

## Personal Data Privacy Policy

### Introduction

Nova Empire Public Co., Ltd. (“NOVA”) is fully committed to diligently guard the privacy of your personal data. Your personal data is a precious asset, and an important resource for Nova for creating new value, which is why NOVA strictly observes the Personal Data Protection Act B.E. 2562 (“PDPA”) to ensure best practices with respect to protection of your personal data.

This Personal Data Privacy Policy (“Policy”) contains:

- what types of personal data NOVA collects;
- how NOVA collects and uses your personal data;
- when and who NOVA will disclose or transfer your collected personal data to;
- when NOVA will inform you of the collection of your personal data and your rights and how you can exercise them;
- what measures or procedures NOVA takes to ensure your collected personal data remains private and secure; and
- how long NOVA retains your personal data, and how you can contact us.

This Policy applies to the personal data NOVA collects about:

- customers and potential customers;
- suppliers, distributors and business partners, including their employees and contact persons;
- job applicants; and
- visitors of NOVA’s website and premises.

Please take a moment to read this Policy to understand your rights to your personal data given to NOVA. This Policy may change during our relationship with you; therefore, you should come back and read this Policy from time to time.

### What types of personal data does NOVA collect?

Your personal data means any information relating to you that NOVA can identify you, whether directly or indirectly, from that data alone or in a combination with other identifiers NOVA possesses or can reasonably access (“Personal Data”). The types of Personal Data NOVA collects from you may be different depending on the scope of products and/or services you are interested in or other kind of relationships with NOVA. The collected Personal Data may include:

#### General Personal Data

- Name and surname
- Gender
- Date of birth
- Educational background
- Occupation background
- Marital status
- Nationality
- Address
- Email address
- Contact number

- Social media account
- Identification card number
- Passport number
- Photo
- Information about how you use NOVA's websites, applications or other technologies, including IP addresses or other devices information; and
- Other information that you have given NOVA.

*Sensitive Personal Data*

Only to the extent necessary in each specific case, NOVA may also collect and retain your sensitive Personal Data which may include:

- Racial or ethnic origin;
- Religious or philosophical beliefs;
- Criminal records;
- Health data or disability condition;
- Genetic data; and
- Biometric data

If you do not or are unable to provide your Personal Data which NOVA requires, NOVA may not be able to establish a relationship with you or offer you products and/or services.

**How NOVA collects your Personal Data?**

NOVA may collect your Personal Data directly from you when you interact with NOVA (including through the website, email and telephone), such as when you establish a relationship with NOVA, purchase any of NOVA's products or services, participate in any of NOVA's activities or apply for a position with NOVA.

NOVA may also collect your Personal Data indirectly from third parties, such as:

- NOVA's business partners, suppliers, service providers, consultants, contractors and subcontractors;
- NOVA's affiliated or group companies;
- Persons who may know you; or
- Public sources.

## How does NOVA use your collected Personal Data?

NOVA will use or process your collected Personal Data by fair and lawful means to the extent necessary for specific purposes. NOVA has also set out some lawful reasons why NOVA may use or process your collected Personal Data.

Depending on the type of Personal Data NOVA is processing, NOVA may process your collected Personal Data when it is necessary to prevent or avoid danger to a person's life, body and health (Vital interests) or to engage in business with NOVA or provide products and/or services set out in a contract (Contracts), when it is in NOVA's legitimate interests to process your Personal Data (Legitimate interests), when it is required or allowed by any relevant and applicable laws (Legal obligations) or when NOVA has your permission (Consents).

The details of each purpose are as follows:

### **Vital interests**

NOVA will rely on the vital interest purpose for which the processing of your collected Personal Data is necessary to prevent or avoid danger to a person's life, body or health.

### **Contracts**

NOVA will rely on the contract purpose for which the processing of your collected Personal Data is necessary for the performance of contracts to which you are a party or in order to take steps at your request before entering into contracts.

NOVA will process your collected Personal Data in accordance with the contract between us, and for the following reasons:

- Delivering products and/or services to you or procuring them from you;
- Administering, implementing, maintaining, managing and operating NOVA's products and/or services;
- Arranging, processing, assessing and determining any applications, requests or claims made by you in connection with NOVA's products and/or services;
- Exercising rights or performing obligations that NOVA may have in connection with the products and/or services;
- Issuing warranty certificates and providing warranty services;
- Issuing or executing contracts and maintaining your account with NOVA;
- Exercising rights or performing obligations under executed contracts; or
- Participating in activities organised by or on behalf of NOVA.

### **Legitimate interests**

NOVA will rely on the purpose of legitimate interests pursued by NOVA or by a third party which require NOVA to process your collected Personal Data, except where such interests are overridden by your interests or fundamental rights and freedoms. To give you an idea of when NOVA will rely on the legitimate interests, after considering your interests, rights and freedoms, NOVA has legitimate interests which allow NOVA to process your collected Personal Data in the following circumstances:

- Liaising, communicating business transactions and establishing as well as managing relationships; or
- Maintaining security and safety of persons and properties on NOVA's premise.

