

**Guidelines for notifying objectives and
details for collecting personal data from the personal data subject according
to the Personal Data Protection Act B.E.**

For the enforcement of 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 purpose of notification and details of personal data collection 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 personal information owners aware of the benefits and potential impacts. which will be useful To effectively protect personal data, by virtue of Section 16 (3) of the Personal Data Protection Act B.E. to lay down guidelines for to notify the purpose and details of personal data collection From the owner of the personal information as follows

1. Meaning

for the benefit of operating proceed according

to this guideline. "Control and oversight agency" means a government or private agency having duties and powers to control, supervise and inspect the operation of "Professional Council" means a professional council established under the law on professions or Various professional councils are juristic persons. which has duties and powers to supervise the practice of professions as stipulated in the law on professions or professional councils; of entities or businesses, including commercial, industrial, or service businesses for the purpose in promoting activities and coordinating with relevant government agencies

2. Type and nature of notification of purpose and details of data collection

personal

Informing the purpose and details for collecting, using and disclosing personal information to Owners of personal data can be divided into 2 types as

follows: 2.1 In case there is a specific law or control and supervision agency, including prescribing rules Methods or guidelines to carry out specific operations

In accordance with Section 3 of the Personal Data Protection Act B.E. or a specific legal entity that specifies the purpose and details of collecting personal data that are not contrary to or contrary to the Personal Data Protection Act B.E. to prescribe rules, procedures or guidelines for conducting Operate to notify the purpose and details. To collect personal information specifically Have the controller of personal data under its control and supervision comply with the rules, procedures or guidelines to do so The criteria, methods, or guidelines for such implementation should have standards not lower than 2.2 In the event that there is no specific law or regulatory and supervisory agency, including specifying

Specific rules, procedures or guidelines

In informing the purposes and details of personal data collection, where there is no specific law or regulatory body, the Personal Data Controller should take action. Implement this action guideline to meet a consistent standard.

3. Principles for notifying the purpose and details to the subject of personal data

The personal data controller must inform the purpose and details of the data collection. personal data to the owner of the personal data before or while collecting the personal data by informing the purpose Such data must be governed by the following principles: **Fairness** . 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 inform the objectives and details are necessary. as required by law by informing the purpose and such details may in the form of a privacy notice

Purposes and details provided to the subject of personal data before or while collecting collect personal information The implications for the use and disclosure of personal data must be addressed, and the personal data controller must ensure that the language and text used to inform the purpose and details of collection must be addressed. The collection of personal data is clear and easy to understand. **3.2 Limiting the**

purposes for collecting, using and disclosing personal information.

(Purpose Limitation)

Informing the purpose and details to the subject of personal data must specify the purpose. Specific, explicit, and lawful objectives The limited and explicit objectives are used as evidence in determining whether Whether the data controller intends to use the personal data correctly or is beyond the scope of the personal data collection?

5.5 Consent

The personal data controller should be aware that The collection, use or disclosure of personal data may be carried out without the consent of the personal data subject. according to the exceptions provided by law on the protection of personal data is stipulated that it can be done ("Legal Base or Lawful Basis") in accordance with Section 24 of the Personal Data Protection Act B.E. arrangement to produce historical documents or letters cause for public interest or related to research studies or statistics

2) to prevent or suppress a danger to life, body or health of a person; 3) it is necessary for the performance of a contract to which the data subject is a party; or for the implementation of the request of the Personal Data Subject prior to entering into the Agreement; 4) It is necessary for the performance of duties in performing carry out missions for the public interest of the personal data controller or performing duties in the use of State powers granted to the Data Controller

5) It is necessary for the legitimate interests of the Personal Data Controller or that of a person or entity other than the Personal Data Controller.

6) It is a compliance with the law of the personal data controller. In the case of personal information about race, ethnicity, political opinions cult religion or philosophy sexual behavior Criminal records, health data, disability data, trade union data, genetic data, biological data (biometrics or biometrics) or any other information that affects the owner of the personal data in the workplace. Similarly, as announced by the Personal Data Protection Committee, the collection, use or disclosure of personal data that may be This can be done without express consent. from the owner of the personal data It is subject to the exception under Section 26 of the Personal Data Protection Act B.E. 2019. Consequently, the consent of the personal data subject is the legal base that the personal data controller can use for the collection, use or disclosure. personal data If it does not meet Exceptions as prescribed in section 24 or section 26, as the case may be, require consent from the owner of the personal data.

