

## Privacy Notice

**Latest update:** May 5, 2021

Dear Employee and Trainee

MK Restaurant Group Public Company Limited (“**We**”) values your personal data and the personal data of individuals associated with you (“**Personal Data**”) under the Personal Data Protection Act B.E. 2562 (2019) (“**PDPA**”). Therefore, we provide this Privacy Notice to describe the collection, use, and/or disclosure (collectively, “**Processing**”) of personal data with the following details:

- Personal Data that we collect, including information that you provide to us about yourself or people associated with you (“**You**”)
- How we use your personal data
- Disclosure of your personal data
- The choices we offer you, including how to access your personal data and how to keep your personal data up to date
- Data subject right

### **1. Collection of personal data**

We will collect your personal data only if we have necessary and reasonable reasons to process it. Depending on the circumstances, the personal data we collect may be collected in a variety of categories and types of personal data.

We may collect your personal data from a variety of sources, such as:

- Information obtained directly from you as part of the internship and employment process (e.g. job application, brief employment history (CV, Resume), communicate channels or the information in documents that you have provided at the beginning or during the recruitment process, etc.).
- Information that we receive during the recruiting process by phone calls, job interviews at the branch or other location as specified by us or video call.
- Identification documents such as identity cards, passports, driving license, etc.
- Information that we receive or may be obtained when you access our system, tools, website or online channels.
- Information that we receive when you fill out a job application document or while working as an employee (e.g. benefits application documents, insurance documents, health checkup report, survey report, etc.)
- When you make your personal data explicitly public, you will be asked to provide your personal data to the public. In such cases, we will only collect personal data that you have chosen to make public.

- Correspondences with you through interviews, meetings or other assessments (e.g., CCTV, visual and/or voice recording equipment, etc.)

In some cases, we may collect your personal information from third parties, such as references from previous employers (such as years of services, performance during work for the former employer, etc.), information obtained from a resume verification service provider, information from credit companies and criminal records.

Types of your personal data collected are the following:

- **Personal information:** First name, surname, nickname, gender, date of birth, place of birth, age, occupation, marital status, military status, number of children, blood group, weight, height, size, body proportion, flaw, x-ray film, personal identification number, passport number, other identification number issued by the government authorities to be used as an identity verification document, taxpayer identification number, nationality, photograph as it appears on the identification card or passport, driving license, vehicle registration, car insurance policy, signature, identity verification information, information we receive from you from our verification questions, such as passwords, answers in a case that you forget your password, pins, face and voice recognition information, photograph and CCTV image/footage
- **Education information:** Details of educational background, transcript and proof of graduation
- **Family and related information:** Names and contact details of family members, including spouse and children, beneficiaries
- **Professional information:** Details of occupation, professional membership, employer's feedback, qualifications, skills, experience, training details, employment history (CV, Resume), work permit, and license number
- **Financial information and transactions:** Bank account information, salary, other revenue, tax deductions, tax payments, loan, benefit information (e.g. pensions and insurance) and other relevant information (e.g. details of cash withdrawal or allowance)
- **Contact information:** Address, telephone number, e-mail address and social media details
- **Contract information**
  - Terms and conditions of employment, resignation and reason of resignation
  - Details of working days and hours, details of attendance at work
  - Details of leave including annual leave, sickness absence, family-related leave, compassionate leave, unpaid leave and reasons of leaving
  - Details of disciplinary action or the grievance process that you have participated in during your employment with us, warning issued to you and other relevant e-mails
  - Evaluation of your performance, performance assessments, ratings, trainings you have participated in, performance improvement plans and other relevant e-mails

- **Sensitive personal data:**
  - Religion
  - Race
  - Health information, medical and treatment information
  - Disability information
  - Biometrics (fingerprint) and
  - Criminal record

We may also collect certain types of your sensitive personal data to make some adjustments to suitable with you, to prepare you to perform the job, to comply with employment-related laws and to manage human resources. However, we will not collect, use, and/or disclose this type of data without your consent, unless permitted by law.

If you provide us with any person's personal data, you agree and certify that you have informed them that we may process their personal data and they have also been notified of our Privacy Notice. And as required by the Personal Data Protection law, you have obtained the consent of such person in accordance with the format and content we define for which we process their personal data.

