



## **Personal Data Privacy Notice**

Thai Shimizu Company Limited (the “**Company**”), acting as the data controller in accordance with the Personal Data Protection Act, B.E. 2562 (the “**PDPA**”) or any other relevant legislation, fully recognizes the paramount importance of safeguarding personal data. The Company is committed to upholding key protection principles, including necessity, proportionality, respect for the fundamental rights of Data Subjects, and adhering to international standards.

Therefore, the Company has developed a Personal Data Privacy Notice aimed at promoting awareness and understanding among Data Subjects regarding the purposes, principles, and measures involved in ensuring the security of personal data handled by the Company in its capacity as a construction service provider. This Personal Data Privacy Notice applies to the following persons (Hereinafter called “**You**”):

- (1) Any person who works with the Company under any contractual agreement or during the recruitment process;
- (2) Any person who accesses the venue for a construction site or the head office in Thailand, either for conducting the construction work or any other business related to the Company's purpose;
- (3) Customers or subcontractors who are ordinary persons and work with the Company, including any person acting on behalf of such customers.

The Company would like You to be informed and understand thoroughly the purpose, collection, processing, retaining, disclosure, and transfer of the personal data as contained herein below:

### **1. PURPOSE OF PERSONAL DATA COLLECTION AND PROCESSING**

#### **1.1 Purposes Relating to Entering into and Fulfilling Responsibilities Under Commercial Contracts**

In the context of negotiating and executing commercial contracts, the Company engages in the processing of Personal Data of You or their associates for the following objectives:

- (1) Facilitating communication and coordination with You throughout the negotiation process, concluding transaction arrangements, and preparing agreements to be executed between You and the Company.
- (2) Verifying the individual's identity and ensuring the accuracy of all Personal Data and other information provided by You for assessing their qualification, including being an authorized representative for the individual or juristic person, until the relevant agreement between the Company and You is finalized.

- (3) Fulfilling the Company's contractual rights and obligations under the agreement entered into with You or the one that You represent, including assessing your ability to meet the obligations outlined in the agreement.
- (4) Meeting the Company's legal obligations, particularly concerning accounting and tax payments.
- (5) Safeguarding the Company's legitimate rights by verifying compliance with contractual obligations by You and enforcing the Company's rights against You, who may fail to adhere to the terms of the agreement as defined therein.

## 1.2 Purposes Involving Recruitment Process

During the Company recruitment activities, the Company undertakes the collection, compilation, and processing of your Personal Data for the following objectives:

- (1) Verify your identity and the accuracy of the information provided to the Company.
- (2) Evaluation of your suitability for the position you applied for.
- (3) Facilitation of communication and coordination with You throughout the recruitment process.
- (4) Maintenance of your application details for potential future vacancies within the Company.

## 1.3 Purposes Involving the Maintenance of Safety of the Company's Personnel, Premises and Property

To ensure the safety of the Company's staff, facilities, and assets, the Company necessitates gathering information from individuals accessing its premises. This data typically encompasses their full names, surnames, and affiliating agencies and may also involve photographic records captured through closed-circuit television cameras (CCTV).

Also, your Personal Data includes the information on the connected device and the traffic log that you give the Company through the use of the Company's internet service.

## 2. SOURCE OF PERSONAL DATA

The Company may receive your or the Representative's Personal Data from the following sources:

- (1) Directly from your submission to the Company via various communication channels, any conversation, and the submission of those data for the agreement and transaction document preparation ;
- (2) Indirectly from public records and non-public records that the Company may have the legitimate rights to get access to, and ;
- (3) Indirectly from the reference made by any person, provided that the Company will inform You of the source of data;
- (4) Your facial image collected by the CCTV system at the construction site;

- (5) Visitor log record defined in the visitor registration form, including any other information that You may provide to the Company in any other forms;
- (6) Upon the receipt of your consent and for the highest security protection management of the site, your sensitive personal data, such as health information provided in a health check report and other types of random checks, fingerprint, or facial recognition;
- (7) Directly from You in the quotation, the conversation or interview;
- (8) Indirectly as shared by the recruitment agency or any person that You may give consent to them to disclose your personal data to the Company;
- (9) Indirectly from other people who may refer You to the Company or that the Company may ask to check and confirm your qualifications and suitability
- (10) From institutions that have public databases for searching, including, without limitation, government authorities and National Credit Bureau
- (11) Payment information, i.e., bank account information and disbursement history of You as the individual contractor;
- (12) Working experience and any other personal data that You may submit or disclose to the Company for the purpose of managing any agreement and performing any contractual rights and obligations between the Company and You as the contractor;
- (13) General information, i.e., full name, identification card information of You as the individual contractor or your representative (in case You are the corporate contractor), contact information such as address, contact address, telephone number, email;

### 3. THE PROCESSING OF PERSONAL DATA BY THE COMPANY

The achievement of the Company's business objectives involves the utilization of persons (personal data). Such Personal Data enables the direct or indirect identification of individuals, encompassing details such as names, surnames, photographs, facial images, civic identification cards, addresses, contact information, financial data, personal records, and payment details (e.g., bank account information and disbursement history), obtained directly from You and other sources.

