

## **Privacy Notice**

### **Token X Company Limited**

We, Token X Company Limited, care about the privacy of our customers, thus, we provide this privacy notice to inform our customers of our policy in relation to the collection, use and disclosure of personal data of individual (“**you**”) in accordance with the Personal Data Protection Act B.E. 2562 (“**PDPA**”), relevant laws and regulations. This privacy notice informs you of how we collect, use or disclose your personal data, what and why we collect, use or disclose your personal data, how long we hold it, who we disclose it to, your rights, what steps we will take to make sure your personal data stays private and secure, and how you can contact us.

This privacy notice applies to:

**(1) Our customers**

- **Individual customers:** Our past and present customers who are individual.
- **Corporate customers:** Directors, shareholders, ultimate beneficial owners, employees, guarantors, security providers, and legal representatives of our past and present corporate customers and other individuals authorised to act on their behalf. Our corporate customer shall ensure that the authorised persons and any of relevant individuals have acknowledged our privacy notice.

**(2) Non-customers**

These include individuals who have no product or service holding with us, but we may need to collect, use or disclose your personal data (e.g. investors; anyone who makes a payment to or transfer money to or receives a payment from our customers; anyone that visits our website or our applications or offices; guarantors or security providers; ultimate beneficial owner; directors or legal representatives of a juristic person that uses our services; debtors of our customers; professional advisors, including our directors, investors, shareholders and their legal representatives, and anyone involved in other transactions with us or our customers).

Please note that some of the links on our platform may lead to third party’s platforms, and if you access these platforms, your personal data will then be processed under the third party’s policies. Make sure that you have read those privacy notices when accessing such platforms.

**1. How we collect, use or disclose your personal data**

We only collect, use or disclose your personal data where it is necessary or there is a lawful basis for collecting, using or disclosing it. This includes where we collect, use or disclose your personal data based on the legitimate grounds of legal obligation, performance of contract made by you with us, our legitimate interests, performance under your consent and other lawful basis. Reasons for collecting, using or disclosing are provided below:

**1.1. Our legal obligation**

We are regulated by many laws, rules, regulations, and orders of any competent governmental, supervisory or regulatory authorities, and to fulfil our legal and regulatory requirements, it is necessary to collect, use or disclose your personal data for the following purposes, which include but not limited to:

- a) compliance with the PDPA and any amendment thereof;
- b) compliance with laws (e.g. Financial Institution Business Laws, Securities and Exchange Laws, Anti-Money Laundering Laws, Prevention and Suppression of Financial Support to Terrorism and the Proliferation of Weapons of Mass Destruction Laws, Digital Asset Business Operation Laws, and other laws to which we are subject both in Thailand and in other countries), including conducting identity verification, background checks and credit checks, Know Your Customer (KYC) process, Customer Due Diligence (CDD) process, other checks and screenings (including screening against publicly available database of regulatory authorities and/or official sanctions lists), and ongoing monitoring that may be required under any applicable law; and/or
- c) compliance with regulatory obligations and/or orders of authorized persons (e.g. orders by any court of competent jurisdiction or of governmental, supervisory or regulatory authorities or authorized officers) in Thailand and in other countries.

**1.2. Contract made by you with us**

We will collect, use or disclose your personal data in accordance with the request and/or agreement made by you with us, for the following purposes, which include but not limited to :

- a) process your request prior to entering into an agreement, consider for approval and provide products and/or services, deliver products and/or services to you, provide advice and deal with all matters relating to products and/or services, including any activities that if we do not proceed, then our operations or our services may be affected or may not be able to provide you with fair and ongoing services;
- b) authenticate when entering into, doing or executing any transactions;
- c) carry out your instructions (e.g. responding to your enquiries or feedbacks, or resolving your complaints);
- d) provide services through internet (online investment), mobile applications and other online product platforms;
- e) track or record your transactions;
- f) produce reports (e.g. transaction reports requested by you or our internal reports);
- g) notify you with transaction alerts;
- h) recover the money which you owe (e.g. when you have not paid for your outstanding fees);
- i) carry out account maintenance and operations relating to your user accounts and/or financial accounts, including but not limited to processing your applications or requests for services or products, processing your transactions, generating statement of your user accounts and/or financial accounts, issuing receipts, pre-confirmation letters or confirmation letters, and operating and closing your user accounts and/or financial accounts;
- j) carry out or make transactions and/or payments (e.g. processing payments or transactions, fulfilling transactions, billing or processing activities, managing your relationship with us, and administering your account with us);
- k) enforce our legal or contractual rights; and/or
- l) provide IT and helpdesk supports, create and maintain codes and user accounts for you, manage your access to any systems to which we have granted you access, and remove inactive accounts.

