



Muangthai Capital Public Company Limited

32/1 Jarunsanitwong Rd., Bang-Or , Bangplad , Bangkok 10700 Tel. 02 – 8801033 Fax 02 – 8801733

Personal Data Protection Policy

Muangthai Capital Public Company Limited (“the Company”) recommends that users of electronic transaction services or any other electronic services of the Company have a clear understanding of its personal data protection policy, which explains how the Company treats personal information, i.e., collection, preservation, use and disclosure of personal information, and individual rights. The public will be informed of the Company's policy on personal information protection. The Company hereby declares its privacy policy as follows:

A. Respect of Users’ Privacy Rights

1. The Company respects and gives significance to individual rights, personal information and personal information protection. The Company realizes that users of its electronic transaction service or any other services would wish to be assured of security in using the services via the Company’s website.
2. Personal information received by the Company, such as name, age, address, telephone number, I.D. number, vehicle and land registration number and financial information that can be used to trace an identity, that is complete, accurate, up-to-date, and of good quality will be used only for the purpose of the Company’s operations. The Company shall use stringent security measures so that personal information may not be used without permission.

B. Objectives in Collecting Personal Information

1. The Company collects personal information to be used for the Company’s operations, studies, research, or statistical data collection in accordance with the Company’s operational objectives, and for the improvement of the quality and efficiency of the Company’s electronic services.
2. In the event that the Company collects, stores, uses or discloses personal information for purposes other than the stated objectives, the User have the right to privacy and can choose whether they will allow the Company to collect, store, use or disclose such personal information.
3. The Company shall not perform any act not mentioned in the above objectives except:
4. When users have been informed of the new objectives and given their consent.
 - 1) It is an exception prescribed by laws.
 - 2) In the case that it is prescribed by law.



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C. Limited Collection of Personal Information

1. In regard to collection and preservation of personal information, the Company shall use lawful and fair means to limit collection and storing of personal information. It shall only be used for services stipulated in the objectives of the Company.
2. The Company shall obtain users' consent prior to collecting personal information except in the case that:
 - 1) It is an exception prescribed by law.
 - 2) It is for users' benefit but consent cannot be obtained at that time.
 - 3) It is for the benefit of users' life, health, or safety or the life, health, or safety of other service users.
 - 4) It is for the purpose of legal investigation or inquiry by officials or court proceedings.
 - 5) It is for study, research, or statistical data collection.
3. The Company shall not collect personal information about genetic traits and sexual behavior, or information that may be detrimental to personal reputation, or information that may cause unfair discrimination to any person except in the case that:
 - 1) Users' written consent has been obtained.
 - 2) It is an exception prescribed by law.
 - 3) It is for users' benefit and consent cannot be obtained at that time.
 - 4) It is for the benefit of users' life, health or safety or the life, health, or safety of other service users.
 - 5) It is for the purpose of investigations by legal officials or court proceedings.
 - 6) It is for study, research, or statistical data collection.
4. The Company may integrate users' personal information with information received from other sources only as necessary and with users' consent, for the purpose of updating personal information and improving the quality and efficiency of the Company's services.

D. Limited Use of Personal Information

1. The Company may use and disclose personal information only with users' consent and when it is in accordance with the Company's objectives.
2. The Company shall ensure that it shall not disclose, show, or cause to appear the users' personal information in any other manner other than that specified in the Company's objectives or to a third party except in the event that:
 - 1) It is prescribed by law.
 - 2) It is with the users' consent.



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- 3) It is for the benefit of life, health or safety or the life, health, or safety of other service users.
 - 4) It is for the purpose of investigations by officials or court proceedings.
 - 5) It is for study, research, or statistical data collection.
3. In certain cases, the Company may allow other persons or agencies/organizations to have access to or use users' personal information as necessary, for the purposes of and under the authority of the Company, and with prior consent of users.