In the event that the consent of the owner of the personal data is required notification of purpose It is therefore important to collect personal information in order to obtain express consent. the importance of giving consent of the owner of the personal data that must In order for consent to be obtained in accordance with the law, the notification, purpose and details must be clearly stated. for the owner of the personal data to easy to understand without fraud, deception or misrepresentation

3.4 Legitimate Interest

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

4. Types of Personal Data Collection Collection

of personal information for use If personal information is used or disclosed, it can be done.

Two methods are

4.1 Collection of personal data from personal data subject directly

Collection of personal data directly from the personal data subject data controller Personal data must notify the owner of the personal data before or at the time of collecting personal data to Details are as follows unless the owner of the personal data is already aware of such details; The use or disclosure of personal data, including the purposes under section 24, is authorized for collection without the consent of the owner. personal information and the legal basis or reason for to enable the Personal Data Controller to collect, use or disclose personal data; It is necessary to provide personal data in order 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 for which the personal data is collected. expected standards of collection; (5) the type of person or entity with whom the personal data collected may be

reveal

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

(7) information, name and details; including contact location and how to contact the representative of the personal data controller (if any)

(8) information, name and details including contact location and methods of contacting officials Protection of personal data of the personal data controller (if any)

(9) details of sending or transferring personal data to foreign countries

(10) Rights of the Personal Data Subject including the right to withdraw the owner's consent personal information (in case of requesting consent) and the right to file a complaint in the event of violation or non-compliance Law on personal data **protection** How long will the personal data controller collect personal data? In the event that the said time period cannot be clearly determined to the controller of personal data set a period of time that may be expected accordingly. standard of collection may provide details Criteria or conditions for collecting personal data, such as collecting Personal data is kept for the period that is required by law. Specifically specified (such as the Revenue Code, etc.) or collected throughout the duration of the contract, etc., and the Personal Data Controller should be aware that when the period for collecting Personal Data is terminated data controller Individuals are responsible for to take action to delete or destroy such personal data immediately

example

Bank A collects personal data from its customers who directly own personal data, for which each bank customer is required to complete a form to open a bank account, and Bank A is obliged to notify its customers of the form before or in While collecting personal information of the Bank's customers, Bank A will inform details about the following actions: 1) Collection, collection, use or disclosure of such personal information. For what purpose? 2) What is the use or disclosure of such personal information? 3) Time period for collecting personal information for friends. the use or disclosure of personal information

how long

4) Types of persons or entities to which the Bank must disclose personal information, as follows:

What types of agencies? for what purpose

5) Details and communication channels with the bank or its representatives can be done by

which

6) Various legal rights of the personal data subject (customers of the bank) such as

- The right to withdraw consent (Article 19, paragraph five)

- the right to request access and obtain Copy of personal information or request to disclose the acquisition

which personal data that they have not given their consent to (section 30, paragraph one)

- the right to obtain personal data from the personal data controller In the event that the controller Personal information can be to keep personal data in a form that is readable or generally usable by means of or equipment that This includes 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 technically impracticable (section 31, paragraph one).

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

- the right to request take action to delete or destroy or make personal information able to identify the person who owns personal data (section 33, paragraph one) - right to request the suspension of the use of personal data (section 34, paragraph

one) - right to request the suspension of the use of personal data (section 34, paragraph one) to ensure that personal information is accurate, current, complete and Does not cause misunderstanding (section 36 paragraph one)

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

4.2 Collection of personal data from other sources that are not the data subject Personal data directly cannot be done under section 25 of the Personal Data Protection Act B.E.

(1) The Personal Data Controller has notified the collection of Personal Data from other sources to the Personal Data Owner without delay. But not later than 30 days from the date on which the Personal Data Controller collects personal data and obtains the consent of the Personal Data Subject.

(2) it is the collection of personal data that is exempted from requiring 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 requiring consent under Section 24 or Section 26. The Data Controller should be aware that To collect personal information from another source The Personal Data Controller is obliged to inform the Personal Data Owner to request consent without delay, but not later than 30 days from the date of collecting the Personal Data.