### **1.3. Our legitimate interests**

We rely on the basis of legitimate interests by considering our benefits or third party's benefits with your fundamental rights in personal data which we will collect, use or disclose for the following purposes, which include but not limited to:

- a) conduct our business operation and the business operation of companies in SCB<sup>x</sup> Group (e.g. to conduct compliance audit, to conduct risk managements, to conduct finance and accounting managements, to conduct financial audits, to conduct internal operation management, to monitor, prevent, and investigate fraud, money laundering, terrorism, misconduct, or other crimes, including but not limited to carrying out the creditworthiness checks of any persons related to our corporate customer, which may not be required by any governmental or regulatory authorities, and authenticating your identity to prevent such crimes);
- b) conduct our relationship managements (e.g. to serve customers, to conduct customer survey, to manage customer segmentation, to handle complaints);
- c) ensure security (e.g. to maintain CCTV records, to register, exchange identification card and/or take photo of visitors before entering into our building areas;
- d) develop and improve our products, services and systems to enhance our services standard, use your personal data for conducting credit modelling, and/or for the greatest benefits in fulfilling your needs, including to conduct research, analyse data and offer products, services and benefits suitable to you by considering the fundamental rights in your personal data. If you do not wish to receive the offering of products, services and benefits from us, you can contact us as specified in No. 11.
- e) record images, videos and/or voices relating to the meetings, trainings, seminars, recreations or marketing activities and use such recorded images, videos and/or voices for the purpose of making internal and/or external public relations relating to such meetings, trainings, seminars, recreations or activities;
- f) in case of our corporate customer, we will collect, use and disclose personal data of directors, authorized persons or attorneys;

- g) ensure business continuity;
- h) handle claims and disputes, file lawsuits and process the relevant legal proceedings;
- i) contact you prior to your entering into a contract with us;
- j) protect against security risks (e.g. monitoring network activity logs, detecting security incidents, conducting data security investigations, and otherwise protecting against malicious, deceptive, fraudulent, or illegal activity);
- k) comply with applicable foreign laws;
- l) carry out research, plan and conduct statistical analysis (e.g. your investment restrictions and investment behavior, data analytics, assessments, surveys and reports on our products and/or services and your behavior);
- m) organize our promotional campaigns or events, conferences, seminars, and company visits;
- n) facilitate financial audits to be performed by auditors;
- o) receive advisory services from legal counsels, financial advisors, and/or other advisors appointed by you or us;
- p) in the event of sale, transfer, merger, reorganization, or similar event, disclose and transfer your personal data to one or more third parties as part of that transaction;
- q) maintain and update lists and directories of the customers (including your personal data) and keep contracts and associated documents in which you may be referred to; and/or
- r) comply with reasonable business requirements (e.g. management, training, auditing, reporting, control or risk management, statistical and trend analysis and planning or other related or similar activities, implementing business controls to enable our business to operate, and enabling us to identify and resolve issues in our IT systems to keep our systems secured, performing our IT systems development, implementation, operation and maintenance).