## **2. How we use your personal data**

We will only use your personal data if we have the necessary and reasonable reasons for processing it. We will use at least one of the following legal bases to process your personal data:

- **Contractual basis** - When we are required to process your personal data in order to comply with your contract or before we enter into a contract with you.
- **Legal obligation basis** - When we are required to process your personal data in order to comply with the law or its legal obligations.
- **Legitimate interest basis** - When it is in our legitimate interest to process your personal data as permitted by law, unless we see that our legitimate interests are less important than your interests and fundamental rights and freedoms.
- **Vital interest basis** - When it is necessary to process your Personal Data in order to protect the vital interests of you or others
- **Consent basis** - When you give us your consent to process your personal data for a particular purpose.

However, we will not process sensitive personal data without your consent, unless permitted by law.

We may process your personal data under applicable laws and legal basis for the following purposes:

Purposes of processing personal data	Legal basis
Employment and working	
<ul style="list-style-type: none"> <li>• To make payment including providing benefits that we provide to you under employment contract.</li> <li>• To manage benefits, pension, and insurance policy rights.</li> <li>• To verify your identity.</li> <li>• To manage and verify your rights to work in Thailand.</li> <li>• To check your criminal record to make sure you can perform your duties.</li> <li>• To review your medical information, health information and medical examinations to ensure that you are able to perform your duties in the agreed position.</li> <li>• To prepare and implement plans for the empowerment of people with disabilities.</li> <li>• To calculate and deduct withholding tax.</li> <li>• To prepare internal report for employment. (e.g. payroll report, damage report, etc.)</li> <li>• To manage the recruitment process and human resource management.</li> <li>• To enable you to take periods of leave to which you are entitled.</li> <li>• To consider the promotion of the position.</li> <li>• To record accurate and up to date of employment details.</li> <li>• To record contact details (including details of emergency contact person).</li> <li>• To process and record of disciplinary actions and grievances to ensure that the operation is acceptable within the workplace.</li> <li>• To process and record evidence of responsible expenses when you damage us.</li> <li>• To process and keep a record of your resume, job description, related processes and career development planning.</li> <li>• To process and record of the attendance, absence and absence management for effective workforce management.</li> <li>• To process and record of other types of leave including maternity leave, children care leave, adoption leave and co-parent leave.</li> </ul>	<ul style="list-style-type: none"> <li>• Contractual basis</li> <li>• Legal obligation basis</li> <li>• Legitimate interest basis</li> <li>• Consent basis</li> </ul>

Purposes of processing personal data	Legal basis
<ul style="list-style-type: none"> <li>• To organize personnel development training and other activities for you.</li> <li>• To provide references on request for current or past employees (e.g. preparation of a certificate of salary, certificate of passing work, payroll deductions to pay the debt as your request, etc.).</li> <li>• To comply with your request rights for personal data in our possession.</li> <li>• To meet and raise legal claims.</li> <li>• To comply with the health, safety, occupational health and work environment laws.</li> <li>• To maintain and promote equality non-discrimination and equality in the workplace.</li> <li>• To record comments and provide approach for development and happiness for employees.</li> <li>• To comply with related law and regulations.</li> </ul>	
Safety and risk management	
<ul style="list-style-type: none"> <li>• For the safety of our workplaces, including the security of our information and technology.</li> <li>• To prevent accidents that may occur in our workplaces.</li> <li>• To protect or suppress harm to life, body or health.</li> <li>• To prevent crimes and manage our security, such as installing a closed-circuit television (CCTV) within and around work sites that may record your photos, videos or voice recordings.</li> </ul>	<ul style="list-style-type: none"> <li>• Legitimate interest basis</li> <li>• Vital interest basis</li> </ul>

We will not process your personal data for purposes other than those set in this Privacy Notice. If we will further process your personal data which is not specified in this Privacy Notice, we will notify you and ask for your consent before such processing unless permitted by law to do so without your consent. You have the right to consent or refuse to process your personal data.

**Refusal to give personal data to us**

In the event that we are required to process your personal data under the laws permitted by law or contract terms between you and us, and you do not provide personal data to us. We may not be able to meet our obligations or to you and may not continue to do anything related to you.

### **3. Disclosure of your personal data**

We will only disclose your personal data if we have the necessary and reasonable reasons for processing it. This can include the following cases:

- It is necessary to comply with the terms of the contract.
- To comply with the law (e.g. deduction withholding tax, labor skill training, etc.).
- It is necessary to report according to the law, prosecute, exercise legal rights or protect legal rights.
- For the benefit of our legitimate business or for our legitimate interests (e.g. for risk management, in-house reporting, to analyze information, to verify identity, to enable other companies to provide the services you request, etc.).
- It is necessary to protect the life interests of you or others.
- Obtain your consent to disclose your personal data to third parties and you have given your consent to do so.

