

# SUMITOMO MITSUI AUTO LEASING & SERVICE (THAILAND) CO., LTD.

## PRIVACY NOTICE FOR CUSTOMERS AND SUPPLIERS/SERVICE PROVIDERS

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The purpose of this Privacy Notice (the “Notice”) is to provide details with regard to the collection, use and disclosure of your Personal Data by **Sumitomo Mitsui Auto Leasing & Service (Thailand) Co., Ltd.** (the “Company”) pursuant to the Personal Data Protection Act B.E. 2562 (2019). This Notice shall apply to you as a natural and relevant person to the Company as follows:

**Category (A) :** Customers, including directors, shareholders, employees, and any other individuals representing or acting on behalf of the customer of the Company or a user of vehicles, which the Company has either leased or permitted to use or provided under the service rendered by the Company to the Company’s customers, and guarantor of the customer.

**Category (B) :** Suppliers or services providers, including directors, shareholders, employees and any other individuals representing or acting on behalf of the supplier or service provider of the Company.

### DEFINITION

“**Personal Data**” 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.

“**Sensitive Personal Data**” 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 law.

“**Legal Basis**” means the justifiable ground to collect Personal Data as prescribed in the Personal Data Protection Act B.E. 2562 (2019).

## CATEGORIES OF PERSONAL DATA WHICH THE COMPANY COLLECTS

The Company shall collect some or all of your Personal Data as specified in this Notice and as necessary to achieve the Company's various objectives set out in this Notice.

- **Personal identification information** such as prefix, name, surname, nickname, age, sex, date of birth, nationality, picture, identification card number, passport number, signature etc.
- **Personal contact information** such as address, personal phone number, personal email address, Line ID, voice data or telephone call recordings etc.
- **Information regarding work** such as position, department, workplace and work email address specifying your name etc.
- **Information regarding your spouse** such as name-surname, legal status, political position etc. (remarks: in the case where you have specified a reference person or referred to any other third person, you are obliged to inform such third person that you have provided his/her information to the Company together with the relevant details in this Notice).
- **Information contained in the attachment** such as identification card, passport, tax identification card, Thai work permit, driving license, house registration and other documents etc.
- **Information regarding profession, expertise or special skills** such as professional license, degree certificate and documents certifying your degree etc.
- **Sensitive Personal Data** such as religious beliefs, blood group, political position which may reveal political views, information of traffic offenses and road accidents etc.

## SOURCE OF PERSONAL DATA

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

- From you directly and verbally such as through face to face interactions, or through telephone, via documents for instance business card, contracts, agreements, forms and other documents etc. This shall include any other communication channel such as email, fax, online network etc.
- From other sources such as juristic or natural person who is your employer or hirer, goods/service proposer towards the Company, government agencies or other agencies (e.g. Department of Business Development, Ministry of Commerce, Industrial Estate Authority of Thailand, Office of Anti-Money Laundering, Legal Execution Department, Central Bankruptcy Court, United Nations, Thai General Insurance Association) etc. who are legally required to collect and disclose your Personal Data as public information or to provide information for contacting specific members.

## OBJECTIVE OF COLLECTING PERSONAL DATA

The Company shall solely collect your Personal Data for use and/or disclosure in compliance with the objectives and the legal basis under this Notice. 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 the new objectives respectively. The Company may request for additional consent on collecting, using and disclosing of your Personal Data according to the law if such consent is required by law.

OBJECTIVE OF THE COLLECTION	LEGAL BASIS
<p>1. Communication and other proceedings for negotiation prior to entering into a contract with you; or a natural person, or juristic person which you are either representing, or acting on behalf, or an employee thereof.</p> <ul style="list-style-type: none"> <li>● <b>In case of Data Subject Category A</b> such as making quotations;</li> <li>● <b>In case of Data Subject Category B</b> such as making purchase orders prior to entering into a contract, employment contract negotiations and determining scope of employment.</li> </ul>	<p><b>General Personal Data</b></p> <ul style="list-style-type: none"> <li>- For compliance with the agreement or entering into an agreement (in the case where you are the direct contracting party).</li> <li>- For the legitimate interest of the Company and customers, suppliers or service providers (in the case where you are either representing, or acting on behalf of a customer, supplier or service provider).</li> </ul>
<p>2. Verification of your identity, or your spouse, or natural person or juristic person which you are either representing, or acting on behalf, or an employee thereof to analyse and assess the risks which may arise from entering into a contract with you, or your spouse, or natural person or juristic person which you are either representing, or acting on behalf, or an employee thereof (for the benefit of the Company or to perform duties which the Company is legally obliged to conform with e.g. laws on the prevention and suppression of money laundering) until the consideration has been internally approved by the Company for entering into the said contract.</p>	<p><b>General Personal Data</b></p> <ul style="list-style-type: none"> <li>- For the legitimate interest of the Company.</li> <li>- For compliance with the law enforced on the Company.</li> </ul> <p><b>Sensitive Personal Data</b></p> <ul style="list-style-type: none"> <li>- For the necessity of legal compliance to achieve the objectives pursuant to the law.</li> <li>- Request for explicit consent (in the case it is not necessity of legal compliance).</li> </ul>

3. Entering into a contract or compliance with a contract that the Company entered with you, or natural person or juristic person which you are either representing, or acting on behalf, or an employee thereof, or a natural or juristic person which permitted you to use the vehicle which is rented with the Company or permitted to use or provided under service rendering by the Company.