#### **1.4. Your consent**

In certain cases, we may ask for your consent to collect, use or disclose your personal data to maximise your benefits and/or to enable us to provide services to fulfil your needs for the following purposes, which include but not limited to:

- a) collect, use or disclose your sensitive personal data as necessary (e.g. to use face recognition or your identification card photo (which contains your sensitive personal data, namely religion and/or blood type) or your criminal records for verification of your identity before continuing the transaction and for Know Your Customer (KYC) process or disability data for the benefit of providing services and /or facilitation);
- b) collect and use your personal data for purpose of offering or providing products, services and benefits suitable to you, provided that we will use data to research, conduct statistical data, analyze or develop such products, services and benefits;
- c) contact you to offer our products or services which may interest you (in case the consent is required under the PDPA);
- d) disclose your personal data and any other data to companies in SCB<sup>x</sup> Group and/or our trusted business partners as shown on <https://www.scbx.com/en/affiliates-financial-business-group/> for the purposes of offering or providing products, services and benefits to you, provided that companies in SCB<sup>x</sup> Group and/or our trusted business partners will use data to research, conduct statistical data, analyze or develop products, services and benefits suitable to you;
- e) send or transfer your personal data and sensitive personal data overseas, which may have inadequate personal data protection standards (unless the PDPA specifies that we may proceed under other lawful basis or without obtaining consent);
- f) when you are classified as a minor, incompetent or quasi-incompetent whose consent must be given by their parent, guardian or curator (as the case may be) (unless the PDPA specifies that we may proceed without obtaining consent); and/or
- g) other activities which we may require your consent.

#### **1.5. Other lawful basis**

Apart from the lawful basis which we mentioned earlier, we may collect, use or disclose your personal data based on the following lawful basis:

- a) prepare historical documents or archives for the public interest, or for purposes relating to research or statistics;
- b) prevent or suppress a danger to a person's life, body or health; and/or
- c) necessary to carry out a public task, or for exercising official authority.

If the personal data we collect from you is required to meet our legal obligations or to enter into an agreement with you, we may not be able to provide (or continue to provide) some or all of our products and services to you if you do not provide such personal data when requested.

## 2. What personal data we collect, use or disclose

The type of personal data, namely personal data and sensitive personal data, which we collect, use or disclose, varies depending on the scope of products and/or services that you may have used or had an interest in. The type of personal data and sensitive personal data shall include but not limited to:

Category	Examples of personal data
Personal details	<ul style="list-style-type: none"> <li>• Title</li> <li>• Given name, middle name, surname, hidden name (if any)</li> <li>• Gender</li> <li>• Date of birth</li> <li>• Age</li> <li>• Education background</li> <li>• Marital status</li> <li>• Nationality</li> </ul>
Contact details	<ul style="list-style-type: none"> <li>• Mailing address</li> <li>• Address as appears on identification card</li> <li>• E-mail address</li> <li>• Phone number</li> <li>• Mobile number</li> <li>• Facsimile number</li> <li>• Name of representatives or authorised persons/directors acting on behalf of our customers</li> <li>• Social media accounts, including profile data, photo and other identifier for electronic communication</li> <li>• Business phone number</li> <li>• Contact details of reference person</li> </ul>
Identification and authentication details	<ul style="list-style-type: none"> <li>• Identification card photo</li> <li>• Identification number, laser number (back of identification card)</li> <li>• Passport</li> <li>• Driving licence</li> <li>• Signatures</li> <li>• Tax identification number</li> <li>• House registration</li> </ul>
Employment details	<ul style="list-style-type: none"> <li>• Business type</li> <li>• Occupation</li> <li>• Employer's details and workplace</li> <li>• Position</li> <li>• Salary, income and remuneration</li> </ul>
Financial details and data relating to your relationship with us	<ul style="list-style-type: none"> <li>• Data relating to products and/or services you use (e.g. data relating to investments)</li> <li>• Channels you use and ways you interact with us</li> </ul>