The personal data controller is obliged to notify the purpose and details of the personal data collection under section 23 completely. except in the case of Article 5, in the notification of such objectives and details The personal data controller must notify the personal data owner within 30 days from the date of collecting the personal data. except in the case where to use personal information for communication with the owner of the personal data must be notified at the first contact and in the case of If personal information is disclosed, it must be notified before the personal information is disclosed for the first time.

example

Agency B receives a member's name, address and contact telephone number from the secretary of Agency C in order to send a letter inviting members of Agency C to participate in the Child Protection Dialogue. (Which individual personal data subjects who are members of Agency C are not aware of the transmission of such information of the secretary of agency C to agency B. In this regard, agency B is obliged to notify the new objectives. of the collection, use and disclosure of personal information to a member of Agency C in the first contact with a member of Agency C; and if such information is to be collected and used for for other future contacts (which does not constitute the collection of personal information which is exempted from requiring consent under section 24 or section 26), Agency B shall notify the owner of the personal data without delay. but not more than 30 days from the date of collect personal information and obtaining the consent of the owner of the personal data as well

Description

To prevent the risks and impacts of the use and disclosure of personal data (without the original personal data owner's consent and knowledge) before the personal data controller collects, uses or discloses personal data Persons from sources other than the direct owner of the personal data data controller Individuals should take the following actions: (a) Impact Assessment Measures on the Use of Personal Data (DPIA: Data Protection);
Impact Assessment) to identify and assess the risks or damage that may arise from the use of or Disclosure of personal information or consider whether the data controller's use or disclosure of such personal data may affect the fundamental freedoms of the personal data subject. especially if such personal information is used or disclosed. (that the owner of the personal data did not give consent and did not know) with modern technology where such technology may cause the processing or disclosure of personal information of many individuals, such as the use of artificial intelligence or artificial intelligence (AI), etc. from the use of such personal information

(b) Determination of the period for collecting personal data

(c) notification of purpose or details; (d)

consideration of legal grounds or reasons for to enable the Personal Data Controller to collect, use or disclose such Personal Data. Notifying the Personal Data Subject of the purpose or details must be made in a form and in a statement that is easily understood by the Personal Data Subject.

5. Exceptions to Notification of Purpose and Details of Personal Data Collection

For collecting personal data from sources other than the owner of the personal data directly

For the collection of personal data from sources other than the owner of the personal data directly under section 25, the personal data controller may not be required to do so. proceed to notify the new purpose of collecting personal data to the personal data subject under section 21 and inform the purpose and details of the collection Collect personal data under section 23 as specified in 4.2 when requesting consent from the data subject. personal in the following cases

5.1 The data subject is already aware of the new purpose or such details.

In the event that the controller of the personal data knows that The original owner of personal data was informed. The new purpose or details of collecting personal data are all already in place. The controller of the personal data may not be necessary. It is necessary to inform the purpose and details of personal data collection to the owner of the personal data again unless the personal data owner knows the purpose or details of the collection. That personal information is only partial. The personal data controller must provide all purposes and details to The owner of the personal data in accordance with 4.2. The personal data controller has a duty to check to confirm that personal data subject The new purpose and details for collecting that personal data have been known. personal information especially to achieve objectives related to scientific research studies historical or statistical, in this case the data controller A person shall take appropriate measures to protect his rights and liberties. and the benefits of the owner of the personal data

Description

The personal data controller should be aware that Notification of purpose and details of personal data collection under section 23 is in order to protect personal rights under the constitution and law, the use of exceptions under section 25 as specified in Article 5 of the Guidelines To do this, the data controller Individuals have the duty and burden of proof (burden of proof) that the use or disclosure of personal information. of the personal data controller into exceptions **In particular, the data controller does not inform the purpose.**

on the grounds that Notification of new objectives or details cannot be made. is it possible or will it be an obstacle to use

or disclose personal information The personal data controller used If personal information is used or disclosed ,
**there must be clear evidence that The Personal Data Controller has put in place appropriate and standardized
measures to: protect rights and liberties and the interests of the personal data subject for personal data that
the controller personal information collected from other sources The Personal Data Controller may do this in two ways:**

1) Announce the privacy policy and specify the necessity for collecting, using or disclosing
such personal information. that the protection of personal data is provided publicly acknowledged standards; or 2)
there is an assessment of the impact of the use of personal data, or DPIA.

example

public library For one citizen, there is a project to use personal information collected for years
library. Collect statistical data of users or library members in the past 100 by collecting personal data in the past.
Only the first and last name of the user or member, without the member's contact address and phone number. In this
case, it is Notification of such new purpose by sending Purpose and details for collecting personal information for
library members with more members years can not act This is possible because it is difficult for a public library to
find the address of all members within the 100-year period that the library is in operation, in order to inform the
new purpose and collect only the first and last names. without address and contact phone number It does not cause
any impact on the owner of the personal data in any material way. Perform the following actions: 1) Announce privacy
policy on the website or area. the general public can reach that the controller of personal data (public library) use or
disclose personal information for what purposes and how to prevent impacts from the use or
disclosure of personal information; and 2) establish a DPIA to assess the impact of such use or
disclosure of personal information.