We may be required to disclose your personal data to any of the following third parties:

- Our affiliates.
- Subcontractors, any broker, or service provider that works for us or provides services to us, including subcontractors, brokers, service providers, supervisors, and workers.
- The person assigned to manage any of your interests, including your intermediaries, contact persons, and representatives, such as delegates, lawyers, etc.
- Any person you pay and/or received payment, including financial institutions and payment service providers.
- Any person or company which involves the restructuring of company, merger or acquisition that has occurred or may have occurred. This includes the assignment of any rights or obligations that we have under the contract between us and you.
- Law enforcement agencies, government, courts, dispute resolution agencies, auditors and any person appointed or requested to review our operational activities.
- Any other person who is involved in any dispute that arises.
- Anti-corruption agencies that use personal data to verify your identity and investigate and prevent fraud, including financial crimes.
- Any person we have been instructed from you to disclose your personal data to e.g. education institute, etc.

#### **Disclosure of personal data abroad**

We may need to disclose your personal data to foreign countries in order to fulfill contracts made between you and us to comply with legal requirements, to protect the public interest and/or for our legitimate interests. The laws of some countries may require that certain types of personal data be disclosed to individuals as required by such law (e.g. disclosed to tax authorities, etc.). In this case, we will only disclose personal data to

individuals who have the right to see or access such personal data and will establish appropriate levels of personal data protection measures.

#### 4. **Retention of personal data**

We will retain your personal data for as long as necessary to meet the purposes set out in this Privacy Notice unless requested or permitted by law. When we do not need to process your personal data, we will process the deletion of your personal data or make your personal data anonymized, or if it is not possible (e.g. your personal data is stored in a permanent backup database), we will keep your personal data secure and exclude your personal data from further processing until we can proceed with the deletion of your personal data.

##### **Accuracy of your personal data**

We ask for your cooperation in keeping your personal data in our possession up to date, complete, and accurate. You can notify us when your personal data changes through the contact channels in Article 8 below.

We may ask you to update your personal data from time to time so that it is up-to-date, accurate, and complete.

#### 5. **Data subject right**

You have the following rights to process your personal data:

- **Right to withdraw consent:** You have the right to withdraw consent that you have given to us at any time according to the procedures and methods that we define unless as a condition, consent cannot be withdrawn.
- **Right to access:** You have the right to access, obtain a copy of your personal data or ask to disclose the acquisition of your personal data, unless we have the right to refuse your request in accordance with law or court order, or if your request may have potentially damaged the rights and freedoms of another person.
- **Right to correct:** You have the right to correct or change of your personal data, in the event that the information is inaccurate or incomplete and keeps your information up to date, completely and not misleading.
- **Right to erasure:** You have the right to request erasure, destruction or make personal data non-personally identifiable information, unless we comply with applicable laws for the retention of such data.
- **Right to object:** You have the right to object to the processing of your personal data unless we have reasons to lawfully refuse your request.
- **Right to restrict processing:** You have the right to request that the processing of your personal data be suspended temporarily or permanently.

- **Right to transfer:** You have the right to obtain your personal data electronically or request that such personal data be sent or transferred to a third party, unless we cannot, by technical condition, or have reasons for lawfully denying your request.
- **Right to lodge a complaint:** You have the right to complain to the relevant government agency in case you believe that our actions do not comply with PDPA provided.

You may exercise your rights at any time by contacting us via the contact channels set out in this Privacy Notice, free of charge. However, we may charge reasonable fees if your request is unfounded, redundant, or overreacting, and we may refuse to process your requests in those circumstances.

#### **Dealing with complaints**

You can contact us with a complaint about how we process your personal data on the contact channels set out in this Privacy Notice.

#### **6. Security of personal data**

We take the security of your personal data very seriously, so we will always review and implement up-to-date physical and technical security measures when processing your personal data. We have established internal control policies and measures to ensure that your personal data is not lost, inadvertently destroyed, misused, exposed and accessed by individuals who are not our employees. Our employees are trained to handle personal data safely under our policies.

#### **7. Amendments to the Privacy Notice**

This Privacy Notice is effective from the date specified at the top of the document. Changes may be made from time to time. However, the latest changes can be found on the dates listed above in this Privacy Notice. You should periodically review this Privacy Notice to be aware of any changes that may occur.

#### **8. Contact us**

If you have any questions about the protection of your personal data or request to exercise any of your rights, you can contact us at:

- MK Restaurant Group Public Company Limited  
1200 Debaratna Road, Bangna-Tai, Bangna, Bangkok 10260
- **Email to :** [dpo@mkrestaurantgroup.com](mailto:dpo@mkrestaurantgroup.com) or
- **Telephone Number :** 02-836-1088 or 02-066-1000