### **Legal obligations**

NOVA will rely on the purpose of legal obligations for which the processing of your collected Personal Data is necessary for compliance with a legal obligation to which NOVA is subject.

### **Consents**

NOVA will process your collected Personal Data on grounds of consents; especially, in the case where the processing activities have potential impact on your sensitive Personal Data. NOVA will inform you of the objectives of Personal Data processing and request your consent or explicit consent to process your collected Personal Data in the following circumstances:

- When NOVA does not have other lawful grounds to collect your general Personal Data or sensitive Personal Data;
- When NOVA intends to transfer your collected Personal Data overseas and the destination country has lesser data privacy standards;
- When you are classified as a minor, quasi-incompetent or incompetent of which the consent will be requested from your legal representatives, guardians or curators, as the case may be; or
- When NOVA intends to send you information on products and/or services, special promotions or other marketing information.

### **When does NOVA disclose or transfer your collected Personal Data?**

NOVA will not disclose or transfer your collected Personal Data to any third parties, except in the cases where:

- there is an agreement with the person(s) concerned;
- it is required to do so by law or legal process;
- it is necessary to protect the life, body or health of others, and the agreement of the person concerned is difficult to obtain;
- the handling of Personal Data is entrusted to a third party, within the range needed to achieve the agreed purpose of use;
- business activities are taken over as a result of mergers, corporate splits, business transfer, or for other reasons; or
- NOVA considers it is appropriate to have the affiliated, group companies or agents respond to customers inquiries regarding products, repairs or services.

For overseas disclosure or transfer, NOVA will only disclose or transfer your collected Personal Data to a country that, in the view of the Thai Personal Data Protection Commission, has adequate data protections laws, and where necessary, NOVA will follow criteria, guidelines or safeguards in relation to data security and cross-border transfer commonly practiced under the General Data Protection Regulation (GDPR).

Where such data security standards are deemed inadequate, NOVA will provide appropriate safeguards to protect your interest and the disclosure or transfer will take place if one of the exceptions defined by the PDPA is met. The exceptions are where:

- the transfer is necessary for compliance with the law;
- you have explicitly consented to the proposed transfer after having been informed of the possible risks of such transfer due to the absence of adequate security standards or safeguards;
- the transfer is necessary for the performance of a contract with you or the implementation of pre-contractual measures taken at your request;
- the transfer is necessary for the conclusion or performance of a contract in your interest between us and another natural or legal person;
- the transfer is necessary to protect your vital interests or those of other persons, and the data subject is incapable of giving consent; or
- the transfer is necessary for important reasons of public interest.

### **When NOVA will inform you of the collection of your Personal Data?**

NOVA will always inform you of the purposes of processing your Personal Data, before or at the time of collecting your Personal Data.

However, in some cases, it is not necessary for NOVA to inform you of the processing purposes, such as when:

- you are already aware of such new purposes or details of our processing;
- NOVA believes that notice of such new purposes or the details of our processing is impossible or will obstruct the use or disclosure of your Personal Data, where NOVA has taken suitable measures to protect your rights, freedoms and interests;
- it is urgent to use or disclose your collected Personal Data as required by laws and NOVA has implemented suitable measures to protect your interests; or
- NOVA is aware of or acquire your Personal Data from our duty, occupation or profession, and NOVA has maintained such new purposes or certain details with confidentiality as required by laws.

### **Your rights**

You have rights to your Personal Data according to the PDPA. These rights include:

1) **Right to access**

You have a right to access and obtain a copy of Personal Data that NOVA holds about you, or you may ask NOVA to disclose the sources of where NOVA obtained your collected Personal Data that you have not given consent.

2) Right to data portability

You have a right to request NOVA to transfer your collected Personal Data to other persons/organisations, or request to see your collected Personal Data that NOVA has transferred to other persons/organisations, unless it is impossible due to technical circumstances.

3) Right to object to the processing of your collected Personal Data

You have a right to object to the processing of your collected Personal Data, unless there are circumstances that do not allow you to make the objection. This may include when NOVA has compelling legitimate interests ground or when the processing of your collected Personal Data is carried out to comply, exercise or defend legal claims or for the public interest.

4) Right to erasure

You have a right to request NOVA to delete, destroy or anonymise your collected Personal Data in the following circumstances where:

- a) Your collected Personal Data is no longer necessary for the purpose for which it was collected, used or disclosed;
- b) You have withdrawn your consent to which the collection, use or disclosure is based on and NOVA does not have legal grounds to collect, use or disclose your collected Personal Data;
- c) You have objected to the collection, use or disclosure of your collected Personal Data and NOVA does not have legal grounds to reject such request; and/or
- d) Your collected Personal Data has been unlawfully collected, used or disclosed under the PDPA.

