

# Privacy statement EY Thailand

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### Introduction

This privacy statement is provided to explain how EY collects, uses and/or discloses personal data, and describes the rights you have with respect to your personal data in accordance with Thailand's Personal Data Protection Act B.E.2562 (2019) (hereinafter referred to as the "PDPA").

In this statement, "EY," "our", "we" or "us" shall include and refer to EY Office Limited, EY Corporate Services Limited, EY ACS Limited, EY Corporate Advisory Services Limited, EY Holding (Thailand) Limited, EY Consulting Limited, EY Advisory Services Limited, and Transformation Holding (Thailand) Limited. Each is a separate entity, and all are collectively referred to as "EY Thailand" which may act as a Data Controller or a Data Processor under the PDPA.

In this statement, personal data shall mean any information relating to a person, which enables the identification of such person, whether directly or indirectly, but not including the information of deceased persons in particular.

In this statement, sensitive personal data shall mean personal data pertaining to races, ethnic origin, political opinions, cult, religious or philosophical beliefs, sexual behavior, criminal records, health data, disability, trade union information, genetic data, biometric data, or any data which may affect the data subject in the same manner set forth in the PDPA.

### 1. Purposes of processing personal data

The type of personal data which we collect, use or disclose ("process") varies depending on the purpose of processing your personal data, as follows:

Clients and individuals whose personal data we obtain in connection with providing our services.

When clients engage us to provide professional services, we collect and use personal data on a necessary basis or when we have a lawful basis to do so in connection with those services.

We also process personal data of individuals with whom we do not have a direct (contractual or other) relationship (for example, employees, customers or suppliers of our clients). In such cases, we will seek confirmation from our clients that they have the authority to provide personal data to us in connection with the performance of the services and that any personal data they provide to us has been processed in accordance with applicable law.

The majority of the personal data we collect and use to provide our main services are supplied by our clients (or directly collected by us from third-party sources at the request of our clients). They include (but are not limited to):

- Basic information, such as your name, the company you work for, your position and your relationship to a person
- Contact information, such as your postal address, email address and telephone numbers
- Financial information, such as payment-related information
- Details of employment, such as employment number, employment department, role and employment time
- Any other personal data relating to you or other third parties which you provide to us for the purpose of receiving our services

For certain services, we also process sensitive personal data. For example, performing tax return services involves the processing of details of payments made by our clients or their spouses and dependents with respect to medical treatments or to a religious charity, and in performing immigration services we also process nationality, or gender. Furthermore, in providing assurance or consulting services, the scope of sensitive personal data depends on the service and the sector. For example, if we provide services for a client in the healthcare sector, pharmaceutical sector or insurance sector, we may process health information.

In addition, we will check personal data, including some sensitive personal data, as part of our client acceptance procedures and in order to provide professional services or to fulfill any legal or other regulatory requirements to which we are subject.

The checks could include the following:

- Identity verification
- Check of ultimate beneficial ownership of corporate and other legal entities
- Conflict checks to avoid a conflict of interest with any other clients
- Anti-money laundering proceeds of crime and terrorist financing checks
- Independence checks

### Participants in EY meetings, conferences, events and learning sessions

We process personal data about participants in EY meetings, conferences, events and learning sessions (collectively referred to as "events"). We use various applications to manage event registration processes, which will contain their own privacy notices explaining why and how personal data are collected and processed by these applications. We encourage participants to refer to the privacy notices available on those applications.

As part of our event management processes, we process the following personal data (but only to the extent required for a specific event):

- Contact details (such as name, last name, phone numbers, email address and postal address)
- Employment details (such as role, rank, and job title)
- Event-related data (such as dietary restrictions or special requirements, registration status, participant status/type).

EY may take photographs and make audio or video recordings in public areas of EY events. We use such media in our marketing materials. Images and voices of attendees may be recorded. Recordings will be subsequently edited, copied, exhibited, published or distributed as necessary.

#### **Business contact information**

We process personal data about contacts (former, existing and potential clients and individuals employed by, or associated with, such clients and other business contacts, such as alumni, consultants, regulators and journalists) in our databases. These databases support the marketing operations of EY. EY Thought Leadership materials, newsletters, marketing materials, learning opportunities, surveys and invitations to events are sent to individuals recorded as contacts in our databases.

We process the following categories of personal data:

- Name, job title, address, email address, phone and fax numbers
- Name of employer or organization the individual is associated with
- Marketing material preferences
- Invitation responses and event attendance confirmations

Data of business contacts who have not been actively engaged with EY in a certain period will be deleted from our databases upon expiration of the retention period. If you have opted out of receiving future EY publications, your basic contact details will remain on our opt-out list.