E. Security Measures

1. The Company recognizes the importance of personal information security and has set up security measures that are appropriate and consistent with keeping confidentiality of personal information. The measures aim at preventing loss, accessibility, destruction, use, modification, amendment or disclosure of personal information unlawfully or without authority. These measures shall comply with the Company's policy and guideline on IT security.
2. The company assigns personnel to be responsible for personal information protection. Personal data protection officer, whose duty is to give advice on the practice, to ensure that the compliance is in place, coordinate when there is a problem and ensure the confidentiality of personal information that he has accessed by duty.

F. Users' Rights to Personal Information

1. In the event that users' wish to obtain their own personal information, they may send a request according to the criteria and methods set forth by the Company. Upon receipt of such request the Company shall take prompt action to inform users of the existence or details of such personal information within a reasonable time.
2. If any personal information is found to be incorrect, users may notify the Company and request that such information be corrected, changed, or deleted. In that case the Company shall prepare a memorandum of objections regarding storage and accuracy of personal information.
3. Users have the right to check the existence and the nature of personal information, and the use of such information at the business premises of the Company. In addition, users have the right to request:
 - 1) certified copies of documents relating to their personal information
 - 2) rectification or change of personal information so that it is accurate and complete
 - 3) discontinuation of the use or disclosure of their personal information



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- 4) deletion or destruction of their personal information
- 5) information about the method of acquisition of their personal information in the case that information has been collected or stored without their consent. Nevertheless, the Company may deny the request if required by law or if identifiable personal information has already been deleted.

G. Change in Privacy Policy

1. The Company may revise this privacy policy occasionally to be consistent with changes in service provision, the Company's operations, and public suggestions/comments. The Company shall make a clear announcement before proceeding with any changes or may deliver the notification of change directly to the users.
2. For additional information on the policy and practical guidelines on personal information protection, reference could be made to the full version of the Policy and Practical Guideline for Personal Information Protection. If you have further questions, please contact the Company; Muangthai Capital PCL 32/1 Charansanitwong Road, Bangor, Bangplat, Bangkok 10700 Tel.02-8801033

Regulations Regarding to the Personal Data Protection Policy Act B.E. 2562

In compliance with the Privacy Policy Act B.E. 2562, Muangthai Capital PCL and subsidiaries has formed a committee to oversee the compliance with the Personal Data Protection Act. The names of the committee are as follows;

Personal Data Protection Committee

Mr. Surapong Petaumpai	Chief of Personal Data Protection Committee
Mr. Surat Chayaworadech	Committee - Accounting Department
Ms. Duangkhae Songnui	Committee – Compliance Department
Mr. Somkiat Rassami	Committee – Branch Operation Department
Mr. Amnat Niamsi	Committee – Debt Collection Department
Mr. Chalerm Inhom	Committee – Internal Audit Department



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Personal Data Protection Officer

Mr. Wirot Loytublert	Assistant to Manager of IT Department
Mr. Aswin Kreuwan	Assistant to Manager of IT Department
Mr. Worawat Kanchanakul	Assistant to Manager of HR Department

Personal Data Protection Definition

Information about a person that enable the traceability to identify that person whether directly or indirectly, for example name-surname, ID card number, address, telephone number, vehicle registration number of the owner of the information used by the company (customer) or the transaction participant (Guarantor) including all employee information of the company.

Personal Data Controller

Muangthai Capital PCL and subsidiaries

Vendors

For Payment Collection Transactions of Customers

Big C Supercenter PCL, Ek-chai Distribution System Co.,Ltd., Counter Service Co.,Ltd., Kasikorn Bank PCL and Airpay (Thailand) Co.,Ltd.

For Insurance Issuing Transactions of Customers and Employees

Namsin Insurance PCL, AIA Co.,Ltd., Road Accident Victims Protection Co.,Ltd., Muang Thai Insurance PCL.

Scope of Personal Data Protection Policy

The use of personal information only within company and its affiliates activities mainly are for data collection in accordance to the law, including the use of data to provide services to data owners to enhance the convenience for the data owner such as payment services, insurance services providing, compulsory motorcycle and automobile insurance per customer and employee's preferences.