- **In the case of Data Subject Category A** such as processing of purchase order/service request, consideration and approval of the purchase order/internal service request and/or by the parent company in Japan (e.g. requesting a credit limit exceeding the amount specified in the Company's policy), proceeding with the received purchase order/service request, delivery of goods or providing services according to the contract (by the Company or suppliers/service providers), coordination with external service providers to provide services pursuant to the contract or other services in the future or in any incidence which arises from the use of the vehicle rented with the Company or the Company has permitted to use or provided under service rendered by the Company regardless of whether such vehicle is the Company's property or not (such as repair and inspection of a vehicle, GPS installation, insurance, slide car service) issuance of invoices for fee collection on goods or services and issuance of receipts.
- **In the case of Data Subject Category B** such as tracking of goods or services requested, pick up of goods or service (by the Company or the customer of the Company), exchange and return of goods, change of nature of service and disbursement of goods or services.

#### **General Personal Data**

- For compliance with the agreement (in the event where you are the direct contracting party).
- For the legitimate interest of the Company and customers, suppliers and service providers (in the case where you are either representing, or acting on behalf of a customer, supplier, service provider or user of vehicle which the customer has rented with the Company or the Company has permitted to use or provided under service rendered by the Company).

#### **Sensitive Personal Data**

- Request for explicit consent.

<p>This shall include liaising with you in other matters relevant to the contract such as a change in condition and other details, contract renewal.</p>	
<p>4. Contact and facilitate service, including notifying information of products and services or additional benefits of the Company.</p>	<p><b>General Personal Data</b></p> <ul style="list-style-type: none"> <li>- For the legitimate interest of the Company.</li> <li>- Request for explicit consent.</li> </ul>
<p>5. Collecting or retaining Personal Data on the Company database for evidence and as reference within the Company.</p>	<p><b>General Personal Data</b></p> <ul style="list-style-type: none"> <li>- For the legitimate interest of the Company.</li> </ul> <p><b>Sensitive Personal Data</b></p> <ul style="list-style-type: none"> <li>- Request for explicit consent.</li> </ul>
<p>6. Any undertaking for debt collection in the case where you; as a customer of the Company, or natural person or juristic person which you are either representing, or acting on behalf, or an employee thereof, defaulted on payment of goods or services. In the case that you are a supplier or service provider, or natural person or juristic person whom are suppliers or service providers of the Company in which you are either representing, or acting on behalf, or an employee thereof defaulted on the delivery of goods or services.</p>	<p><b>General Personal Data</b></p> <ul style="list-style-type: none"> <li>- For the legitimate interest of the Company.</li> </ul>
<p>7. Organization management and business operation of the Company for instance quality control or development of goods and services, system and database management, audit, internal audit, requesting for advice from business consultants, sale and acquisition of business, merger and acquisition of business and business restructuring. This shall include reporting the customers' information to the parent company in Japan for organizational management within associated companies.</p>	<p><b>General Personal Data</b></p> <ul style="list-style-type: none"> <li>- For the legitimate interest of the Company.</li> </ul>
<p>8. Compliance with laws enforced on the Company such as retaining accounting and tax documents, payment of fines according to traffic laws, disclosing data to government authorities as required by law (e.g. law on the prevention and suppression of money laundering).</p>	<p><b>General Personal Data</b></p> <ul style="list-style-type: none"> <li>- For compliance with the law enforced on the Company.</li> </ul> <p><b>Sensitive Personal Data</b></p> <ul style="list-style-type: none"> <li>- For the necessity of legal compliance to achieve the objectives pursuant to the law.</li> </ul>

<p>9. Protect 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.</p>	<p><b>General Personal Data</b></p> <ul style="list-style-type: none"> <li>— For the legitimate interest of the Company.</li> </ul> <p><b>Sensitive Personal Data</b></p> <ul style="list-style-type: none"> <li>— To establish rights to a legal claim, compliance or exercise of rights to claim as permitted by law; or for dispute allegations.</li> </ul>
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## 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 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 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.

## DISCLOSING, SENDING OR TRANSFERRING PERSONAL DATA TO A FOREIGN COUNTRY

To achieve the objectives stated above, the Company may 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 service provider on IT system or other databases, auditors, legal consultants, business consultants or other external expertise consultants;
- Other companies within affiliated group and external service provider and agent of such affiliate company;
- Government agencies such as the Revenue Department or the Office of Anti-Money Laundering 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 to send or transfer your Personal Data to Sumitomo Mitsui Auto Service Company Limited which is the parent company in Japan and to other affiliated companies 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 data protection laws 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.

**Remark:** The parent company in Japan has established a privacy policy to support the collection, use and disclosure of Personal Data which you can learn more at <https://www.smauto.co.jp/en/require/privacy/index.html>

## RETENTION PERIOD OF PERSONAL DATA

The Company will collect and retain your Personal Data throughout the duration of the contract and after contract termination for a period not exceeding 10 years. In the case the Company retains Personal Data for consideration to enter into a contract, but the Company subsequently does not enter into such contract then the Company will retain such data for a period not exceeding 5 years from the date the data was collected.

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.

## 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 the 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 Personal Data Protection Act B.E. 2562 (2019).

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.

#### **AN AMENDMENT OF THE NOTICE**

The Company reserves the right to rectify this Notice to be in accordance with the amendment to the applicable laws and appropriateness of the business respectively. This Notice has been recently revised on 1<sup>st</sup> April 2021.

#### **CHANNEL AND CONTACT INFORMATION OF THE COMPANY**

Sumitomo Mitsui Auto Leasing & Service (Thailand) Co., Ltd.

Address: 161 Nantawan Building, 17<sup>th</sup> Floor, Rajdamri Road, Lumpinee, Pathumwan, Bangkok 10330

Email address: [dpo\\_committee@smauto.co.th](mailto:dpo_committee@smauto.co.th)