	<ul style="list-style-type: none"> <li>• Your customer status, your payment history, transaction records</li> <li>• Data relating to your transactions</li> </ul>
Market research and marketing data	<ul style="list-style-type: none"> <li>• Customer survey</li> <li>• Data and opinions expressed when participating in market research (e.g. your responses to questionnaires, surveys, requests for feedbacks, and research activities)</li> <li>• Details of services you receive and your preferences</li> <li>• Inferences about you based on your interactions with us</li> <li>• Communication preferences and details or content of your communications with us</li> </ul>
Geographic data and data relating to your device and your software, and technical details	<ul style="list-style-type: none"> <li>• Technical specifications and uniquely identifying data (e.g. Media Access Control (MAC), IP address, location, web beacon, log, device ID and type, network, connection details, access details, access date and times, duration of usage, cookies, search history, browsing details)</li> </ul>
Investigation data	<ul style="list-style-type: none"> <li>• Data for due diligence checks (e.g. data relating to Know Your Customer (KYC) or Customer Due Diligence (CDD))</li> <li>• Data for risk management or Anti-Money Laundering and Combating the Financing of Terrorism (AML/CFT) checks</li> </ul>
User login, subscription data, and profile details	<ul style="list-style-type: none"> <li>• Login data for using our system, online transactions with us through internet, and our applications</li> <li>• Username, password and other verification code</li> <li>• Interests, preferences and activities</li> </ul>
Usage details	<ul style="list-style-type: none"> <li>• Data relating to your usage of websites, platforms, products and services</li> <li>• Data relating to your usage and interaction with our advertising (including content viewed, links clicked, and features used)</li> </ul>
Spouse details	<ul style="list-style-type: none"> <li>• Title</li> <li>• Given name, middle name, surname, hidden name (if any)</li> <li>• Marital status</li> <li>• Number of persons in responsible</li> <li>• Nationality</li> <li>• Identification number</li> <li>• Date of birth</li> <li>• Income</li> </ul>
Data concerning security	<ul style="list-style-type: none"> <li>• Visual images</li> <li>• Personal appearance</li> <li>• Detection of any suspicious or unusual activity</li> <li>• CCTV images or recordings</li> <li>• Video recordings</li> </ul>
Sensitive personal data	<ul style="list-style-type: none"> <li>• Religion as shown in the identification card</li> <li>• Blood type as shown in the identification card</li> <li>• Criminal records</li> <li>• Biometric data (e.g. face recognition)</li> <li>• Disability data (if any)</li> </ul>

Other data	<ul style="list-style-type: none"> <li>Records of correspondence and other communications between you and us, in whatever manner and form, including but not limited to phone, email, live chat, instant messages and social media communications</li> <li>Data that you provide to us through any channels</li> </ul>
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### 3. Sources of your personal data

Normally, we will collect your personal data directly from you, but sometimes we may get it from other sources, in such case we will ensure the compliance with the PDPA.

Personal data we collect from other sources may include but not limited to:

- a) Data obtained by us from companies in SCB<sup>x</sup> Group, business partners, and/or any other persons who we have legal relationship with;
- b) Data obtained by us from persons related to you (e.g. your family, friends, referees);
- c) Data obtained by us from corporate customers as you are director, authorised person, attorney, representative or contact person; and/or
- d) Data obtained by us from governmental authorities, regulatory authorities, financial institutions, Digital Asset Exchange, Digital Asset Broker, sub-custodians, Digital Asset Dealer, and/or third-party service providers (e.g. data that is publicly available, data that relates to transactions).

In case you have given any personal data of any other person to us in executing transactions with us or any purposes, you shall notify such person of the details relating to the collection, use and disclosure of personal data and rights under this privacy notice. In addition, you shall obtain consent from such person (if necessary) or relied on another legal basis to provide personal data to us.

### 4. Your rights

The PDPA aims to give you more control of your personal data. You can exercise your rights under the PDPA, details as specified below, through the channels prescribed by us:

#### 4.1 Right to access and obtain copy

You have the right to access and obtain copy of your personal data retained by us, unless we are entitled to reject your request under the laws or court orders, or if such request will adversely affect the rights and freedoms of other individuals.

#### 4.2 Right to rectification

You have the right to rectify your inaccurate personal data or to update your incomplete personal data.

#### 4.3 Right to erasure

You have the right to request us to delete, destroy or anonymise your personal data, unless there are certain circumstances where we have the legal grounds to reject your request.