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Objective for Data Collection, Use of Data and Personal Data Disclosure

Collecting personal information within company activities per necessity for various transactions in compliance with the law to be used within the company, which may include basic employee's personal data and disclosing personal information to external party for necessary use that benefit the data owner which must obtain consent from the data owner, such as credit service information, information on leasing services, etc., including information providing to external parties, eg. the data owner who needs to have accident insurance, motorcycle insurance, or the data owner who wants to make payment via the counter service or the data owner who wanting to access, check the history via Mobile Application etc.

Consent Forms

1. Paper consent Form for data owners (for new loan issuing) and employees (for new employments) to be signed to allow the use of personal data with following conditions;
 - 1.1 Objective of storage, collecting and disclosure of personal data be informed
 - 1.2 Tenor of data storage and relevant vendors be informed
 - 1.3 Accessibility to data with general language be available
 - 1.4 Must be clear, not deceptive or misleading the purpose of data usage
 - 1.5 Must separate the part clearly from other statements (be a consent form only)

Remark: The consent form shall be attached as an annex to the contract for the data owner to sign consent.

2. Electronic consent form such as consent via Mobile Application for registration before using the system by having users to click confirm before use.
3. In the case that the data owner or employees do not agree:
 - 3.1 No binding on personal data owners or unable to perceive as the data owner or employees because the information is needed, including documents that relevant to the law, such as the ID card, a copy of house registration, vehicle registration by name-surname. ID card number, address, vehicle registration number.
 - 3.2 Not allowing personal data controllers to collect, use and disclose personal information.



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Data Owner's Rights

Right to access personal information the owner of personal data has the right to ask the controller of personal data to remove or destroy the personal data or making personal information non-personally identifiable information that is the owner of personal information, per following cases;

1. When personal information is deprived of the necessity of preservation for the purposes of collection, use or disclosure or other than those required by law.
2. When the owner of personal information withdraws consent to the collection, use, disclosure of personal information, the data controller can only withdraw data that has been deactivated which contained in the financial system and the account has already been closed and expires according to the law or other supporting functions only. In the event that the information has legal obligations or still be involved with the company's accounting system which must use the information to notify the Revenue Department or government agencies, the company is not able to withdraw the consent to the data owner. This can be done only as supplementary information only, such as information in the payment system via the counter service system, information in Mobile Application systems, insurance information, etc.
3. When the owners of personal information object to the collection, use, and disclosure of personal information, the data controller cannot deny requests or in the case of an objection to the collection, use and disclosure.
4. When personal information is collected, used and disclosed illegally as required.

The request form must be prepared for customers, such as customers who wish to cancel use of the Counter Service or want to cancel the information that had previously had an accident with the company, with the following details;

- Introduction
- Detail of the applicant
 - Name-Surname
 - Address
 - Telephone Contact
 - Email
- Relation to the data owner (in the case that the applicant is not the data owner)
- Data owner's rights
- Exceptional cases that the rights of personal data owners cannot be processed
- Impact of exercising the rights of personal data owners



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Primary Personal Data Information Security Measures

1. The controller of personal information provides appropriate security standards in order to prevent loss, access, use, change, or disclosure of personal information without power or wrongfulness, as follows:

