

**Procedures for notifying objectives and  
details of the collection of personal information from the owner of the  
personal information According to the Personal Data Protection Act B.E. 2562**

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In order to enforce the Personal Data Protection Act B.E. 2562 (2019) and all the rules, regulations and announcements issued under this Act especially in relation to the notification of objectives and Details of the collection of personal data in accordance with the intent of the law. including to have Clarity that will guide the personal data controller and related parties It will also make the owner of the personal data aware of the benefits and potential impacts. which will be useful By virtue of Section 16 (3) of the Personal Data Protection Act B.E. 2562, the Personal Data Protection Committee deems it appropriate to set guidelines for proceed to notify the purpose and details of the collection of personal data From the owner of the personal data as follows

**1. Meaning**

for the benefit of following this

guideline “Controlling and supervising agency” means a public or private agency with duties and powers to control, supervise, and inspect operations. “professional council” means a

professional council established under the law on profession or Various professional councils are legal entities. which has duties and powers to supervise the practice of the profession as specified in the

law on professions or professional councils; of entities or businesses, including commercial, industrial or service operations for the purpose in promoting business and coordinating with relevant government agencies

**2. Types and characteristics of notifying purposes and details of data collection  
personal**

Notifying the purpose and details of the collection, use and disclosure of personal data to  
The owner of personal data can be divided

into 2 types as follows :  
methods or guidelines specifically

According to Section 3 of the Personal Data Protection Act B.E. or agencies that have specific laws on notifying purposes and details of personal data collection that are not inconsistent with or inconsistent with the Personal Data Protection Act B.E. 2562 and that specific law empowers such agencies to determine to prescribe criteria, methods or guidelines for to proceed in notifying the objectives and details To collect personal information specifically require the data controller under control and supervision to comply with the rules, procedures or guidelines to do so The criteria, methods or guidelines for such operations should have standards not 2.2 In the event that there is no specific law or agency controlling and supervising, including prescribing specific criteria, methods or guidelines

In notifying the purpose and details of personal data collection, in the event that there is no specific law or supervisory agency, the personal data controller should take action. Implementation of this guideline is carried out in order to provide a consistent standard.

### **3. Principles for notifying the purpose and details to the data subject**

The personal data controller must inform the purpose and details of the data collection. personal data to the data subject before or during the collection of personal data by informing the purpose Such transactions shall be

#### **3.1 subject to the following**

principles: **Fairness** . the personal data obtained from the collection to use or disclose The personal data controller must taking into account the potential impact on the subject of personal data It is the principle to notify the objectives and details. required by law by informing the purpose and such details may cause in the form of a privacy notice

Purposes and details notified to the subject of personal data before or at the time of collection collect personal information The impact that will arise from the use and disclosure of personal data must be stated and the personal data controller must ensure that the language and text used to notify the purpose and details of the collection **3.2**

#### **Restricting the purpose of collection, use and disclosure of personal data (Purpose Limitation)**

Notifying the purpose and details to the subject of personal data must specify the purpose. Specific, explicit and legitimate objectives, a limited and precise determination of objectives shall be used as evidence in determining whether Does the personal data controller intend to use personal data correctly or exceeds the scope of personal data collection?

### 3.3 Consent

The controller of personal data should be aware that Collection, use or disclosure of personal data may be performed without the consent of the data subject. Exceptions to the law Regarding personal data protection, it can be done ("lawful basis") under section 24 of the Personal Data Protection Act B.E. 2562 as follows:

1) preparation Bring a historical document or letter. grounds for the public interest or relating to research studies or statistics

2) To prevent or suppress a danger to life, body or health of an individual; 3) It is necessary for the performance of a contract to which the data subject is a party. or for the purpose of processing the request of the data

subject prior to entering into that contract; carrying out missions for the public interest of the controller of personal data or performing duties in the use of The jurisdiction granted to the controller of personal data

5) It is necessary for the legitimate interests of the data controller or of other persons or juristic persons who are not the data controller.

