

**PRIVACY NOTICE**  
**(FOR CUSTOMERS AND BUSINESS PARTNERS)**  
**IWATANI CORPORATION (THAILAND) CO., LTD.**

Pursuant to the Personal Data Protection Act B.E. 2562 and other related laws, including any further amendments thereof (“PDPA”), **Iwatani Corporation (Thailand) Co., Ltd.** (the “**Company**”) hereby provide this Privacy Notice (“**Notice**”) to inform you of the details regarding the collection, use and disclosure of your Personal Data by the Company. This Notice shall apply to you as **Customers and Business Partners**.

**1. DEFINITION**

<b>“Personal Data”</b>	means any information relating to a natural person, which enables the identification of such person, whether directly or indirectly, but not including the information of the deceased persons.
<b>“Sensitive Personal Data”</b>	means personal data pertaining to racial, ethnic origin, political opinions, cult, religious or philosophical beliefs, sexual behavior, criminal records, health data, disability, trade union information, genetic data, biometric data, or of any data which may engender the unfair discrimination against the data subject or affect the data subject in the same manner as prescribed by data protection laws.
<b>“Legal Basis”</b>	means the justifiable ground to collect Personal Data as prescribed in the PDPA.
<b>“Business Partner”</b>	means a natural person or a juristic person who sells or may sell goods and/or services to the Company or its affiliates or is registered as a Business Partner of the Company or other similar relationship but shall not include the customers of the Company.
<b>“Customer”</b>	means a natural person or a juristic person who is a buyer/potential buyer of our goods/services or other person of similar nature e.g., person contacting us for our information or services, etc.
<b>“Related Person”</b>	means a natural person relevant or representing a Customer or a Business Partner e.g., executive, shareholder, employee, representative or any natural persons representing or acting on behalf of Customers or Business Partners.

**2. CATEGORIES OF PERSONAL DATA WHICH THE COMPANY COLLECTS**

The Company shall collect all or part of your Personal Data as specified in this Privacy Notice, as necessary for proceeding with the purposes of the Company which informed in this Privacy Notice.

<b>Personal identification and general contact information</b>	such as prefix, name, surname, nickname, age, sex, date of birth, nationality, picture, identification card number, passport number, , signature, address, personal phone number, personal email address, bank account information etc. including other information of related person to Customers and Business Partners.
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<b>Information regarding work</b>	such as position, department, workplace, and work email address specifying your name etc.
<b>Information contained in the attachment</b>	such as business card, identification card, passport, tax identification card, purchase order, quotation, affidavit, invoice, contracts, power of attorney, VAT certificate and other documents etc.
<b>Sensitive Personal Data</b>	such as religious beliefs, blood group as appeared on copy of identification card, drug test result, criminal record etc.

### 3. SOURCE OF PERSONAL DATA

The Company will collect your Personal Data directly and indirectly from the following sources:

<b>From you directly</b>	<p>Collected by one of the following manners:</p> <ul style="list-style-type: none"> <li>● <b>Verbal communication:</b> such as through face-to-face interactions, or through telephone.</li> <li>● <b>Via documents:</b> such business card, contracts, agreements, affidavit, invoice, power of attorney, quotation, purchase order, forms, or other documents etc.</li> <li>● <b>Other communication channel:</b> email, fax, online network, etc.</li> </ul>
<b>From other sources or third parties</b>	<ul style="list-style-type: none"> <li>● from other sources or third parties such as your juristic person or natural person employers, goods/service providers or the Company's Business Partners, websites which provide business data or searching tools for business contact data, banks, government agencies, public resources (such as websites) etc.</li> <li>● from your communications, inquiries, feedback or complaints to the Company, your declaration of intent to purchase our goods and services, to enter into an agreement with the Company, providing documents to the Company etc.</li> </ul>

### 4. PURPOSE OF COLLECTING PERSONAL DATA

The Company shall solely collect your Personal Data for use and/or disclosure in compliance with the following objectives and any one of the following legal basis as the specified case may be:

#### Legal Basis for processing of General Personal

- For compliance with the agreement or entering into an agreement.
- For the legitimate interest of the Company, Customers, Business Partners, or other third person.
- For compliance with the law enforced on the Company.

#### Legal Basis for processing of Sensitive Personal Data

- To establish rights to a legal claim, compliance, or exercise of rights to claim as permitted by law; or for dispute allegations.

