

**PRIVACY NOTICE**  
**FOR**  
**ALCOHOL CHECK RECORD SERVICES and FLEET MANAGEMENT SERVICES**

This **Privacy Notice** (“**Notice**”) is prepared pursuant to the Personal Data Protection Act B.E. 2562 (2019) (“**PDPA**”). It aims to provide the details with regard to the collection, use and disclosure of your Personal Data by **Sumitomo Mitsui Auto Leasing & Service (Thailand) Co., Ltd.** (“**SMAT**”, “**Company**”, “**we**”, “**us**” and “**our**”) in connection with our **ALCOHOL CHECK RECORD SERVICES and FLEET MANAGEMENT SERVICES**.

In connection with the provision of our said services, whereby the users are allowed to record and save alcohol check result before and after driving, and/or whereby records of information for management of an organization’s vehicle, in particular how the users use vehicle, are provided by, as well as any other purposes as informed herein, the Company will collect, use and/or sometimes disclose Personal Data of individuals including yours. This is in particular when you or your organization such as your employer requires our services, and fill-in relevant information, including your Personal Data, in the application provided by 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, labor union information, genetic data, biometric data, or of any data which may affect the data subject in the same manner, as prescribed by the Personal Data Protection Committee (“**PDPC**”).

“**Legal Basis**” means the justifiable ground to collect Personal Data as prescribed by the PDPA.

**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 in particular to our **ALCOHOL CHECK RECORD SERVICES and FLEET MANAGEMENT SERVICES** as explained in this Notice.

- **Basic information** i.e. name, surname and details about your job position;
- **Personal contact information** i.e. email address;
- **Information about the vehicle you drive or control**, i.e. location information, movement history, alert information (i.e. notification about your high alcohol level) ; and

- **Sensitive Personal Data** i.e. alcohol test results details of which may include the quantity of alcohol content in the users' breath and speed value of the vehicle, which could reveal user's violation of law.

## **SOURCE OF PERSONAL DATA**

For most Personal Data, the Company will collect your Personal Data through your organization which is your employer, in particular when your organization choose to fill-in relevant information, including your Personal Data, in the application provided by the Company. For certain personal data, e.g. personal data for 'Fleet Management System', the Company obtains them directly through a transmission-type device installed in the vehicle controlled by the user.

## **LEGAL BASIS FOR COLLECTING, USING OR DISCLOSING PERSONAL DATA**

Mostly, the Company collects, uses or discloses your Personal Data for the purposes of its business operations and/or provision of services or sale of products to the legal entity or business organization like your employer, including to you. Please note that you can choose not to give your Personal Data to the Company. However, the said refusal may obstruct the Company from performing its duties or providing smooth services to your organization and/or to you. In some cases, you may be obliged by a contract with your organization to provide such information to your organization, and thus to us. In this regard, the Company will handle your Personal Data consistent with the consent that you gave to your organization and/or to the Company. However, the Company is also able to rely on grounds described under the PDPA, to collect, use or disclose your personal data without having to obtain your consent. Said grounds include but are not limited to the following:

- (1) Where it is necessary for the performance of a contract to which you are party or in order to take steps at the request of the data subject prior to entering into a contract;
- (2) Where the Company has to comply with its legal obligations.
- (3) Where it is necessary for legitimate interests of the Company or of a third party (e.g. your organisation, employer, etc.) to collect, use or disclose your Personal Data. However, if the Company relies merely on the basis of legitimate interests to collect, use or disclose your Personal Data, the Company will take into account any interests or fundamental rights you have as a data subject.
- (4) Where it is necessary for the Company to collect, use or disclose your Personal Data for vital interests to prevent or suppress any danger to a person's life, body or health.
- (5) Where it is necessary for public interest or for the exercise of official authority.