For company's branch operations

- 1.1. In the document, all copies of the data owners (customers) and employees must be used only once and must have a protection system and can only be used for the specified contract as follows;
 - By specifying the date with the signature and objective for the transaction
 - Must have clear label to let the client know that the copy of that customer's document can be used only once in one contract at the date specified in the copy that the client has signed
 - Prohibit employees from copying blank documents to prevent violations of personal information such as a copy of ID card, vehicle registration, house registration etc.
- 1.2. In the event that a monthly report is printed for use, the worker must destroy the document when due. That document can only be used within a month, eg., in the case that the document is used to track the details of a customer payment within a month or documents that are not collected daily or monthly, such as the debt collection report, customer payment report, reconciliation report including any printouts which are specified in the report, will be responsible for the use.
- 1.3. In the event that employees print documents and reports that includes customer details, when the document is damaged, such as paper jam or unclear print, destroyed or in the destruction, the document must be torn or incinerated, crushed or destroyed so that the details of the customer or employee profile are not known.
- 1.4. To access the customer detail checking system (flagged), must be done within the same day only and must be cancelled automatically at the end of the day, with the name of the user specified.
- 1.5. Prohibit to take pictures from the computer screen or capture the screen with details of personal information including pictures of people entering the transaction and to post the pictures from the computer screens or screen shots with personal information in any public domains such as Facebook Line etc.



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- 1.6. In the event that the customer calls in to ask for his or her personal information, employees must ask for information for customers to verify their identity every time, by identification number and date of
 - 1.7. birth, in order to ensure that he/she is the real customer and do not disclose customer information to other people.
 - 1.8. In the event that the customer requests a copy of various documents such as a copy of motorcycle registration, only the data owner is allowed, others cannot request a copy.
 - 1.9. Prohibit employees from using personal devices such as notebooks, mobile phones and tablets in accessing the company's internal information to protect data security because it is a personal device, it cannot be controlled in accordance with the security policy of the company.
2. The Company must review security measures when needed or when technology changes in order to ensure the effectiveness in maintaining proper security to suit the development in technology.

Steps for Personal Information Violations

1. When knowing of a violation of personal information, the data must notify the Office of the Personal Information Protection Commission within 72 hours since the awareness of the occurrence to the extent that it can be done unless the violation does not pose a risk to the rights and liberties of the person.
2. In the event that infringement has a high risk of affecting rights and the freedom of an individual must report the violation to the owner of the personal information, such as the owner of the information (customer) or the employee, along with the remedy without delay.
3. Notification of violations and exceptions shall be in accordance with the rules and methods prescribed by the Personal Information Protection Commission.



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Reporting of violations of personal information to the Office of the Personal Data Protection Commission

Basic Detail of the Reporter

- Date and time of the reporting
- Detail of the Data Controller ex. name, address, telephone contact or another contact channels
- Vendors information, such as personal data controller's name, address, telephone number or another contact channels

Basic Detail of the Personal Information Violation Occurrence

- Date and time of the occurrence
- Nature of violation of personal information
- Details relating to the personal information that was violated, such as personal information types, amount of personal information that is violated
- The impact from the personal information violation occurrence
- Risk level towards the rights and individual liberties
- Personal information violation management

Penalties

Civil Liabilities

Civil (violation): The data controller or data processor takes any action in which violate or non-compliance causing damage to the data owner (Intentionally or negligently) must pay compensation unless can prove that;

1. From force majeure or caused by actions or ignoring the actions of personal data owners
2. Comply the orders of the officers who perform their duties according to the law.
 - Compensation shall include all expenses the personal data owner has paid as necessary to prevent the damage to occur or stop the damage that has already occurred
 - Prescription: The claim for damages barred by prescription when:
 - Over 3 years from the day when the damage was noticed and the data controller or data processor or wrongful doing person were found or;
 - Over 10 years from the day the violation was conducted.



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Punitive Damages

- The court has the power to order compensation for increased penalties from the actual compensation amount, but not more than 2 times the actual compensation.
- Calculation of compensation for punishment shall take into account the circumstances such as:
 1. The seriousness of the damage that the data owner receives;
 2. Benefits that the data controller or processor receives;
 3. Financial status of the data controller or processor;
 4. The damage mitigated by the data controller or processor;
 5. The damage is partially responsible by the data owner;

Criminal liability

- The wrongful acts by the data processor:
 1. Use or disclose personal information without the consent of the data owner;
 2. Use of personal information other than those intended for the purpose of notifying the owner of the personal information or;
 3. Not complying with the rules for transferring or sending personal information to other countries regarding sensitive personal data, such that:
 - To cause others damages, discredited, insulted and hated or be humiliated, shall be liable to imprisonment for a term not exceeding 6 months or a fine not exceeding 500,000 baht or both;
 - To seek benefits that should not have been lawfully for self or others, shall be liable to imprisonment for a term not exceeding 1 year or a fine not exceeding 1,000,000 baht or both.