### Job applicants

We collect information from and about candidates in connection with available employment opportunities at EY. As a general matter, the data we collect includes resumes or CVs, identification documents, academic records, work history, employment information and references.

We use your personal data to match your skills, experience and education with specific roles offered by EY. This information is passed to the relevant hiring managers and persons involved in the recruitment process to decide whether to invite you for an interview. EY will collect further information if you are invited to the interview (or equivalent) stage and onward. Such information includes interview notes, assessment results, feedback and offer details.

In connection with our recruitment activities, we may also collect sensitive personal data that could be beneficial for the candidates' future employment or employment-related benefits. In collecting such data, the explicit consent must be obtained from data subjects in accordance with applicable law.

EY collects personal data about candidates from the following sources:

- Directly from candidates for example, information that a candidate has provided when applying for a position directly through the EY Careers website.
- From recruitment agencies for example, when a recruitment agency contacts us to suggest a candidate as a potential candidate.

- Through publicly available sources online for example, where a candidate has a professional profile posted online (e.g., on your current employer's website or on a professional networking site, such as LinkedIn).
- By referrals for example, through a referral from a former employee or employer, or from a referee identified by a candidate.

### **Employees**

Personal data of employees will be collected during the recruitment process and throughout the course of the employment relationship with EY. We process personal data of employees in the context of employment to fulfill our obligations throughout the course of our employment relationship with you, including for the purpose of checking conflicts of interest, independence, risk management and facilitating employee benefits.

Most of the employees' personal data is obtained directly from the employees themselves, including personal data of the person who has relationship with the employees to the extent necessary and for lawful purposes. This may include personal data of the employee's immediate family members, such as name and details of the spouse or spousal equivalent and dependents in relation to investment and financial interests information for checking conflicts of interest, independence and risk management in accordance with the applicable firm's policy and/or law, name and contact details of the person provided by the employees as a contact person in case of emergency, and other information required for benefit facilitation. The employees are required to notify that person that his/her personal data has been provided to us for the abovementioned purposes and may also provide this privacy statement to inform him/her about how his/her personal data is processed and his/her rights for his/her acknowledgement. In addition, the employees warrant that they have the rights or obtain the consent from such person to disclose his/her personal data to EY for the abovementioned purposes.

In general, we will further process the personal data we receive in connection with our recruitment application activities, as well as additional personal data, including (but not limited to) the following personal data:

- Bank account details, social security number, passport number
- Financial interests including investments and securities holdings

We may also need to collect and process sensitive category data of employees, but it is necessary to obtain prior consent from employees before we can process the sensitive personal data. The sensitive personal data which we process in the employment context may include:

- Health conditions and physical and/or mental health.
- Criminal background checks including data relating to suspected and/or criminal acts depending on his/her role or scope of professional services provided to clients.
- Biometric data used for identification.

In cases where the processing of sensitive data is necessary, we may process the sensitive personal data only with prior explicit consent from the employees, unless the processing of the sensitive data is for purposes permitted by the PDPA, such as employee performance assessment, health or social services, or if the processing of the sensitive personal data is necessary to prevent harm to the employee's life, body or health, or in accordance with applicable laws or regulations.

#### Alumni

EY hopes to maintain a lifelong, mutually beneficial relationship with EY alumni (former partners, employees and contractors). The personal data we collect is generally limited to your name, contact details, role, last employment date, rank, and service line to create our alumni databases unless you have indicated that you are not interested in participating in the EY alumni program.

#### **Suppliers**

We process personal data about our suppliers (including subcontractors, and individuals associated with our suppliers and contractors) in order to manage our relationships and contracts, and to receive services from our suppliers.

The personal data we process is generally limited to contact information (name, name of employer, phone number, email address and other contact details) and payment-related information.

In addition, before engaging a new supplier, we also use the supplier's data to identify whether there are any conflicts of interest or audit independence restrictions that could prevent us from appointing the new supplier. The processing also includes other background checks required by law or regulation, for example, adverse media, bribery and corruption, and other financial crime checks.

#### Visitors to EY offices

When you visit an EY office, we process your personal data in order to provide you with certain facilities (such as access to our buildings and conference rooms or Wi-Fi), to control access to our buildings, and to protect our offices, personnel, assets and confidential information (for example, by using CCTV).