6) Compliance with the law of the data controller In the case of personal information about race, ethnicity, political opinions doctrine religion or philosophy sexual behavior Criminal records, health information, disability, labor union information, genetic information, biological information (biometrics or biometrics) or any other information that affects the personal data subject in the work Similarly, as announced by the Personal Data Protection Committee, the collection, use or disclosure of personal data may without explicit consent. from the owner of personal data 2562 (2019). Consequently, consent from the subject of personal

data is the legal base on which the personal data controller can be used for the collection, use or disclosure. personal information if not follow Exceptions as stipulated in Section 24 or Section 26, as the case may be, consent from the data subject must be sought.

In the event that consent from the subject of personal data is required notification of purpose In collecting personal data for obtaining explicit consent, it is therefore material Importance of Consent of the subject of personal data that must be processed In order for the consent to be obtained in accordance with the law, the notification, purpose and details must be clear. for the owner of personal information to easy to understand without fraud, deception or misrepresentation

### 3.4 Legitimate Interest Claims

If the data controller claims that the collection of personal data is necessary for the legitimate interests of the data controller or of a person or entity other than Data Controller It is the legal base for the collection, use and disclosure of personal data. In doing so, special precautions should be taken to protect the interests of and prevent direct impact on the owner of personal information

## 4. Types of personal data collection

Collection of personal information for use Using or disclosing personal information is possible.

Two methods are

### 4.1 Collection of personal data directly from the data subject

Collection of personal data directly from personal data subjects data controller The personal data subject shall be notified before or during the collection of the personal data to details as follows unless the owner of the personal data already knows such details: (1) the purpose of the

collection for use use or disclosure of personal data, including the purposes under Section 24 authorizing the collection without the consent of the owner; personal information and legal bases or reasons (2) notify the case where the personal data subject has to provide the personal data in order to comply with the law or contract or it is necessary for the

data controller to collect, use or disclose the personal data It is necessary to provide personal information to enter into a contract, including notifying the impact. Possible from not providing personal information

(3) the personal data to be collected; (4) the period of time for the collection of the personal data. (5) The categories of persons or entities to which the collected personal data may be collected.

reveal

(6) information, name and details including location of contact and how to contact the controller personal information

(7) information, names and details including location of contact and how to contact the agent of the data controller (if any)

(8) information, names and details including location of contact and how to contact the staff Personal data protection of the personal data controller (if any)

(9) details of transmission or transfer of personal data abroad

(10) Rights of the data subject Including the right to withdraw the owner's consent. personal information (where consent is sought) and the right to complain in case of violation or non-compliance Personal Data Protection **Law** How long will the personal data

controller keep personal data? In the event that such period cannot be clearly specified for the controller of personal data The time period that may be expected according to standard of collection may provide details Criteria or conditions that require the collection of personal data, such as the collection Personal data is retained for the period specified by law. Specifically specified (such as the Revenue Code, etc.) or collected throughout the period of contract performance, etc., and the data controller should be aware that when the period for collecting personal data data controller Individuals are responsible for Immediately delete or destroy such personal data.

**example**

Bank A collects personal data from Bank A's customers whose personal data is the direct subject of which each bank customer is required to fill out a form to open a bank account, and Bank A is obligated to notify Bank A's customers on the form before or on When collecting the personal data of the Bank's customers that Bank A will inform the details of the following actions: 1) the collection, use or disclosure

of such personal data 2) What are the cases of using or disclosing such personal data? 3) Period of collecting personal data Use or disclosure of personal data

**how long**

4) Types of persons or entities to which the Bank must disclose personal data include:

What types of agencies are there? for what purpose

5) Details and channels to contact the bank or its agents can be done by

which one

6) Various legal rights of the data subject (Bank's customers) e.g.