- For the necessity of legal compliance to achieve the objectives required by law.
- Request for explicit consent.

In the case of necessity where the Company is required to collect additional Personal Data or use Personal Data for other purposes apart from the stipulated objectives within this Notice, the Company is obliged to inform you on the Personal Data collection and/or notify the new objectives respectively. If required by laws, the Company may request for additional consent on collecting, using, or disclosing of your Personal Data according to the PDPA.

#### **Purpose of Collection of Personal Data**

- For communication and other proceedings for negotiation prior to entering into a contract with you; or a person or a juristic person which you are either representing, or acting on behalf, or being an employee thereof such as contact for offer for sales, meeting appointment, issuing quotations, making purchase orders prior to entering into a contract, negotiations for entering into the contract and agreeing on the scope of contract.
- For entering into a contract including processing and reviewing necessary documents and performing the contract that the Company entered into, such as registration of Customers or Business Partners on the Company's database, business communication, proceeding with the received purchase order, providing services according to the contract, delivery of goods or providing services according to the contract, and tracking of the result of the goods sold, tracking of goods or services requested, proceeding for delivery and receiving of goods or service, payment process for goods or service, etc.; including disclosing your personal data to third person, such as, delivery personnel, contractors, outsourced service providers or professional service providers, other Customers or Business Partners of the Company, banks, government agencies, for the aforementioned purposes. This shall include performing problem solving on production process and manufactured/ assembled products including disclosing your personal data to the Company's relevant business partners to process the Customer's claims.

Nonetheless, the purpose of collection and disclosure may vary depending on the type of the subject products or services. In addition, entering into a contract or performing the contract in this item shall include liaising with you in other matters relevant to the contract such as a change in condition and other details, contract renewal.

- For collecting fee on the goods or service, issuing receipt and any undertaking for debt collection in the case a Customer defaulted on payment of goods or services; or the Business Partner, or natural person or juristic person who are the Business Partners of the Company in which you are either representing, or acting on behalf, or being an employee thereof, defaulted on the delivery of goods or services.
- For preparing and shipping products according to purchase order via offline and online platform.
- For organization management and business operation of the Company, for instance, quality control or development of goods and services, system and database management, requesting for permission to operate business with government agents, audit, internal audit, requesting for advice from business consultants, disclosing your personal data to a financial institution to request for credit facility to the Company, sale and acquisition of business, merger

and acquisition of business and business restructuring. This shall include reporting the customers' information to the parent company for international business contact and management of affiliated organization.

- For compliance with laws enforced on the Company such as bookkeeping, retaining and disclosing accounting documents to auditors or government offices in compliance with the laws and orders of competent authorities, issuing tax invoices, etc.
- For retaining your contact information on the Company's database for future business contact, including disclosing your data to other companies within affiliated group for communication and for future business opportunity.
- For customer relation management such as receiving complaints and feedbacks for improvement of the Company's products and services, etc.
- For protecting the legitimate rights of the Company or dispute allegations against the Company such as legal action, initiation of legal proceeding, litigation, alternative dispute resolution and other proceedings to protect the legitimate rights of the Company or dispute allegations against the Company as permitted by law.

## **5. IMPACT FROM THE REFUSAL IN PROVIDING PERSONAL DATA**

The Company will collect your Personal Data for communication purposes in respect of entering into contracts or proceeding to fulfil the contract made with you, or a natural or juristic person which you are either representing, or acting on behalf, or being an employee thereof. This shall also include complying with relevant legal requirements. In the event you do not provide your Personal Data to the Company, you or a natural or a juristic person which you are either representing or acting on behalf may be inconvenienced with regard to communications of entering into contracts or abiding with the contract. In some cases, the Company may not be able to perform or fulfil the contracts entered with you, or a natural or a juristic person which you are either representing, or acting on behalf, or an employee thereof and subsequently be unable to comply with applicable laws.