EY uses CCTV monitoring where permitted by law. CCTV images are securely stored and only accessible on a need-to-know basis (for example, to look into an incident). We are allowed to disclose CCTV images to law enforcement bodies. We will also share CCTV images with our insurers for the purpose of processing an insurance claim as a result of an incident. CCTV recordings are typically deleted or automatically overwritten after a short period of time unless an issue is identified and requires further investigation.

The personal data we collect is generally limited to your first name, last name, contact information, e-mail address, company name, and the date and time of your entry to and exit from our office.

### Visitors to ey.com

We collect personal data that you provide voluntarily through our site. For example, when completing online forms to contact us, subscribing to a newsletter, using one of our online benchmark tools, subscribing to receive marketing communications from us, participating in surveys or registering for events that we are organizing, we collect your name, job title, company data and any information that you provide to us.

If you register on our site, your personal data will be stored in our databases. For further details, please see the section "Business contact information".

Certain personal data is collected automatically from your device, including your IP address, device type, unique device identification number, browser type, broad geographic location and other technical information, such as connection details and website access logs. This information may be collected using cookies and similar tracking technology (please click here to learn more about EY Cookie Policy).

Individuals who visit our social media sites, social media plugins and tools

Social media sites	EY uses various social media platforms for various purposes, including recruitment or marketing. We use social media to provide you with easy access to relevant information regarding job opportunities at EY and events we organize, and to promote our services and brand.
	While EY will be responsible for the content it publishes using social media platforms, EY has no influence on managing the social media platforms (such as generating user statistics or placing cookies). When using these social media platforms, you are obliged to adhere to the legal and privacy terms set by the social media platform providers.
	If you wish to access such data or exercise any of your other rights (such as the right to object to the processing of your data), you should contact the social media platform provider.
Social media plugins	On our website, we implement social media plugins, such as Facebook plugins and YouTube plugins. When you visit a page that displays one or more of such buttons, your browser will establish a direct connection to the respective social media server to load the content from there. At the same time, the social media provider will recognize that the respective page on our website has been visited. We have no influence on the data that social media providers may collect through these plugin buttons. If you wish to prevent this, please log out of your social media accounts before visiting our website. Social media providers set cookies on your device, unless you have disabled the acceptance and storage of cookies in your browser settings. If you access the platforms

	of social media providers, your personal data will then be processed under the privacy policies of the respective social media providers. Please read and understand their privacy notices when accessing such platforms.
Social media tools	EY uses LinkedIn Lead Gen Forms for EY sponsored content and LinkedIn InMails for recruitment and marketing campaigns. Once LinkedIn members click on an EY advertisement, they will see a form that is pre-filled with information from their LinkedIn profile, such as their name, contact information, company name, position level, job title and location. As soon as a LinkedIn member submits the form, they will be connected to EY.

### **EY Ethics**

EY Ethics provides EY employees, clients and others outside of EY with a means to confidentially, and either anonymously or on a disclosed basis, report an activity that involves unethical or illegal behavior that is in violation of professional standards or otherwise inconsistent with our EY Global Code of Conduct. Reports can be made either online or via a telephone hotline.

EY Ethics contains its own privacy notice and consent form which describe the practices EY follows in relation to EY Ethics. Please refer to this EY Ethics privacy notice and consent form (click here).

#### 2. Lawfulness of collecting and using personal data

We limit our collection and use of your personal data to what is necessary to operate our business and provide our services in compliance with the PDPA, as follows:

#### 1) Performance of a contract

We process your personal data in order to perform our contractual obligations or enter into a contract, including fulfillment of our obligations to provide services under the terms agreed between us, as the data controller, and the data subject, who are a party to the contract.

#### 2) Legitimate interests

We process your personal data when it is necessary for the purposes of the legitimate interests pursued by us or by a third party where such interests do not override your fundamental rights and freedoms.

Examples of our legitimate interests are:

- Effective delivery of information and professional services to our clients, and the effective and lawful operation of our businesses
- Providing our clients with consistent and high-quality services and managing payments, fees and charges in respect of our services
- Managing the relationship with our business contacts, organizing events and managing the registration process for such events.
- Providing information about EY, our services and events we organize
- Identifying any conflicts of interest with regard to EY independence policy
- Safeguarding against EY dealing with the proceeds of criminal activities or assisting in any other unlawful or fraudulent activities
- Protecting our offices, personnel, confidential information and IT infrastructure against unauthorized access or data leakage
- Preventing and detecting crime, and establishing, exercising and defending legal claims
- Screening and selecting candidates for roles at EY
- Maintaining a strong relationship with our alumni, sending publications about EY and our services, and inviting alumni to events
- Developing and improving our websites and user experience

#### 3) Compliance with a legal or regulatory obligation

We may process your personal data to fulfil our legal and regulatory obligations or mandates e.g., following a regulator's directives to comply with applicable laws.