The Company shall not collect or process Sensitive Personal Data from You without their consent except if it is necessary for the Company's business and allowed under PDPA.

### 4. DATA RETENTION PERIOD

The Company will process and retain Personal Data for the following durations:

- (1) The Personal Data of You will be retained for the duration necessary to facilitate communication and uphold obligations outlined **in any relevant contracts** between the Company and You;
- (2) In case the Company has a legal obligation to process any personal data, the Company would need to retain your personal data for the period of time **stipulated in such laws**;

- (3) Provided that the Company shall retain your Personal Data throughout the time that the Company still have a relationship with You as a **Company's customer**;
- (4) In case the contract is a **procurement contract**, the Company reserves the right to reassess your capabilities every three (3) years. If You are categorized on the watchlist, the Company will retain your Personal Data for another three (3) years for risk management operations. If it is not, such Personal Data shall be excluded from the Company's database.
- (5) Personal Data acquired through **the recruitment process** shall be retained if the Company requires it for recruitment and/or employment purposes. If the employment contract is terminated or the Company decides not to recruit You and the Company opines that there is no need to retain the Personal Data for your recruitment in the future, the Company shall retain Personal Data for another two (2) years.
- (6) The Company shall retain the Personal Data received in **the CCTV system** for thirty (30) days.
- (7) Personal Data **on internet usage** and logs shall be retained for ninety (90) days unless it must be kept as evidence of illegal activities under relevant law.
- (8) Personal Data collected from You **accessing the Company premises** shall be retained for three (3) years.
- (9) If there is a case or **dispute arises** related to Your Personal Data, to safeguard the Company's legitimate rights as per relevant agreements and laws, the personal data of You will be retained for up to ten (10) years from the date such case or disputes arise, aligning with general prescription periods.

## 5. PERSONAL DATA DISCLOSURE

The Company may, as necessary, disclose and/or share Personal Data with the following entities:

- (1) Third-party service providers of the Company, including without limitation the Company's affiliates, consulting company or audit company, being engaged to support the Company's performance of any obligations or to support its business operation, provided that the Company shall disclose the personal data only on the necessary basis under the data processing agreement entered into between the Company and such third-party service providers; and
- (2) Reference contact persons are required to conduct reference checks or assess your qualifications.
- (3) Any government authorities that the Company is obliged under the relevant laws or the judgement or government order to disclose such personal data to, provided that the Company shall only disclose personal data on the necessary basis to perform such statutory obligations solely.

Should the Company disclose Personal Data to countries other than Thailand, it pledges to adhere strictly to the Personal Data Protection Act, B.E. 2562 (2019).

## 6. PERSONAL DATA CROSS-BORDER TRANSFER

Personal data that the Company obtained might be transferred abroad to entities located outside Thailand, including but not limited to the Company's Global Business Headquarters and cloud service providers, and such data might be stored on servers or cloud owned by such entities.

In such cases, the Company will only transfer Personal Data to entities located in countries that have personal data protection standards equal to or higher than those mandated by the PDPA.

The Company shall not transfer Personal Data to other entities located in countries that have fewer personal data protection standards than PDPA without first consent from You unless it is exempt and allowed to do so as specified in PDPA.

## 7. RIGHTS OF DATA SUBJECTS

The Company has full awareness and respect of your rights as provided in the PDPA as follows:

- (1) Right to request access and a copy of Personal Data.
- (2) Right to request for data portability.
- (3) Right to object to the process of Personal Data being undertaken by the Company.
- (4) Right to request the Company to erase, destroy, or de-identify the Personal Data once the Personal Data is no longer necessary to be processed or when You revoke their consent.
- (5) Right to request the Company to restrict the use of Personal Data, in case Personal Data is deleted or such Personal Data does not necessarily need to be processed.
- (6) Right to withdraw consent that You have been given to the Company.
- (7) Right to request to rectify Personal Data.
- (8) Right to request the disclosure of the acquisition of Personal Data obtained without consent.
- (9) Right to file a complaint if applicable laws are violated.

