

Privacy Policy for Business Partners and Agent/Broker

Tokio Marine Safety Insurance (Thailand) PCL.

Tokio Marine Safety Insurance (Thailand) PCL. (“the company”) realized the importance of privacy rights and it is responsibility to safely collect, use and disclose collectively as “Processing personal data”) personal data of business partners and agent/broker. The objective of this policy is to inform regarding how the company process personal data in accordance with the Personal Data Protection Act B.E. 2562 (“PDPA”).

1. Definition

“Personal data”	means	Any information relating to a person, which enables the identification of such person, whether directly or indirectly, but not including the information of the deceased persons in particular and not including juristic person information.
“Sensitive Data”	means	Information which stated in Section 26 of Personal Data Protection Act and the amendments and other relating laws and regulations including information regarding racial, ethnic origin, political views, religious or philosophical beliefs, sexual behavior, criminal records, health data, disability, trade union information, genetic data, biometric data, or other data which may affect the data subject in the same manner.
“Personal Data Protection Act – PDPA”	means	Personal Data Protection Act B. E. 2562 including subordinate laws which published under Personal Data Protection Act and its amendments.
“Data Subject”	means	A person whom the personal data identifies to but not including juristic person.
“Business Partners”	means	Individual person or Juristic person who sales goods or provides services to the Company including subcontractor of them.
“Agent”	means	A person whom a company assigns to induce another person to enter into an insurance contract with the company.
“Broker”	means	A person or juristic person who, with the expectation of a commission, direct or arrange for another person to enter into an insurance contract with the company.
“Committee”	means	the Personal Data Protection Committee

2. Personal data that the company shall collect

The company shall collect personal data which may include sensitive data as follows:

2.1 Data subject proceed on behalf of themselves

- (1) Any identification information of such person, for example, name, house registration address, current address, phone number or mobile phone number or other contact information, gender nationality, marital status, date of birth, passport number or ID card number.
- (2) Qualification and working experience, for example, education qualification from school or university which includes certificate and reference document from school/university
- (3) Job application, for example, personal profile, job interview and other references
- (4) General working information, for example, workplace of data subject, non-life insurance agent /broker license, work department, position, chain of command and agreement and condition for being non-life insurance agent/broker
- (5) Work performance history including work performance assessment, awards, complaint history, investigation record, suspension of agent/broker agreement and disciplinary action including audit and risk assessment.
- (6) Benefit and Compensation, for example, commission and/or other benefits which data subject received, bank account number.
- (7) Bankruptcy history, money laundering or providing financial support to terrorists.

The above mentioned personal data is necessary for entering into a contract with the company. If data subject not provide such personal data, the company will not be able to consider for entering into a contact with data subject.

2.2 Data subject proceed on behalf of juristic person or for juristic person

In case that the company's contractor is a juristic person, the company may process personal data of data subject as an employee, contractor or authorized person on behalf of the juristic person

- (1) Any identification information of such person, for example, name-surname, house registration address, current address, phone number or mobile phone number, email, passport number or ID number.
- (2) Personal data of data subject which shown on company affidavit, shareholder list or other documents relating to entity containing personal data of the data subject.
- (3) Bankruptcy history, money laundering or providing financial support to terrorists.
- (4) Any information which the company requested from juristic person of data subject or from data subject for the purpose of entering into a contract, services or any other related operations as the company notified or requested to the data subject.

If data subject offer for sales or act as non-life insurance agent/broker, the company will also process personal data of data subject as stipulated in clause 2.1.

Apart from the above mentioned personal data, the company may process sensitive data of data subject, for example, criminal record for due diligence before entering into a contact such as for anti-money laundering or providing financial support to terrorists. Such sensitive data is necessary for entering into a contract. If data subject does not provide such sensitive data, the company will not be able to consider for entering into a contact with data subject.

In case that data subject has provided personal data of other persons to the company, the data subject acknowledges and certifies that a copy of this policy has been provided to such person and received consent from such person to disclose their personal data to the company.

3. How does the Company collect personal data of the data subject?

In general, the company collects personal data from data subject directly. Except in some case, the company may collect personal data from other persons, public resources, business information resources or commercial trade resources.

