequate personal data protection regime by the Personal Data Protection Committee, or such persons or juristic entities or departments or organizations shall be scrutinized and verified to have suitable personal data protection measures by the Personal Data Protection Committee.

7. Automated Personal Data Processing System

Subject to the Members' express consent, the Company may evaluate the Members' profiling or use the Members' Personal Data for collecting other information, e.g. collecting information for marketing purpose, via automated Personal Data Processing system. If any Member wishes to withdraw consent, such Member can do so by contacting the Company at the available channels under Clause 11.

8. Personal Data Subjects/Members' Rights

The Members are vested with Personal Data rights and may exercise any of such rights under the law and in accordance with this policy presently in place or to be revised in the future, as follows:

8.1 Right to be Informed

The Members have the right to be informed about Personal Data Processing, the collection methods, persons or juristic entities to be provided with Personal Data, reasons and period for which Personal Data is to be collected.

8.2 Right to Access

The Members may request for a copy of their Personal Data under the Company's custody and responsibility and inquire whether the Company has conducted Personal Data Processing according to law.

8.3 Right to Data Portability

The Company has arranged for Personal Data to be drawn up in a readable or usable form in general using an automatic device or equipment, and for Personal Data Processing to be carried out automatically. The Members may request for the Company to send or transfer Personal Data to other persons or juristic entities automatically or request to directly receive Personal Data which the Company sends or transfers to such other persons or juristic entities, unless it cannot be done so technically.

8.4 Right to Object

The Members may object to the Company's Personal Data Processing.

8.5 Right to Erasure and Right to Blocking / be Forgotten

The Members may request for the Company to erase or destroy or anonymize Personal Data.

8.6 Right to Rectification

Any Member may request for rectification, completion and update of Personal Data in case of incorrectness, incompleteness and obsolescence thereof.

In so doing, the Member is required to submit to the Company a written request therefor. The Company will use its best efforts to carry out the rectification, completion or update, or in case there be any circumstance that otherwise prompts

the Company's rejection, the Company may nonetheless advise the Member so with reason therefor, within 30 days therefrom or within the timeframe under the law. The Company shall comply with the provisions of law concerning the rights of the Member as the owner of Personal Data. In case of the Member's request for deletion or destruction of the Personal Data Processing, or temporary restriction or anonymization of Personal Data, or withdrawal of consent, it might affect the transactions with the Member or limit the provision of the Company's services to the Member, to certain extent.

Where the Member exercises any of those rights above and makes a request to the Company, the Company reserves the right to charge for relevant and necessary expenses incurred out of the Company's undertakings upon such request.

Where the Company rejects the request for rectification, completion, or update of Personal Data within 30 days or within the timeframe under the law, and the Member raises an objection thereto to the Company in writing, if such objection is again rejected by the reason to be advised by the Company in writing, disagreement to the Company's second rejection may prompt the Member to launch a complaint to the Office of the Personal Data Protection Committee.

8.7 Right to Restrict Processing

Any Member may request for the use of Personal Data to be restricted during the Company's tending to the Member's request for rectification, completion and update of Personal Data, or during the Company's processes of proving or investigating the objection of the Members under Clause 8.6 above.

9. Personal Data Collection Period

The Company shall collect Personal Data of the Members for a period necessary for the collection purposes under the law, as follows:

- 9.1 Personal Data of the Members shall be collected throughout the term of membership and no more than 10 years after the end thereof.
- 9.2 Where an application is rejected, the Company shall collect Personal Data of a customer whose or of which application is rejected for a period not exceeding 1 year from the rejection date.
- 9.3 After the lapse of the collection period, the Company shall delete or arrange for the Personal Data to undergo anonymization and become anonymized data.

10. Review of Personal Data Protection Policy

The Company's personal data protection policy may be subject to review, in which case the Members will be notified via the Company's website and other channels to be appropriately advised.

11. Company's Contact Details

If any Member wishes to exercise any rights, or withdraw consent given to and for the Company's Personal Data Processing, or otherwise has any questions concerning the Company's Personal Data Processing, please contact:

Member Contact Center: **Tel: 02 352-3000**

Address: Thailand Privilege Card Co., Ltd. No. 1,
No. 110/2 North Sathorn, Silom, BangRak, Bangkok 10500

Email: memberservice@thailandelite.com

If any Member views that the Company's Personal Data Processing is in compliance with the Personal Data Protection Act B.E. 2652 (A.D. 2019), such Member may launch a complaint to the Office of the Personal Data Protection Committee.

This policy is an advance notice with the effective date from 1 July 2022 onwards. If the scheduled effective date of the part pertaining to data protection under the Personal Data Protection Act B.E. 2652 (A.D. 2019) is further postponed until future, this policy shall be postponed *mutatis mutandis* until that same date.

Signature

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(.....)

Date...../...../.....