Description

considering that Whether or not the Data Controller will make exceptions to issues or
obstacles that prevent it from reporting new purposes or details. The Personal Data Controller should consider the
following factors in combination:

(1) the amount and amount of personal data collected Use or disclose (2)
the age of the personal data subject and (3) measures to prevent damage
from the use or disclosure of the personal data.

example

University D collects personal information such as the student's first and last name, including information of the minor's parent or legal representative. In collecting such personal information, University D will have personal information of more than 10,000 emergency contacts, all of which students provide such personal information. (Not directly from the owner of the personal data) University D is not obliged to inform the purpose of using or disclosing personal data in In case of emergency for the subject of personal data, namely the student's parent or legal representative, Consent before the university d. Only conducting a risk assessment by either establishing a DPIA or having a standard requirement that emergency information be used in the event of a need. It is only necessary for urgent matters, which may collect such personal data. It is collected on a computer system that limits the number of people who can access and use that personal data and has appropriate security measures.

5.3 Use or Disclosure for Information Such persons must act urgently as required by law

which has put in place appropriate measures to protect the interests of the personal data subject

example

Government agency E found that there has been corruption and misconduct in the organization F. It is necessary to use personal information of the perpetrators, of the offenders and those involved to collect evidence and take action prosecution to file a petition with the court to arrest the offender committing an offense and freeze the account of the offender committing offenses to prevent damage and disposition of assets abroad It is an urgent case under the law that can be done.

5.4 When the Personal Data Controller is a 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 confidential as required by law.

Description

The exception in this case is the case where the personal data controller obtains the personal data from a source other than the owner of the personal data. No new purpose and collection details are required. Personal data because the personal data controller must collect Use or disclose personal information

according to the duties or from the occupation or profession and must maintain new objectives or details
Some things are kept secret The disclosure of such information may affect the implementation of the
objectives, such as those who are obliged or engaged in occupations or professions related to accounting,
tax, health, social work, law or human resources, etc.

6. Notification of the purpose and details of personal data collection to the owner

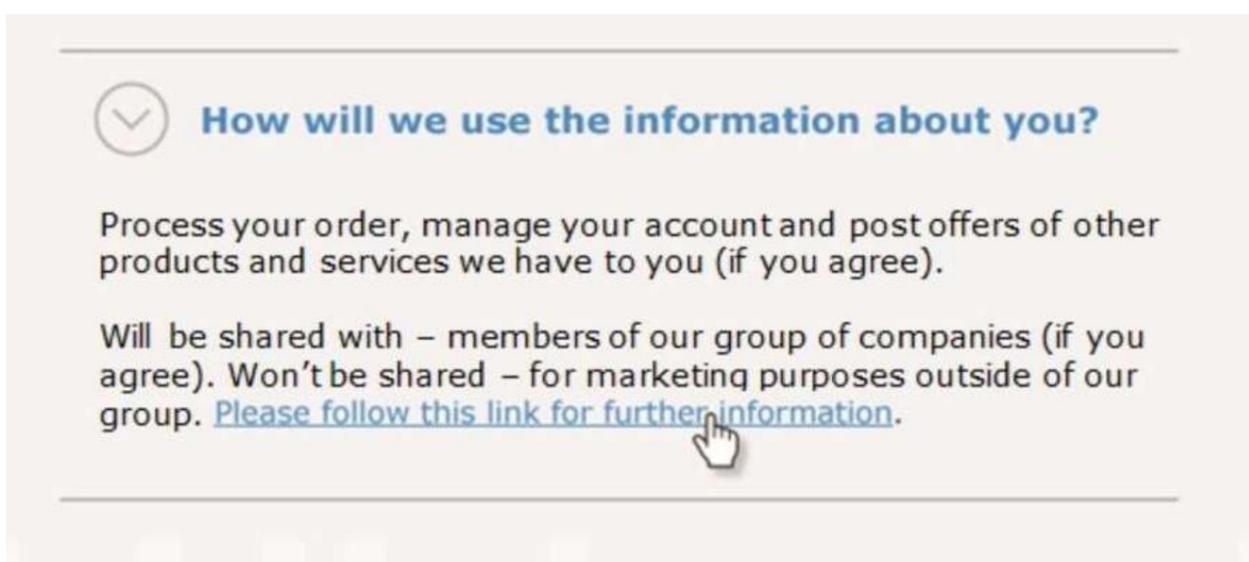
Personal data must be made expressly, which may be done in a number of ways, such as by giving a written notice, a verbal notification, a message notification in the form of SMS, e-mail, MMS or by telephone or by electronic means. any other electronic e.g. specifying details in a URL or QR code