## **6. LOCAL AND INTERNATIONAL DISCLOSURE, TRANSMISSION OR TRANSFER OF PERSONAL DATA**

To achieve the objectives of Personal Data collection as stated in this Notice, the Company may in some cases be required to disclose your Personal Data to persons or organizations including but not limited to the following:

- Service providers and agents who have been hired by the Company for instance auditors, legal consultants, business consultants or other external expertise consultants, delivery agents, sub-contractor etc.;
- Other companies within affiliated group, business partners, external service provider and agent of such affiliate company;
- Government agencies such as the Revenue Department, the Office of the Board of Investment, the Customs Department, Thai Industrial Standards Institute, etc.;
- Commercial banks, Bank of Thailand;

- Police officers, courts, arbitrators, lawyers, and persons or organizations associated with the judicial process and dispute resolution;
- Persons associated with the sale/acquisition of business, merger/acquisition of business and/or business restructuring.

In some circumstances where it is necessary for the Company internationally to send or transfer your Personal Data to the parent company, and other affiliated companies or other organizations situated abroad for the objectives specified above, the Company will ensure that the destination country has adequate Personal Data protection measures in conjunction with conforming to current data protection laws. Where it is necessary for the Company to send or transfer Personal Data to a country which does not have the protective measures required by law or in the event where such measures are not legally recognized, the Company is required to comply with the additional conditions stipulated in the PDPA for sending or transferring Personal Data legally. This shall include the request for your consent if necessary or taking other appropriate measures for you to enforce your rights, for example providing effective legal remedies in accordance with the legal requirements.

## **7. RETENTION PERIOD OF PERSONAL DATA**

The Company will collect and retain your Personal Data for no longer than 10 years after the end of the legal relationship with you or the persons which you are representing or acting on behalf. In the event that the Company collects your Personal Data but does not enter into any legal relationship with you or the persons which you are representing or acting on behalf, the Company will retain your Personal Data for a period of not more than 1 year.

Nonetheless, the Company may retain all or part of your Personal Data for a duration beyond the period specified above for compliance with the law, any undertaking for debt collection, and to protect the legitimate rights of the Company, or to rebut any allegations made against the Company. In such case, the Personal Data may be retained for as long as it is necessary for the Company to abide with the specified objectives and/or for the duration stipulated by law.

## **8. RIGHTS OF DATA SUBJECT IN THE PROCESSING OF PERSONAL DATA**

You have the following legal rights to your Personal Data collected by the Company:

- 1. Right on withdrawal of consent** – You may withdraw some or all of your given consent for the collection, use, and disclosure at any time throughout the period the Company keeps the Personal Data. Notwithstanding, the withdrawal of consent shall not affect the completeness or accuracy of the collection, use, or disclosure of Personal Data by the Company that you have already given consent prior to the withdrawal;
- 2. Right to access and request for a counterpart of Personal Data** – you are entitled to request access to and obtain a copy of the Personal Data related to you, or to request the disclosure of the acquisition of the Personal Data obtained without your consent;

3. **Right on the portability in sending or transferring of Personal Data** – you have the right to request the Company to send or transfer the Personal Data concerning you to another person pursuant to the condition prescribed by law;
4. **Right to object on the collection, use or disclosure of Personal Data** – you are entitled to object to the collection, use or disclosure of your Personal Data by the Company pursuant to the condition prescribed by law;
5. **Right on the erasure of Personal Data** – you have the right to request the Company to erase, destroy or anonymize the Personal Data to become anonymous data which cannot identify you pursuant to the condition prescribed by law;
6. **Right to restrict processing of Personal Data** – you have the right to request the Company to restrict the use of your Personal Data pursuant to the condition prescribed by law;
7. **Right on rectification of Personal Data** – you have the right to request the Company to rectify incorrect information or input data to any incomplete information;
8. **Right to complaint** – you are entitled to file a complaint with the personal data protection committee in the event that the Company or employee or contractor of the Company violates or does not comply with the PDPA.

In this regard, you can exercise your rights by notifying the Company in writing to the Company's contact information below. In the case where the Company may not make such request, the Company shall provide a reason on the refusal along with the response.

## 9. AN AMENDMENT OF THE NOTICE

The Company reserves the right to rectify this Notice as appropriate. This Notice was last updated on [31 May 2022].

## 10. CHANNEL AND CONTACT INFORMATION OF THE COMPANY

**Iwatani Corporation (Thailand) Co., Ltd.**

Address: 323 United Center Building, Room No.2903, Silom Road, Bangrak, Bangkok 10500

Telephone number: 02-231-1764

Email address: [patchara@iwatani.co.th]