If you wish to exercise any rights under the PDPA, you can submit a request to the Company via the Contact Channel mentioned in Article 10. Once the Company receives the request, the Company will examine the request in accordance with the conditions prescribed by laws, complete the request, and notify You of the examination result and completion of the request within thirty (30) days from the date of receipt of all requests and supporting documents.

The Company shall retain its rights under the laws to reject the afore-mentioned request in certain circumstances. If the Company decides to reject the request, You will be notified of the reason for such rejection. If You have unresolved concerns, they can file a complaint to the Company via the Contact Channel mentioned below or proceed further to the authority

officials as prescribed by the PDPA in case of the Company's infringement or non-compliance with the PDPA.

## 8. LAWFUL BASIS FOR PROCESSING PERSONAL DATA

The Company shall process your personal data based on the purpose in compliance with lawful basis including but not limited to the following lawful basis:

### (1) Vital Interest

The Company needs to share your personal data related to your health information to protect You from any vital disease conditions that You may encounter.

### (2) Contract

In cases where whoever signs a commercial contract with the Company, that person or juristic person shall abide by the contract's content, the Company may disclose your personal information to conduct the Company's business for the purpose of the contract only.

The Company shall perform the contractual obligations under the agreement entered into between the Company and You, such as to assess your capability and to track your working performance in order to calculate the consideration to be payable to You, including other performance of other rights and obligations under such agreement. The process of personal data under this purpose may include the process of personal data of your employees, persons under your supervision, and other third-party service providers that You may submit to the Company.

The performance of obligations in a construction service agreement to which You or your representative is a party, such as providing a service via any means, whether directly by the Company.

### (3) Public Task

To report the government authority in relation to the workmen's compensation, the Company is required to disclose your personal data to specific government authorities only and not for any other individual purpose.

### (4) Legitimate interest

The Company needs to process your personal data as defined in order to protect the Company's legitimate interest in securing the safety of the Company's premises, of You and any person entering the Company's premises and to fulfil any legal obligations.

In the event that the Company utilizes personal information for legitimate Company interest, such as your facial image collected by the CCTV system, visitor log record defined in the visitor registration form, including your full name, your identity documents that the Company may collect in exchange of the visitor card; any other information that You may provide to the Company in any other forms and in case that You may use the Company's internet service, in particular WIFI Access, your personal data, including connected device's information, and the traffic log that You use through the Company's WIFI.



#### (5) Legal Obligation

The Company must be required to submit personal information to the Court of Justice, the Revenue Department or any other government authority according to the compulsory Act, regulations, and applicable laws with which it is unavoidable to comply.

When the Company needs to enforce the lawful right against You who may not comply with the obligations as defined under the relevant agreement and the right to file a lawsuit.

#### (6) Consent

If the Company collects and processes your personal data to evaluate and advertise products/services based on your behaviour or conduct direct marketing campaigns, or if the PDPA requires your approval, the Company will do so based on the consent You provided.

### 9. NOTIFICATION ON PERSONAL DATA BREACH

If there is a breach of Personal Data incident within the Company, it shall notify the Personal Data Protection Committee (PDPC) within seventy-two (72) hours from the time that it acknowledged such breach occurring unless such breach has no effect on your rights.

If the breach is serious and has a high risk of affecting Your rights, the Company shall promptly notify You and give instructions and recommendations on how to remedy such breach.

### 10. REVIEW AND CHANGE OF THE PERSONAL DATA PRIVACY NOTICE

The Company shall review its Personal Data Privacy Notice every year or whenever any notable change arises to ensure that it remains in adherence to laws and regulations or to respond to any significant business changes and practices concerned. The Company shall announce and review the amended Notice thoroughly before implementing all the changes; the revised version of the Notice will further be made publicly available on the website at <https://www.shimz-global.com/th/en/>.

### 11. CONTACT CHANNELS

Any queries about the protection of Personal Data or exercising practice regarding the Personal Data's rights, please contact the Company via the following channels:

#### **Thai Shimizu Head Office**

Contacting Address: Unit 2301, 23rd Floor, Empire Tower, 1 South Sathorn Road, Yannawa, Sathorn, Bangkok, 10120, Thailand.



**Thai Shimizu Data Protection Officer (DPO)**

Contacting Address: PDPA Working Teams, Thai Shimizu Co., Ltd., Unit 2301, 23rd Floor, Empire Tower, 1 South Sathorn Road, Yannawa, Sathorn, Bangkok, 10120, Thailand

Tel: 02-230-0333

Email: [th.pdpa@shimz.biz](mailto:th.pdpa@shimz.biz)

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