- Right to withdraw consent (Article 19, fifth paragraph)

- The right to request access and obtain a copy of Copy of personal information or request disclosure of the acquisition

which personal data for which they have not given their consent (Article 30 paragraph one)

- The right to request personal data from the data controller In the event that the controller personal information to bring that personal data into a readable or generally usable form by the Tools; or equipment to automatically function and to use or disclose personal data by automated means, including the right to request that such form of personal data be sent or transferred to another data controller whenever possible. automatic method and the right to obtain personal data sent or transferred directly to another personal data controller, unless technical conditions are not possible (Article 31, paragraph one).

- The right to object to the collection, use or disclosure of personal data (Article 32 paragraph one)

- the right to request delete or destroy or make personal information unauthorized Can identify the person who is the owner of personal data (Article 33, paragraph one) - Right to request

suspension of use of personal data (Article 34, paragraph one) - Right to

request action to ensure that personal information is accurate, current, complete, and not cause misunderstandings (section 36 paragraph one)

- The right to file a complaint in the event of a violation or non-compliance with the law on personal data protection (Article 73, paragraph one).

4.2 Collection of personal data from other sources (other sources) that are not the data owner. Personal data directly cannot be done under Section 25 of the Personal Data Protection Act B.E. 2562 except in the following cases:

(1) The data controller notifies the data subject about the collection of personal data from other sources without delay. But not more than 30 days from the date that the personal data controller collects the personal data and obtains the consent of the data subject.

(2) it is the collection of personal data that is exempt from the need for consent under Section 24 or Section 26

To collect personal information from sources other than the owner of the personal information directly by any means. which is not the collection of personal data that is exempt from the need for consent under section 24 or section 26. The data controller should be aware that To collect personal information from that other source The data controller has a duty to notify the data subject to obtain consent without delay, but no later than 30 days from the date of personal data collection.

The data controller has the duty to notify the purpose and complete details of the personal data collection under section 23. Except for the case under Clause 5, in notifying such objectives and details The personal data controller must notify the data subject within 30 days from the date of personal data collection. unless use of personal data for contact purposes with the subject of personal data must be informed at the first contact and the case Disclosure of personal information must be notified before the disclosure of personal information for the first time.

**example**

Agency B receives the names, addresses and contact telephone numbers of its members from the Secretariat of Agency C to send a letter inviting members of Agency C to participate in the Child Protection Dialogue. (which individual data subjects who are members of Agency C are unaware of the transmission of such data of the secretary of Agency C to Agency B. In this regard, Agency B is obligated to communicate the new objectives. of the collection, use and disclosure of personal data to members of Agency C in their first contact with members of Agency C, and if such information is to be used for for future contact (This does not constitute the collection of personal information. which is exempt from the need for consent under Section 24 or Section 26). Agency B shall notify the data subject without delay. but not more than 30 days from the date of receipt collect personal information and obtain consent from the owner of the personal data as well

**Description**

To prevent risks and impacts from the use and disclosure of personal data (without consent and knowledge of the original data subject) before the data controller collects, uses or discloses personal data. Individuals from sources other than the direct owners of personal data. data controller Individuals should take the following actions: (a) Data

Protection Assessment Measures on the Use of Personal Data (DPIA)

Impact Assessment) to identify and assess risks or damages that may arise from the use or disclose personal information or consider whether the use or disclosure of such personal data by the data controller may affect the fundamental rights and freedoms of the data subject. especially if such personal data is used or disclosed (that the owner of the personal data does not give consent and is not informed) with modern technology where such technology may cause It causes the processing or disclosure of personal data of a large number of people, such as the use of artificial intelligence (AI), etc. from the use of such personal data.

(b) Determination of the period of collection of personal data

(c) notification of purpose or details; (d) consideration of bases or legal grounds that make enable the personal data controller to collect, collect, use or disclose such personal data Notifying the data subject of the purpose or details must be made in a form and statement that the data subject can easily understand.