5) Right to restrict the processing of your collected Personal Data

You have a right to request NOVA to restrict the processing of your collected Personal Data in the following circumstances when:

- a) It is under the pending examination process of checking whether your collected Personal Data is accurate, up-to-date, complete and not misleading;
- b) It is your collected Personal Data that should be deleted or destroyed as it does not comply with the laws, but you request to restrict it instead;
- c) Your collected Personal Data is no longer necessary to be retained for the purpose for which it was collected, used or disclosed, but you still have the necessity to request the retention for the purposes of the establishment, compliance, exercise of legal claims or the defence of legal claims;
- d) NOVA is pending verification in order to reject the objection request to the collection, use or disclosure of your collected Personal Data.

6) Right to rectification

You have a right to rectify inaccurate collected Personal Data in order to make it accurate, up-to-date, complete and not misleading. If NOVA rejects your request, NOVA will record such rejection with reasons.

7) Right to lodge a complaint

You have a right to make a complaint in the case where NOVA, NOVA's data processors including NOVA's employees or contractors do not comply with the PDPA or other notifications or announcements under the PDPA.

8) Right to withdraw consent

You may withdraw your consent at any time, unless NOVA has a lawful basis to deny your request.

If you change your mind about how you would like NOVA to have or process your collected Personal Data and would like to withdraw your consent, you can tell NOVA anytime by following the withdrawal process at [thiti@novaempire.co.th](mailto:thiti@novaempire.co.th).

**How do you exercise your rights?**

You can exercise your rights by making a request through NOVA's official channels at [thiti@novaempire.co.th](mailto:thiti@novaempire.co.th). If necessary, NOVA may require you to confirm your identity or provide additional information to support and to enable NOVA to complete your request.

In the case of more than 3 (three) consecutive requests are made within 5 (five) working days, or in the circumstance of obviously excessive or unfounded requests, NOVA are entitled to full rights and sole discretion to either fulfil, decline or charge a reasonable fee to fulfil your requests.

NOVA are entitled to refuse your request on statutory grounds; in such case, NOVA will notify you of the refusal together with our reasonable grounds.

**How does NOVA ensure your collected Personal Data remains private and secure?**

NOVA uses a range of measures to keep your collected Personal Data safe and secure, which may include encryption and other forms of security. NOVA requires its employees and third parties who carry out work on NOVA's behalf to comply with the PDPA and the appropriate privacy standards including obligations to protect any leakage of information and to apply appropriate security measures for the processing of personal information.

NOVA consistently maintains and updates the security procedures and measures taking into account the appropriate physical, technical and organisational security procedures and measures to ensure a level of security of your collected Personal Data appropriate to the respective risk and the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing, including to prevent loss and unauthorised collection, access, use, modification, correction, disclosure or otherwise processing of your collected Personal Data. NOVA's security measures apply to all types of data processing regardless of whether the collected Personal Data is processed electronically or in paper form.

NOVA assures that all collected Personal Data will be stored safely and securely with strict and adequate security standards. If you have a reason to believe that your collected Personal Data has been breached or if you have any questions regarding this Policy, please contact NOVA at the provided details in the "How can you contact us?" section.

## How long will NOVA retain your collected Personal Data?

NOVA will keep your collected Personal Data for as long as it is necessary for the relevant activity unless a longer retention period is required or permitted by laws (e.g. up to five years under Accounting Laws and Tax Laws) which in many cases is up to 10 (ten) years after the end of our relationship with you. If NOVA needs to keep your collected Personal Data for a longer period to comply with the legal obligation, or if some existing claims or complaints will reasonably require NOVA to keep your collected Personal Data for regulatory or technical reasons, NOVA will continue to protect that collected Personal Data.

NOVA may need to retain images and video footages from CCTV surveillance systems installed for security and safety of persons and properties within NOVA's premises for 72 (seventy-two) hours.

NOVA will delete, destroy, permanently anonymise or otherwise dispose of all collected Personal Data at the end of the retention period, or when NOVA must comply with your request for erasure of your collected personal information.

If you have any questions, please contact NOVA at the provided details in the "How can you contact us?" section.

## Cookies

Cookies are bits of text files that are automatically placed and stored on your computer to collect standard internet log information and your behaviour information on website. NOVA will use cookies on website to help identify site features in which you may have the greatest interest and improve the services and communication to you to provide you with a better user experience.

Keep in mind that you can disable cookies by changing the settings of your web browser, but it may affect you on how you use the website or may cause some of the website features not to function properly.

## Changes to the Policy

NOVA reserves the right to change, amend or update this Policy at any time as it deems appropriate and will notify you whenever there is any such change, amendment or update on website in which you can check at any time.

## How can you contact us?

If you have any comments, suggestions, questions or want to make a complaint or exercise your rights regarding your Personal Data, please contact us by email at [thiti@novaempire.co.th](mailto:thiti@novaempire.co.th), or visit NOVA's website at [www.novaempire.co.th](http://www.novaempire.co.th).