#### 4.4 Right to restrict

You have the right to request us to restrict the use of your personal data under certain circumstances (e.g. when we are pending examination process in accordance with your request to rectify your personal data or to object the collection, use or disclosure of your personal data, or you request to restrict the use of personal data instead of the deletion or destruction of personal data which is no longer necessary as you have necessity to retain it for the purposes of establishment, compliance, exercise or defense of legal claims).

#### 4.5 Right to object

You have the right to object the collection, use or disclosure of your personal data in case we proceed with legitimate interests basis or for the purpose of direct marketing, or for the purpose of scientific, historical or statistic research, unless we have legitimate grounds to reject your request (e.g. we have compelling legitimate ground to collect, use or disclose

your personal data, or the collection, use or disclosure of your personal data is carried out for the establishment, compliance, or exercise legal claims, or for the reason of our public interests).

**4.6 Right to data portability**

You have the right to receive your personal data in case we can arrange such personal data to be in the format which is readable or commonly used by ways of automatic tools or equipment, and can be used or disclosed by automated means. Also, you have the right to request us to send or transfer your personal data to third party, or to receive your personal data which we sent or transferred to third party, unless it is impossible to do so because of the technical circumstances, or we are entitled to legally reject your request.

**4.7 Right to withdraw consent**

You have the right to withdraw your consent that has been given to us at any time pursuant to the methods and means prescribed by us, unless the nature of consent does not allow such withdrawal. The withdrawal of consent will not affect the lawfulness of the collection, use, or disclosure of your personal data based on your consent before it was withdrawn.

You can review and change your consent to use or disclose your personal data for marketing purposes through channels as specified in No. 11 or through Token X: Future of Investment Application, or other channels prescribed by us in the future.

**4.8 Right to lodge a complaint**

You have the right to make a complaint with the Personal Data Protection Committee or their office in the event that we do not comply with the PDPA.

**5. How we share your personal data**

We may disclose your personal data to the following parties under the provisions of the PDPA:

- a) companies in SCB<sup>x</sup> Group, business partners, including but not limited to payees, beneficiaries, Digital Asset Exchange, Digital Asset Brokers, Digital Asset Dealers, registrars, underwriters, custodians, correspondent banks, trustees, selling agents, co-brand partners, market counterparties, issuers, global trade repositories and/or other persons that we have the legal relationship, including our directors, executives, employees, staffs, contractors, representatives, advisors and/or such persons' directors, executives, employees, staffs, contractors, representatives, advisors;
- b) Law enforcement authorities, courts, governmental authorities and/or supervisory or regulatory authorities (e.g. the Bank of Thailand, the Securities and Exchange Commission, the Ministry of Digital Economy and Society, the Anti-Money Laundering Office, the Department of Provincial Administration, the Thai Revenue Department, the Securities Exchange of Thailand, Thailand Futures Exchange, Thailand Securities Depository Company Limited, Thailand Clearing House Company Limited);
- c) suppliers, agents, distributors and other entities (e.g. professional associations to which we are member, external auditors, depositories, document warehouses, overseas financial institutions, clearing houses) where the disclosure of your personal data has a specific purpose and under lawful basis, as well as appropriate security measures;
- d) any relevant persons as a result of activities relating to selling rights of claims and/or assets, restructuring or acquisition of any of our entities, where we may transfer our rights to; any persons with whom we are required to share data for a proposed sale, reorganisation, acquisitions, business transfer, financial arrangement, asset disposal or other transaction relating to our business and/or assets used in our business operation;
- e) other banks, financial institutions and third parties where required by law.
- f) debt collection agencies, lawyers, credit bureau, fraud prevention agencies, courts, authorities or any persons whom we are required or permitted by laws, regulations, or orders to share personal data;
- g) third parties providing services to us (e.g. IT service providers, market analysis and benchmarking service providers, cloud computing service providers, correspondent banking, agents, remittance system service providers, or subcontractors acting on our behalf);

- h) social media service providers (in a secure format) or other third-party advertisers so they can display relevant messages to you and/or others on our behalf about our products and/or services. Third-party advertisers may also use data relating to your previous online activities to tailor adverts to you;
- i) third-party security providers;
- j) other persons that provide you with benefits or services associated with our products or services; and/or
- k) your attorney, sub-attorney, authorized persons or legal representatives who have lawfully authorized power.