## **5. Exceptions to notification of purposes and details of personal data collection**

### **For collecting personal information from sources other than the direct personal information owner**

For the collection of personal data from sources other than the direct data subject, pursuant to section 25, the data controller may not have to take any action. shall proceed to notify the new purpose of collecting personal data to the data subject under section 21 and notify the purpose and details of the collection collect personal data under section 23 as specified in section 4.2 when requesting consent from the data subject personal in the following cases

5.1 The owner of the personal data already knows the new purpose or details.

In the event that the personal data controller knows that The original owner of the personal data was informed. All new purposes or details of personal data collection exist. The controller of personal data may not need to It is not necessary to notify the purpose and details of personal data collection to the data subject unless the data subject knows the purpose or details of the data collection. Only some personal data The personal data controller must inform the purpose and all details to The personal data subject must complete according to 4.2. The data

controller is responsible for verifying that Owner of personal data 5.2 The Personal Data Controller can prove that the notification of such new purpose or details is not possible

or will obstruct the use or disclosure. personal information especially to achieve Scientific research objectives historical or statistical, in this case the data controller Individuals must provide appropriate measures to protect their rights and liberties. and benefits of personal data subjects

### **Description**

The controller of personal data should be aware that The notification of purposes and details of the collection of personal data under section 23 is in order to protect privacy rights under the constitution and the law. This action is taken by the data controller. Individuals have a duty and burden to prove (burden of proof) that the use or disclosure of personal data of the personal data controller to the exception **In particular, the data controller does not inform the purpose. by citing that Notification of new objectives or details cannot be made. can be done or will be an obstacle to the use**



**or disclose personal information** Controller of personal data The use or disclosure of personal data **must be clearly evidenced. The personal data controller has put in place appropriate and standardized measures to: protection of freedom and benefits of the owner of personal data for personal data that the controller personal information collected from other sources** The personal data controller may proceed in 2 ways:

1) Announce the privacy policy and specify the necessity for the collection, use or disclosure of such personal data. that there is protection for personal data obtained or 2) having an impact assessment from the use of personal data or DPIA.

**example**

public library There is a project for the public to use personal information collected years since the statistical data of users or library members in the 100th cycle by collecting establishment of the public library. Gather such personal information in the past. It contains only the first and last name of the user or member, without the member's address and contact phone number. In this case, it is considered notification of such new purpose by sending The purpose and details of collecting personal information to members of the library with more members.

<sup>100</sup> years can not act This can be done because it is difficult for public libraries to locate all members in the 100 years that the library has been open, to inform the new purpose and collection of just such first and last names. without address and contact phone number It does not affect the subject of personal information in any material way. In addition, this public library

should have 1) Announcement of personal data protection policy

(privacy policy) on the website or area the general public, he can reach that the controller of personal data (public library) use or disclose personal information for what purposes and measures to prevent the impact from the use or disclosure of personal data; and 2) prepare a DPIA to assess the impact from the use or disclosure of

such personal data

**Description**

considering that Whether or not the personal data controller can claim exceptions to problems or obstacles preventing the notification of new purposes or details. The personal data controller should consider the following factors in combination.

(1) the amount and quantity of personal data collected use or disclosure

(2) the age of the data subject and (3)

measures to prevent damage from the use or disclosure of personal data

**example**

University D collects personal information, including the name and surname of the student, including information of parents or legal representatives of minors. In collecting such personal data, the University of D will have the personal data of more than 10,000 emergency contacts, all of which are provided by students. (Not directly from the subject of the personal data) The university is not required to declare the purpose of using or disclosing the personal data in case of emergency, the owner of the personal data is the student's parents or legal representatives to provide assistance. Consent before the university. d Only carry out a risk assessment. It may prepare a DPIA or have a standard requirement that emergency information will be used in case of necessity, only when there is an urgent necessity, such personal data may be collected. Collected in a computer system that limits the number of persons who can access and use that personal data and has appropriate security measures.

5.3 Use or disclosure of information for such personal action must act urgently as required by law.

which has put in place appropriate measures to protect the interests of the data subjects.

**example**

Government agency e found that there is fraud and misconduct in organization f where it is necessary to use the personal data of the perpetrator the offender and those involved in gathering evidence and conducting prosecution to file a motion to the court to arrest the perpetrator committing the offense and freezing the offender's account committing an offense to prevent damage and the sale and transfer of assets abroad This is an urgent case according to the law that can be done.