Remarks: Compoundable offence



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- The wrongful acts by employees (criminal)

Employees who enable to access to the personal information of others due to performing duties under the Personal Data Protection Act, then reveal it to others causing damages, discredited, insulted and hated or be humiliated, shall be liable to imprisonment for a term not exceeding 6 months or a fine not exceeding 500,000 baht or both. For example, employees taking pictures of customers' history, copy of ID card, copy of vehicle registration of the company through the application such as Line, Facebook or in debt collection, in which there is information of the data owner, leaked to the outsider during data transmission causing damages.

Exceptions for using personal information

1. Disclose by duty;
2. For the benefit of an investigation or trial;
3. Disclose to government agencies both at home and abroad that have legal authority;
4. Specific disclosure with specific consent from the data owner;
5. Disclosure of personal information in connection with litigation public.

Administrative penalty

1. The data controller does not initially inform the details of data storage or while collecting data, shall be liable to a fine not exceeding 1,000,000 baht;
2. The data controller of personal information uses or discloses personal information without the consent of the personal data owner, shall be liable to a fine not exceeding 5,000,000 baht;
3. The data controller or data processors do not provide personal data protection officer, shall be liable to a fine not exceeding 1,000,000 baht;
4. Whoever does not comply with the order of the committee or did not provide explanation of the facts or do not comply with the notification to provide information or submit documents or who does not provide convenience to the authority, shall be liable to an administrative fine not exceeding 500,000 baht.

Practices for external contact with other companies (Data processor)

In the case that the company has cooperated with an outside company in creating various systems such as payment accepting via Counter Service System, Mobile Application System, the company must take into account the personal data protection processing in the contract.



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Prerequisite of the contract

- Being a contract made between personal data controller and personal data processors;
- To ensure that the processing of personal data processed by personal data processors compliance with the regulations.

Structure of the contract

- Date, month, year of entering into the contract;
- Preamble
- Name and contract information (Personal data controller and personal data processors)
- Definitions and interpretations
 - o Words that should be included in the contract for processing personal data such as personal information, personal data controller, personal data processors, Personal Data Protection Act Committee for the Protection of Personal Information etc.

The duty of the data controller

Responsible to the duty to collect, use and disclose, including the transfer of personal information in accordance with the rules and conditions set forth in the Personal Data Protection Act.

The duty of the data processor

- Responsible to personal data processing according to the instructions of the personal data controller
- For subcontracting, for example, specifying that personal data processors are prohibited from bringing personal data obtained from personal data controllers to other parties for processing personal data;
- Establish security measures for collection, use, disclosure of personal information;
- Notify personal data controller when personal data violations occur.

Rights of personal data owner

- Identify rights of personal data owners
- Duties related to the processing of rights of personal data owners



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Monitoring and processing by personal data controller

- Define the rights and duties of personal data controllers and personal data processors to enable the controller to check the data processing of personal data processors.

Liability and indemnity

- Define the scope of liability of the personal data processor and personal data controller;
- In the event that the personal data processor is liable or compensates the personal data controller;
- Indemnities (compensation for damages).

Contract termination - Consider the termination period.

Governing law between parties

Dispute resolution - Committee / Court

Review of operations in accordance with regulations

- The company must regularly monitor the implementation of personal information security measures. To comply with the specified measures;
- The company may update this privacy policy every year by the personal data protection officer as established. From time to time to be in line with the change in service provided by the company and suggestions for opinions from operators in order to protect personal information in accordance with Personal Data Protection Act B.E. 2562