### 4) Consent

If the processing of sensitive data is necessary, we may process your sensitive personal data when we obtain prior explicit consent from you or for purposes that are legally permitted, such as when it is necessary for the establishment, compliance, exercise or defense of legal claims or in the substantial public interest.

### 5) Vital interests

We may rely on the purpose of vital interests in case of emergency. For example, when the processing of your personal data by EY is necessary to prevent or avoid danger to your life, body or health in situations where you are unable to give consent.

### 3. Your rights in relation to personal data

You have the following rights in relation to your personal data we collect and use:

- Data access: You have the right to access your personal data held by EY and to request a copy of your personal data that we collect. You may also request us to disclose how we obtained your personal data when you have not given your consent.
- **Data rectification:** You have the right to rectify your personal data if it is misleading, inaccurate or incomplete.
- Object to the processing: You have the right to object to the processing of your personal data, for example, in case where we process your data for the purpose of public interest or we rely on a legitimate interest basis, and such interest is overridden by your interest or your fundamental rights. If we are no longer entitled to process your personal data, we will cease such processing (as required in specific circumstances and subject to the law).
- Restrictions on processing: You have the right to request EY to restrict the use of your personal data under certain circumstances. For example, this may apply while a request to check the correctness of personal data or to have such data corrected is being processed, or while a request to suspend the processing of your personal data, rather than deletion, is in progress.
- Data erasure or destruction: You have the right to request EY to erase, destroy or anonymize your personal data in certain circumstances, for example, when the personal data is no longer necessary for the purposes for which it was collected or used or when you request to withdraw your consent or object to the processing.
- Data portability: You have the right to receive a copy of the personal data which you have provided to EY, in a readable or commonly used format by automatic means and the right to request that EY send or transfer the personal data in such formats to other Data Controllers.
- Withdrawal of consent: You have the right to withdraw your consent where you have provided personal data voluntarily, and the right to opt out of receiving marketing communications unless the personal data is being processed for other legally permitted purposes.

If you have a query or wish to exercise your rights, please contact EY Thailand Data Protection Office. You may also have a right to complain to Thailand Personal Data Protection Committee.

We shall fulfill the request within 30 days from the date of receipt.

### 4. Complaints

If you have any complaints or are concerned about a potential breach of the PDPA or any other regulations by EY, you may contact EY Thailand Data Protection Office using the contact details provided in section 13 "Contact us". The Data Protection Officer will investigate your complaint and give you information about how it will be handled.

### 5. Transfers of personal data

EY member firms operate in more than 150 countries across the globe. Certain aspects of the EY infrastructure are centralized, including information technology services provided to member firms. In addition, where engagements with EY clients span more than one jurisdiction, certain information will need to be accessed by all those within the EY organization who are working on the matter. Therefore, in certain circumstances, it is necessary for us to send or transfer your personal data to EY member firms located in countries outside Thailand. In such cases, we shall process in compliance with the EY Binding Corporate Rules (BCRs) and take appropriate security and legal precautions to safeguard the safety and integrity of personal data that is transferred within the EY organization and EY member firms to ensure that your personal data has an adequate level of protection for the transferring and processing of personal data in compliance with the PDPA.

<u>Please click here</u> to learn more about our BCRs.

Your personal data will also be processed by EY support providers that support our internal ancillary processes. For more information, see section 6. "Support providers".

#### 6. Support providers

We transfer or disclose the personal data we collect to external support providers (and their subsidiaries and affiliates) who are engaged by us to support our internal ancillary processes. For example, we engage support providers to provide (a) general office support including printing, document production and management, archiving, and translation services; (b) accounting, finance and billing support; (c) IT functions including system management and security, data storage, business applications, voicemail and replication of systems for business continuity/disaster recovery purposes; and (d) conflict checking, risk management and quality reviews.

It is our policy to only use third-party support providers that are bound to maintain appropriate levels of data protection, security and confidentiality, and that comply with any applicable legal requirements for transferring personal data outside the jurisdiction in which it was originally collected. For data collected in Thailand or which relates to data subjects in Thailand, EY requires an appropriate transfer mechanism to comply with applicable law.