etc. Notification of the purpose and details of personal data collection may be made electronically, such as a window or a small screen in the corner of a computer or telephone screen. mobile phone to show to the owner of personal information, which may This is done in the form as in the following

example: 6.1 How to create a heading and underlined text to connect (link) to the purpose and

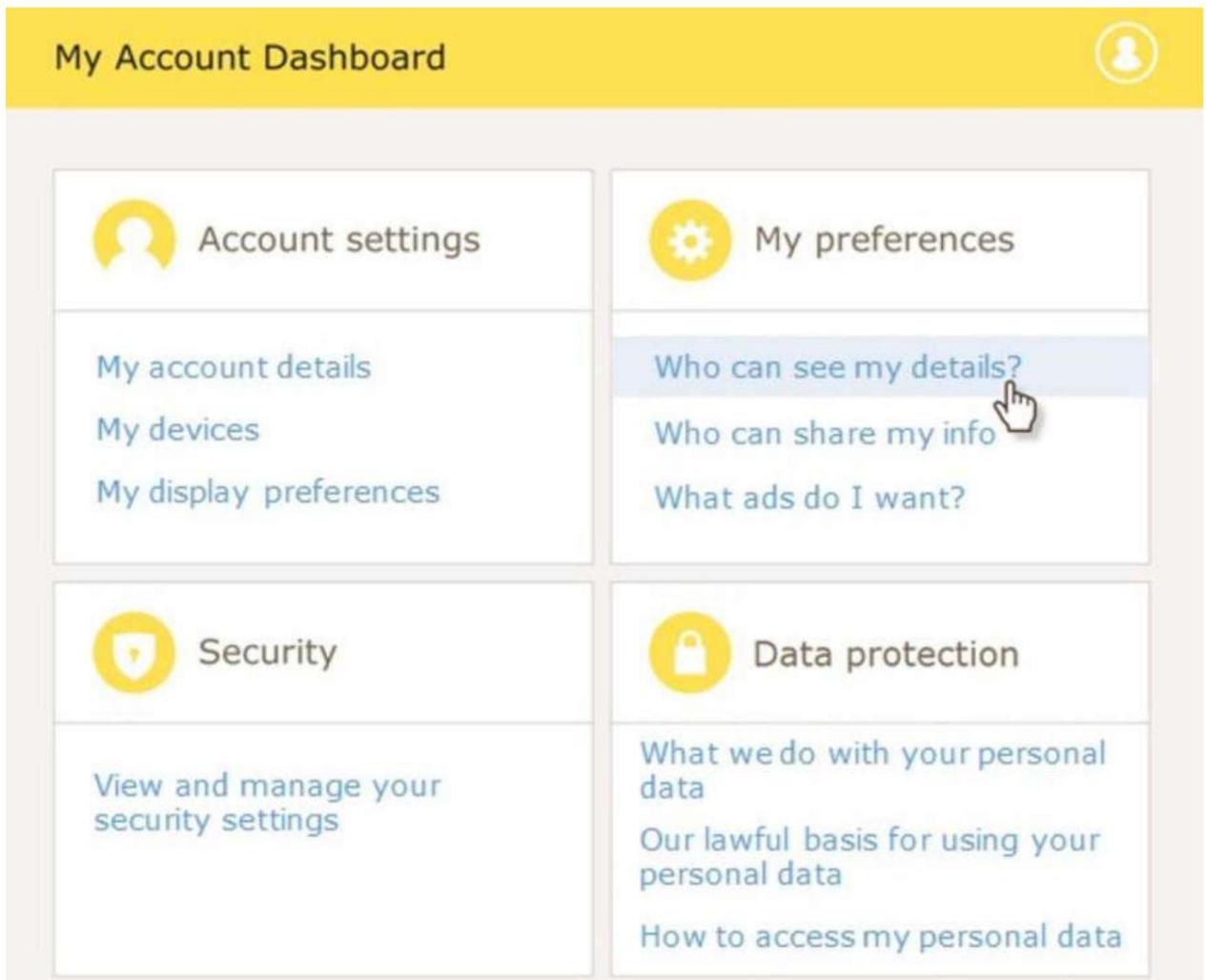
Details of personal data collection (layered approach) or dashboard grid type