5.4 When the data controller is the person who knows or obtains the personal data from the duty or from the occupation or profession and must keep the new objectives or certain details under Section 23 as confidential as required by law.

**Description**

An exception in this case is the case where the personal data controller obtains the personal data from a source other than the data subject. New purposes and details of collection are not required. personal data as the personal data controller must collect use or disclose personal information

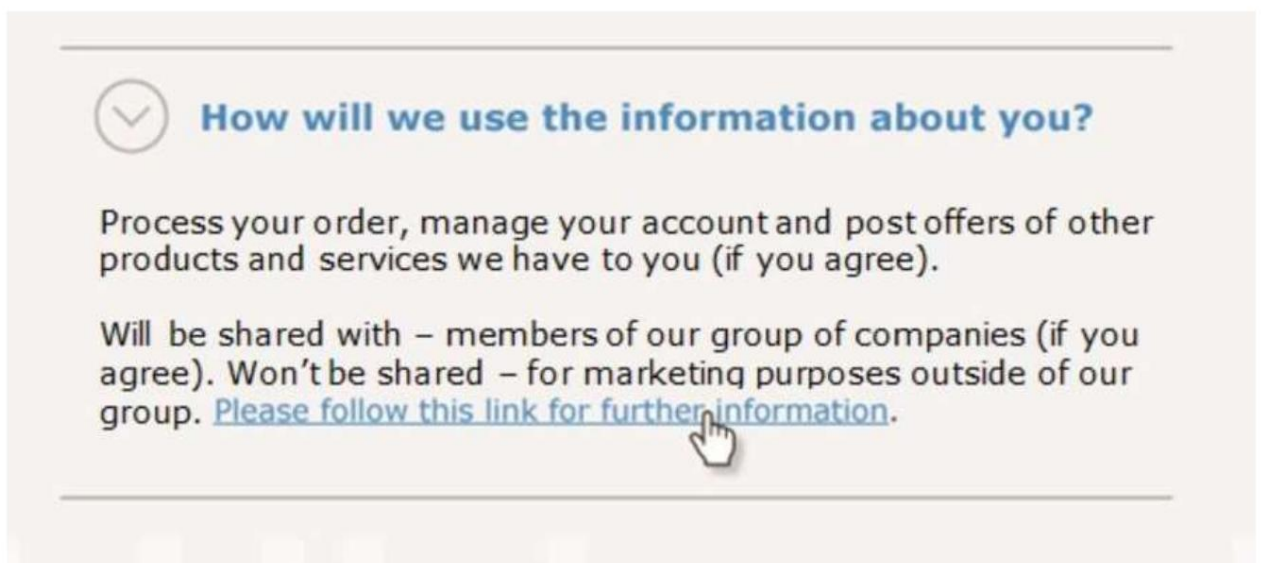
according to duty or from occupation or profession and must maintain new objectives or details Some things are kept secret. The notification of such information may cause the operation of the objectives to be affected, such as those who have duties or occupation or profession related to accounting, tax, health, social work, law or human resources, etc.

**6. Notifying Owners of Purposes and Details of Personal Data Collection Personal data must be made explicitly, which may be done in various ways, such as written notice, verbal notification, text message notification in the form of SMS, email, MMS or telephone or by means of electronic mail. Any other electronic means such as specifying details**

**in a URL or QR code, etc.** Notification of the purpose and details of the collection of personal data may be made in electronic form, such as a window or a small screen (small screen) in the corner of a computer or telephone screen. Mobile phone to show to the owner of