#### 7. Other disclosures

EY discloses your personal data:

- Where this is appropriate for the purposes described in section 1. "Purposes of processing personal data," and section 2. "Lawfulness of collecting and using personal data", including disclosures within EY member firms or EY entities worldwide (please see the list of EY member firms and affiliates on the EY Global website).
- If required, by applicable law
- In connection with a reorganization or combination of our organization with another organization
- If we believe that such disclosure is appropriate under the terms of engagement and other agreements, or is otherwise necessary to protect and defend EY's rights, property or safety
- In order to comply with judicial proceedings, court orders or other legal obligations, or regulatory or government inquiries or
- With your consent

In addition, in certain circumstances, EY has a legal obligation to report suspicious transactions and other activities to relevant regulatory authorities under antimoney laundering, terrorist financing, insider dealing or related legislation. EY also reports criminal or suspected criminal activities to the police and other law enforcement bodies. In some cases, we may not be permitted by law to inform you about this in advance of the disclosure, or at all.

Third-party recipients of personal data include (but are not limited to) professional advisors, insurers, regulators, the Revenue Department, Customs Department, Excise Department, regulatory and other professional bodies, the Securities and Exchange Commission Thailand, Department of Business Development, providers of identity verification services, credit reference agencies, courts, police and law enforcement agencies, government agencies, service providers, and support providers.

### 8. Security

EY protects the confidentiality and security of information it obtains in the course of its business. EY has implemented security measures to prevent unauthorized access to such information, and to safeguard the information from loss, misuse and improper disclosure. We require our staff and any third parties who carry out any work on our behalf to comply with appropriate standards including obligations to protect any information and apply appropriate measures for the processing of information.

For additional information regarding our approach to data protection and information security, <u>please click here</u>.

### 9. Keeping your personal data up-to-date

We maintain the accuracy and completeness of the personal data we hold. It is important that you inform us of any updates to your contact details or other personal data so that we have the most up-to-date information about you. Please contact the person you usually deal with at EY. You can also contact EY Thailand Data Protection Office at the contact details provided in section 13 "Contact us".

### 10. Retention period

Our policy is to retain personal data only for as long as it is needed for the purposes described in section 1. "Purposes of processing personal data," and section 2. "Lawfulness of collecting and using personal data" and in accordance with the provisions of applicable laws. In general, we will retain personal data for a period of up to 10 years.

However, we may need to retain personal data for a longer period in order to meet our professional, legal and other regulatory requirements. For example, retention may be necessary for verification or investigation in the event of a dispute including establishing, exercising or defending our legal rights. Once there is no longer necessity to retain such personal data, it will be deleted, destroyed or rendered unidentifiable.

#### 11. Minors, incompetent or quasi-Incompetent persons

In general, we do not intentionally collect personal data from minors, incompetent or quasi-Incompetent persons.

In cases where we collect such data, we are required to obtain consent to process your personal data from your parent(s), legal guardian(s) or curator (as the case may be) unless it is exempted from doing so by law.

If you believe that you have inadvertently provided personal data, please ask your parent(s) or legal guardian(s) or curator to notify us and we will delete your personal data.

### 12. Changes to this privacy statement

We will occasionally update this privacy statement to reflect changes in our practices and services. When we post changes to this privacy statement, we will revise the "last updated" date at the top of this privacy statement. If we make any material changes in the way we collect, use, and transfer personal data, we will notify you by prominently posting notice of the changes on our website. We recommend that you check this page from time to time to inform yourself of any changes in this privacy statement.

### 13. Contact us

If you have any questions regarding the collection, use and/or disclosure of your personal data or wish to exercise your rights under this privacy statement, please contact EY Thailand, which acts as the Data Controller, via the EY Thailand Data Protection Office using the following channels:

Address: 1875 One Bangkok Tower 3, Level 34 - 37

Rama 4 Road, Lumphini, Pathumwan,

Bangkok 10330

Email address: thailand.dpo.office@th.ey.com

Telephone no: 02-494-9976 or 02-494-9977

#### EY | Building a better working world

EY exists to build a better working world, helping to create long-term value for clients, people and society and build trust in the capital markets.

Enabled by data and technology, diverse EY teams in over 150 countries provide trust through assurance and help clients grow, transform and operate.

Working across assurance, consulting, law, strategy, tax and transactions, EY teams ask better questions to find new answers for the complex issues facing our world today.

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst & Young Global Limited, a UK company limited by guarantee, does not provide services to clients. Information about how EY collects and uses personal data and a description of the rights individuals have under data protection legislation are available via ey.com/privacy. EY member firms do not practice law where prohibited by local laws. For more information about our organization, please visit ey.com.

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