4. Purpose of Processing Personal data

- (1) The company process personal data of data subject for entering into a contract with data subject and for perform obligation under a contract.
- (2) To check and verification of identity of the data subject.
- (3) For background checks before and during a contract and such details may be reviewed during the contract period.
- (4) In case that data subject proceed as non-life insurance broker/agent, personal data of data subject will be used for the purpose of agent/broker business management including but not limited to manpower planning, wages, payment of benefits, incentive, offers, awards, work performance assessment, report or internal audit, data analysis, sales competitions, communications, announcements, surveys, statistics, complaint and inappropriate behavior investigation or other disciplinary actions, checking in accordance with laws, work ability, any information requests by the government for whatever reason ,as well as for the operation of the group companies including but not limited to prepare agent/broker record, insurance application, reference and background checks by group companies or others, avoiding conflict of interest or avoid the tendency to conflict of interests and other inspections by group companies. In addition, personal data of data subject may also be used for the purpose of complying with applicable laws and regulations and compliance with the requirements of the regulator for both domestic and outside the country of the data subject.
- (5) To collect, use and/or disclose of personal information to The Office of Insurance Commission (OIC) for benefit of supervision and promotion of insurance business conduct in accordance with Insurance Commission laws and non-life insurance laws as prescribed by Data Privacy Policy of OIC which published on OIC's website (<https://www.oic.or.th>).
- (6) For compliance with laws, including but not limited to, announcements, regulations and lawful orders of government agencies and relevant government officials, for example, the Office of Insurance Commission (OIC) and the committee.
- (7) For establishment, use, dispute or proceed legal claims of the company.
- (8) For contact and business operation during business relationship between the company and data subject.

5. Third party who may receive personal data from the Company

The company may disclose and/or transfer the personal data of the data subject to third party as stated below where such person may be located in Thailand or outside Thailand.

- 1) Group companies
- 2) Non-life insurance agent/broker of the company
- 3) Internal or external the company's adviser or expert such as lawyer, auditor or consultant.

- 4) Service provider or representative of service provider (including subcontractor) such as, payment service, technology service, cloud service, outsourcing service, call center service, document and information management, document recording, scan service, postal service, printing service, delivering service, information analyzing service, marketing service, research service, or other service which relating to company's business.
- 5) Insurance business organization such as the Office of Insurance Commission (OIC) , Thai General Insurance Association (TGIA) and The Federal of Thai industries.
- 6) Law enforcement regulator, commission which established by law, government sector or regulators, dispute resolution or other party which the company or group company require to disclose information (a) according to the laws or regulations in Thailand and may include government sectors which the group company located or (b) according to agreement or corporate rules between the company and government sectors or other relating parties.
- 7) A person or entity who enter into or will enter into any transaction with the company which personal data may be part of purchasing or selling or offering to purchase or sale the company's business. (If any)
- 8) Personnel or sector which data subject consent the company to disclose personal data to.

6. Disclosing of Personal Data Outside of Thailand

Personal data of data subject may be disclosed, stored or processed by the company or transferred to external parties which may be located or provide service inside or outside of Thailand. However, personal data will be transferred in accordance with Personal Data Protection Act. If the transfer is between group companies, the company will proceed in accordance with the Binding Corporate Rules which has been approved by Personal Data Protection Commission.

7. Retention of Personal Data

The company will retain personal data of data subject as necessary for proceeding in accordance with purposes as aforementioned. However, the company will retain personal data no longer than 10 years since the last date data subject have any transaction or contact with the company. The company may retain personal data longer than 10 years if it is stipulated by laws. The company will take necessary measures in order to delete or dispose or anonymize personal data in accordance with the retention period.

8. Rights of Data Subject

Data subject may exercise the rights regarding personal data as following:

- 1) Withdraw or request to change the scope of consent which data subject have given to the company.
- 2) Verify personal data which stored with the company including request to access or copy personal data and/or access to the data to know how the company process personal data.
- 3) Correct personal data.
- 4) Delete or dispose personal data.
- 5) Restrict the processing of personal data
- 6) Transfer personal data
- 7) Temporary restrain processing of personal data

If data subject would like to exercise personal data rights, data subject can ask for Request to Exercise Rights Form at the company office and branch offices or download from website at www.tokiomarine.com/th. The company will consider the request and return the result to data subject within 30 days after the company received the request.

The company reserve the right to not following the request to exercise the rights of data subject under the company discretion and in accordance with the applicable laws. Data subject may file a complaint to the Personal Information Commission as procedures provided in the Personal Protection Act. Furthermore, the company may collect fees for processing the request as the company see suitable.

9. Revision to this Policy

The company reserves the rights to amend, revise, or made any change to this policy as allow by laws. If there is significant amendment to this policy, the company will inform to data subject and/or request consent from data subject (if stipulated by laws).

10. Contact Information

If data subject have any inquiries related to this policy or need more information or would like to exercise data protection rights. Please contact at:

Data Protection Officer (DPO)

Tokio Marine Safety Insurance (Thailand) PCL.

Address: No. 302 S & A Building, 6th Floor, Silom Road, Suriyawong, Bangrak, Bangkok 10500

Tel. 02-257-8000 at 8.30 - 16.45

Email: DPO@tokiomarinesafety.co.th