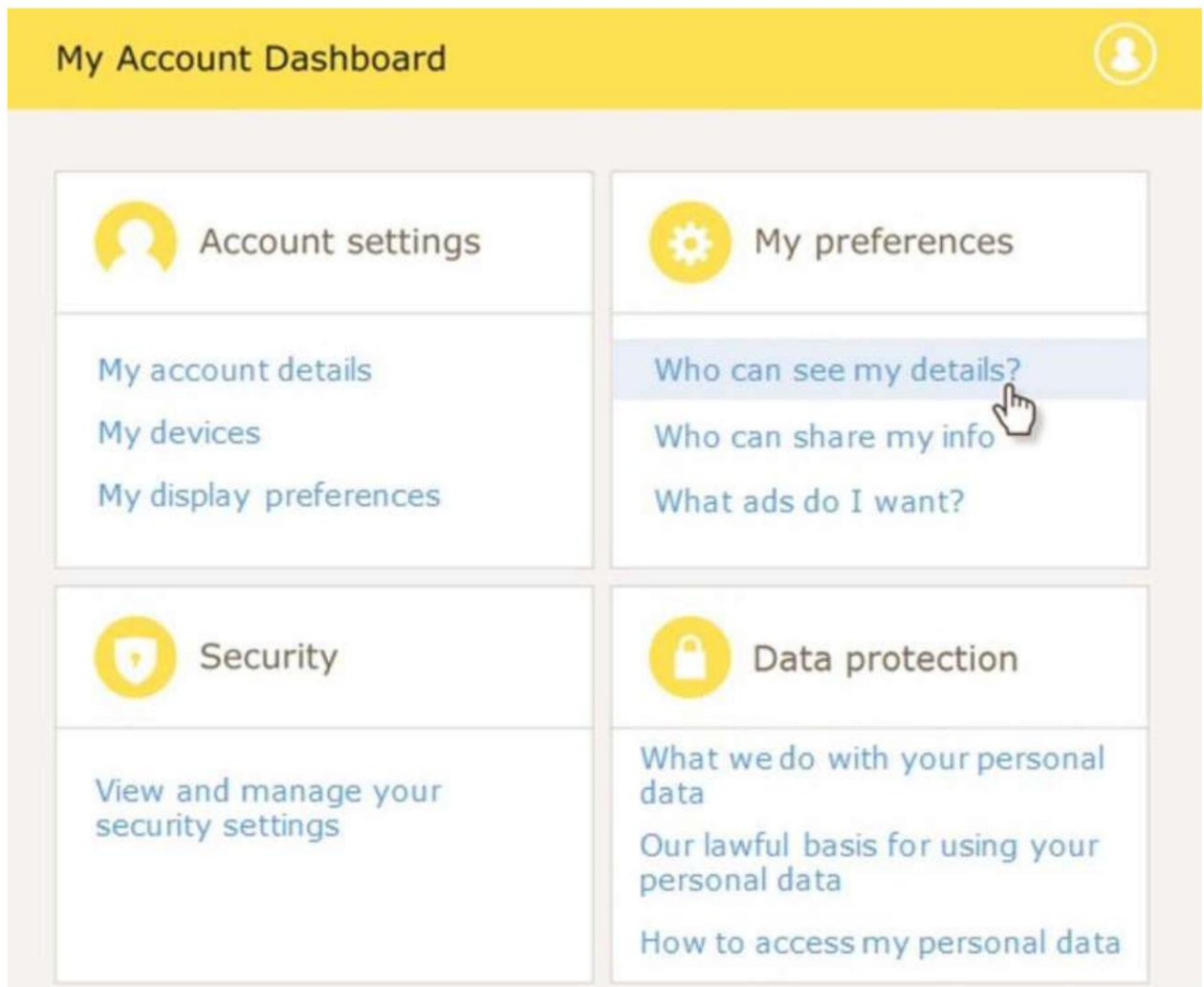
personal information may be done by Proceed in the form as in the following example. details in collecting personal data (layered approach) or dashboard table type

**An example of a layered approach text.**



**Remark:** Reference information from <https://ico.org.uk/for-organizations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/the-right-to-be-informed/what-methods-can-we-use-to-provide-privacy-information/>

Dashboard table text example



**Remark:** Reference information from <https://ico.org.uk/for-organizations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/the-right-to-be-informed/what-methods-can-we-use-to-provide-privacy-information/>