## **6. International transfer of personal data**

The nature of the modern banking business is global and under certain circumstances it is necessary for us to send or transfer your personal data internationally (e.g. transferring data to companies in SCB<sup>x</sup> Group or to cloud server overseas for the purpose of the provision of services). When sending or transferring your personal data, we will always exercise our best effort to have your personal data transferred to our reliable business partners, service providers or other recipients by the safest method in order to maintain and protect the security of your personal data.

If the destination countries do not have adequate data protection standard, we will proceed to transfer personal data as specified by the PDPA and will put in place the protection measures of such personal data as necessary and appropriate.

## **7. Retention period of personal data**

We will maintain and keep your personal data while you are our customer and once you has ended the relationship with us (e.g. after you closed your account with us, or following a transaction with us, or in case of your application to use our services is disapproved, or you terminated the services provided by us), we will only keep your personal data for a period of time that is appropriate and necessary for each type of personal data and for the purposes as specified by the PDPA.

The period we keep your personal data will be linked to the prescription period or the period under the relevant laws and regulations (e.g. Financial Institutions Businesses Laws, Securities and Exchange Laws, Anti-Money Laundering Laws, Counter-Terrorism and Proliferation of Weapon of Mass Destruction Financing Laws, Digital Asset Business Operation Laws, Accounting Laws, Tax Laws, Labour Laws and other laws to which we are subject both in Thailand and in other countries). In addition, we may need to retain records of CCTV surveillance in our office and/or voice records to prevent fraud and to ensure security, including investigating suspicious transactions which you or related persons may inform us.

## **8. Use of Cookies**

We may collect and use cookies and similar technologies when you use our products and/or services. This includes when you use our websites and mobile applications.

The collection of such cookies and similar technologies helps us recognise you, remember your preferences and customise how we provide our products and/or services to you. We may use cookies for a number of purposes (e.g. enabling and operating basic functions, helping us understand how you interact with our websites or emails, or enabling us to improve your online experiences or our communications with you, particularly, to ensure that online adverts displayed to you will be more relevant to you and of your interests), for details please see Cookie Notice at the link below.

[https://static.tokenx.finance/upload/Token\\_X\\_Cookie\\_Policy\\_d3512e1d1a.pdf](https://static.tokenx.finance/upload/Token_X_Cookie_Policy_d3512e1d1a.pdf)

## **9. Use of personal data for original purposes**



We are entitled to continue collecting and using your personal data, which has previously been collected by us before the effectiveness of the PDPA in relation to the collection, use and disclosure of personal data, in accordance with the original purposes. If you do not wish us to continue collecting and using your personal data, you may notify us to withdraw your consent at any time.

#### **10. Security**

We endeavour to ensure the security of your personal data through our internal security measures and strict policy enforcement. The measures extend from data encryption to firewalls. We also require our staff and third-party contractors to follow our applicable privacy standards and policies and to exercise due care and measures when using, sending or transferring your personal data.

#### **11. How to contact us**

If you have any questions or would like more details about our privacy notice, please contact us through the following channels:

- **Token X Company Limited**  
our head office located at 18 SCB Park Plaza West A, 2 Floor, Ratchadapisek Road, Chatuchak, Chatuchak, Bangkok 10900.
- our **Data Protection Officer** by writing to E-mail: [dpo@tokenx.finance](mailto:dpo@tokenx.finance) or our address as specified above.

If you would like to exercise your rights in accordance with PDPA, please contact us by E-mail: [dpo@tokenx.finance](mailto:dpo@tokenx.finance)

#### **12. Changes to this privacy notice**

We may change or update this privacy notice from time to time and we will inform the updated privacy notice at our website [www.tokenx.finance](http://www.tokenx.finance)

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