Layered Approach text example



Note : Reference information from <https://ico.org.uk/for-organisations/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



Note : Reference information from <https://ico.org.uk/for-organisations/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

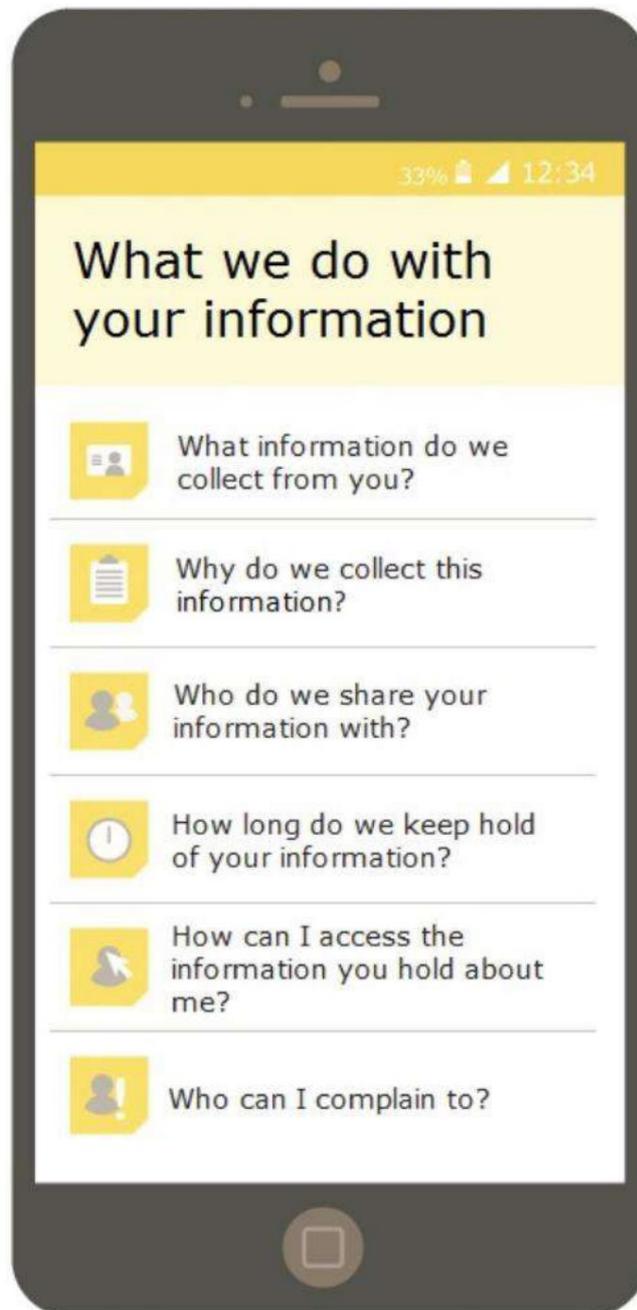
Confirm password

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.](#)

Note : Reference information from <https://ico.org.uk/for-organisations/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 for using devices such as mobile phones In providing information (Providing Privacy Information on Mobile Devices)



Note : Reference information from <https://ico.org.uk/for-organisations/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/>

Description

The above three types of examples are the declaration of purpose and details of the collection. personal information to the owner of the personal information The Personal Data Controller may use technical means. which is a hyperlink (hyperlink) to data sources in various formats for the owner of the data Individuals can click to see the purpose and details. It must display such a connected message. in prominent areas and describe the details and effects of the collection Use or Disclosure Individuals as specified in Article 4 of this Guidelines.

7. Others

for convenience and for effective law enforcement Regulators and regulators, professional councils, or industry associations and groups may prescribe forms, methods, guidelines or samples of notification. Objectives and appropriate details in order to have the same practice and may coordinate with the Office of the Personal Data Protection Committee and the Personal Data Protection Committee to opinions or give advice