## OBJECTIVE OF COLLECTING PERSONAL DATA

The Company shall solely collect your Personal Data, use and/or disclose them 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
for providing the services to your organization which is your employer, including but not limited to the <b>ALCOHOL CHECK RECORD SERVICES and FLEET MANAGEMENT SERVICES</b>	<u>In case of general Personal Data</u> : Legitimate interest of your employer  <u>In case of sensitive Personal Data</u> (i.e. your alcohol test results and speed value of vehicle): Your consent
for conducting further analysis thereon and using the derived results for the benefit of an ordinary business operation of SMAT and their respective group company.	Your Consent

## IMPACT FROM THE REFUSAL IN PROVIDING PERSONAL DATA

In the event you do not provide your Personal Data to the Company, you may be inconvenienced with regard to your use of our services. In some cases, the Company may not be able to perform or fulfil the contracts entered with your organization such as your employer.

## DISCLOSURE TO THIRD PARTY AND TRANSFER OF 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:

- the customers in Thailand the Company provides the services, namely, your organization which is your employer, to the extent it is necessary to allow the Company to provide the services to you and to your organization as agreed;
- 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; and
- Specifically, **SMAT shall disclose your Personal Data to its vendor, which is the entity located in Japan, for the purpose of the provision of its service..**
- Police officers, courts, arbitrators, lawyers, and persons or organizations associated with the judicial process and dispute resolution; or any other government agencies, as legally required;
- Persons associated with the sale/acquisition of the vehicles under the services provided by the Company to the organization you belong to (e.g. your employer, etc.) or to you, the sale/acquisition of the Company's business, merger/acquisition of the Company's business and/or its 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 with you or with your organization, in essence, to allow the Company to provide the services to you and to your organization as agreed. As for the Personal Data collected for the Fleet Management System in particular, namely, i.e. location information, movement history, alert information (i.e. notification about your high alcohol level), the Company will retain only them for 100 days. Furthermore, in some cases, the Company may be obliged to store your Personal Data longer than the said period (such as further retention will allow the Company to resolve disputes or establish, enforce and defend legal claims or when it needs to store the information for court proceedings that have already been initiated).

The retention period of some of your Personal Data may be shorter than this. For example, when you require the Company to delete or destroy your Personal Data, and the Company has no legal basis to continue retaining your Personal Data.

After the retention period elapses, the Company will securely delete, destroy or anonymize your Personal Data in a manner permitted by law.

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

As a data subject, you have the rights over your Personal Data as described in the PDPA. However, you may not be entitled to exercise all the rights since your entitlements are subject to the nature or the purpose of the collection, use or disclosure of your Personal Data carried out by the Company, as will be further explained by the Company below. Hence, for your information, and so that you duly understand and recognize each of your rights, the Company summarizes all rights prescribed under the PDPA, as follows:

- 1. Right on withdrawal of consent** - You may withdraw some or all of your given consent for the collection, use, and disclosure your Personal Data at any time throughout the period the Company keeps the Personal Data so long as there are no restrictions in so doing by law or the contract which gives benefit to you. 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 information about how your Personal Data is collected, used or disclosed, including the right to access to your Personal Data and to obtain a copy of the Personal Data related to you, or to request for the disclosure of the acquisition of the Personal Data that you believe the Company obtained without your consent;
- 3. Right on the data 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 which the Company collected and arranged to be in a format readable or commonly used by ways of automatic tools or equipment, and which can be used or disclosed by automated means to another person, organization or directly to you pursuant to the condition prescribed by law. Your right in this regard will only apply to the Personal Data which you have consented to be collected, used or disclosed, or which the Company collects, uses or discloses by relying on the necessity for performance of a contract;
- 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 and to have confirmation of such erasure, or to make your Personal Data 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 lodge a complaint** – you are entitled to file a complaint with the Committee in the event that the Company or employee or service provider / contractor of the Company violates or does not comply with the PDPA or the announcements issued under the PDPA.

In this regard, you can seek for the explanation and/or 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. If the amendment results in the Company having a legal obligation to notify it to you, or additionally obtain a consent from you, the Company will do so accordingly.

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

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

Address: 87/2 CRC Tower, All Seasons Place, 41st Floor, Wireless Road, Lumpinee, Pathumwan,  
Bangkok 10330

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