## Create an account

Title

Mr



Name

Joe Bloggs

Email address



Username

Password

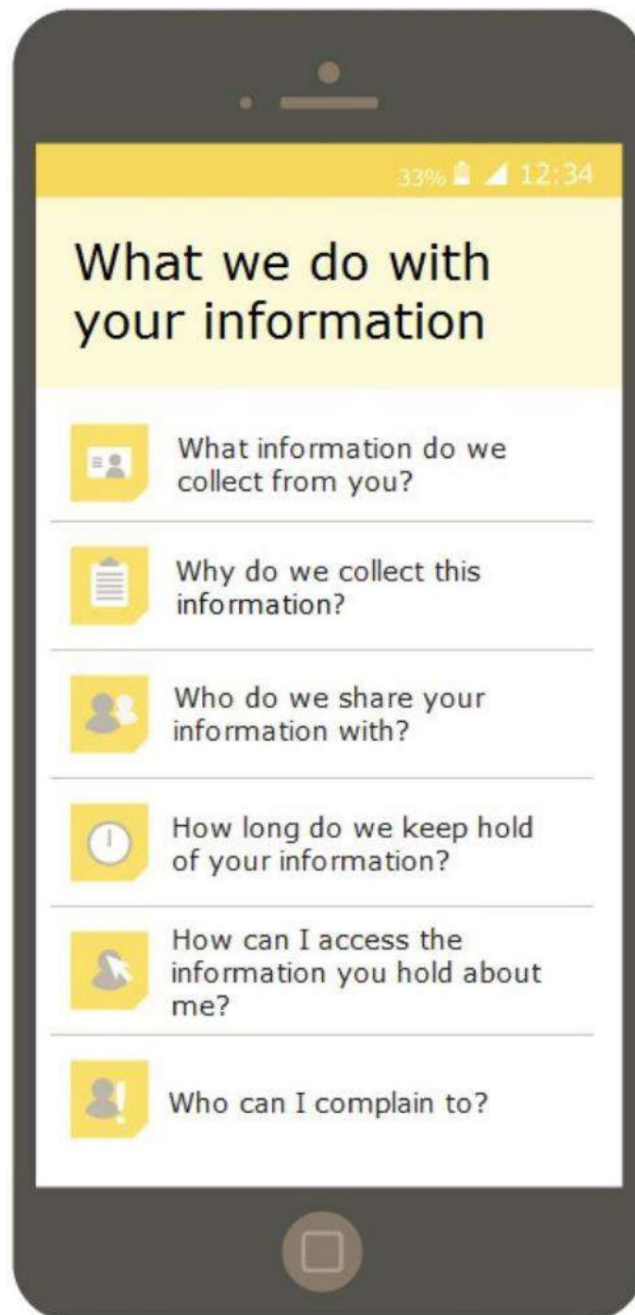
Confirm password

Create account

We use your email address as part of allowing you access to your account, and in order to contact you with important information about any changes to your account. [Please follow this link for further information.](#)

**Remark:** Reference information from <https://ico.org.uk/for-organizations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/the-right-to-be-informed/what-methods-can-we-use-to-provide-privacy-information/>

6.2 Methods of using devices such as mobile phones In notifying information (Providing Privacy Information on Mobile Devices)



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### **Description**

The above three types of examples are notification of purposes and details of collection. personal information to the owner of personal information The personal data controller may use technical means. Which is a hyperlink connection (hyperlink) to the data source in various ways for the owner of the information Individuals can click to view objectives and details. It must show such connected text. in a conspicuous area and explain the details and implications of the collection. use or disclose information personal as described in Section 4 of this Procedure Guidelines.

### **7. Others,**

for convenience and for effective law enforcement. Regulatory and regulatory bodies, professional councils, or industry associations and groups may prescribe forms, methods, guidelines or examples of notifications. Objectives and appropriate details so that there is a practice that is in the same direction and may coordinate with the Office of the Personal Data Protection Committee and the Personal Data Protection Committee to provide Opinions or advice can be given.

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