

**Privacy Notice for Shareholders to propose  
the Agenda for the Annual General Meeting of Shareholders (AGM),  
to nominate persons for consideration and appointment as directors and  
to submit questions in advance for the AGM of  
Bangkok Expressway and Metro Public Company Limited (BEM)**

Bangkok Expressway and Metro Public Company Limited (the “Company”) realizes the importance of the personal data of shareholders and/or proxies (“you”), the Company would like to inform you of the following information in order to ensure compliance with the Personal Data Protection Act B.E. 2562 (2019) and the Company Personal Data Protection Policy.

## **1. Personal Data Collected by the Company**

It is necessary for the Company to collect your personal data for proposing the Agenda for the Annual General Meeting of Shareholders (AGM), nominating of persons to be considered for appointment as directors and to submit questions in advance for the AGM. Such personal data is comprised of the following:

- 1.1 In the case of Shareholders and those assigned by shareholders to contact the company : such as title, name, surname, date of birth, age, ID card number, passport number(in case of foreigners) and/or information on cards issued by government/other government agencies, proof of name-surname change, address, postal code, phone number, fax number, e-mail, shareholder identification number.
- 1.2 In the case of being nominated to be considered for appointment as a director, such as title, name, surname, age, work experience, personal profile, education background, criminal history of nominated persons to be considered for appointment as directors.

Remark: The Company will not keep your religious information because it is sensitive personal data which does not need to be processed for proposing the Agenda for AGM and/or nominating of persons to be considered for appointment as directors. As such, if a copy of your ID card contains religious information, the Company requests your cooperation in hiding such information before submitting it to the Company (it may be scraped or crossed out until the information cannot be read), or if you are not comfortable, the Company reserves the right to do so instead.

## **2. Collection of Personal Data**

The company will collect personal information and process it only as necessary for explicitly specified purposes. In addition, this will be in accordance with the requirements of the Personal Data Protection Laws as set out in the Company's Privacy Policy. The company will not use or disclose the personal information of the data subject in a manner that are not related to the stated purposes and will keep the information in accordance with the relevant laws and regulations. However, the company may collect personal information from other sources, but only to the extent necessary and in accordance with measures required by law.

### **3. Lawful in Collecting and Processing Basis and the Objectives in Collecting and Processing Personal Information.**

#### **3.1 Consent**

This is due to the shareholders to propose the Agenda of AGM and to nominate persons for consideration and appointment as directors must come from the book closing date of the company's shareholders, therefore, it is necessary to verify the identity from personal data according to clause 1.1. In the case of a person nominated for election as a director, the person's qualifications must be considered according to additional information 1.2. The company will ask for your consent before collecting and using it and disclose such information.

#### **3.2 Legal Obligation**

The Company will collect, use, and disclose your Personal Data in accordance with clause 1.1 only for the purposes of verifying status of the Shareholder who proposes the Agenda for AGM and nominating of persons to be considered for appointment as directors as well as the delivery of relevant documents, collection of information as evidence for any other actions under laws and/or orders of competent government authorities in accordance with the Public Limited Companies Act B.E. 2535 (1992), the Notification of the Ministry of Digital Economy and Society Re: Standards for Maintaining Security of Meetings via Electronic Means B.E. 2563 (2020), and other applicable laws.

#### **3.3 Legitimate Interest**

The Company will collect, use, and disclose your Personal Data in accordance with clause 1.1 and Clause 1.2 for use in the considering qualifications of the persons to be considered for appointment as directors, and as evidence for proposing agenda items for the General Shareholders' Meeting, as well as for any other necessary and related purposes for the sake of the Company's and third parties' legitimate interests without going beyond what you can reasonably expect.

### **4. Personal Data Retention Period**

The Company will retain your personal data for as long as it is necessary to process data the above-mentioned purpose. However, the Company may retain your personal information for compliance with relevant laws. Upon the expiration of each specified period, the Company will either destroy your personal data or make it non-personally identifiable.

If it is not possible to specify the Personal Data retention period, the Company will retain the Personal Data as may be expected per data retention standards (such as the longest legal prescription of 10 years).

### **5. Personal Data Disclosure or Transfer**

Your personal data may be disclosed or transferred by the Company to related persons, legal entity or agencies, for instance service providers, contractors of the Company in connection with meeting planning or information technology or data storage or website management, as well as government agencies, regulatory agencies or officials with legal authority for any other necessary and related the above-mentioned purposes. In this regard, the Company will only disclose or transfer your personal data to service providers or contractors as necessary for the delivery of services, and will ensure that the service providers or contractors do not use your data for purposes other than those specified.

## 6. Rights of Data Subject

As the owner of Personal Data (“Data Subject”), you have rights as stipulated in the Personal Data Protection Act B.E. 2562 (2019), which include right to access to his/her personal data, request to obtain a copy of his/her personal data under the Company’s responsibility, or disclose the acquisition of such personal data for which he/she has not given consent, withdraw consent, object to the collection, use or disclosure of the personal data, update, delete, destroy the personal data, or make the personal data non-personally identifiable, suspend the use of his/her personal data, transfer his/her personal data to other data controllers subject to conditions and methods set forth by law. If you intend to exercise any of your rights, please contact the Company and the Company will consider your request as soon as possible. In some cases, the exercise of any right above may be restricted by applicable laws or the Company may reject your request. In this regard, you have the right to lodge a complaint with the competent official in accordance with the Personal Data Protection Act B.E. 2562 (2019) if you see that the Company is violating or failing to comply with such Act.

Please study the Company's privacy protection policy at [www.bemplc.co.th/privacycenter](http://www.bemplc.co.th/privacycenter)

## 7. Complying with the Personal Data Protection Policy and the communication with the Company

The Company shall manage Personal Information in accordance with Personal Data Protection Law. For the avoidance of doubt, the data subject can contact Data Protection Officer (DPO) of the Company.

<u>Expressway Business</u>	238/7 Asoke-Din Daeng Road, Bang Kapi, Huai Khwang, Bangkok 10310 Telephone: (02) 641 4611
<u>Metro Business</u>	189 Rama IX Road, Huai Khwang, Bangkok 10310 Telephone: (02) 624 5200
Email address :	DPO@bemplc.co.th