

AFRICAN BANKING CORPORATION LIMITED

PRIVACY NOTICE

This Privacy Notice (Notice) shall apply to any and all personal information of our customers and visitors held by employees, assignees and agents of the African Banking Corporation Limited and ABC Insurance Brokers and ABC Capital Limited (hereinafter referred to as **ABC Group**) as data controllers.

This Notice sets out the information we collect about you, how we will use that information, who we will share it with, the circumstances when we will share it and what steps we will take to make sure it stays private and secure. It continues to apply even if your agreement for banking, insurance or other products and services with us ends. It should also be read alongside your banking or insurance terms and conditions, as these include sections relating to the use and disclosure of information.

Further, the Notice covers any personal products or services you have with us, including savings, loans, credit cards, mortgages, investments and insurance. In the event that we may need to provide you with separate or further information about specific products and services, this information will also be subject to this notice.

It is important that the Personal Data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us. If in case you wish to correct or update your Personal Data that we hold, you may do so by contacting your Branch Manager or writing to us at **talk2us@abcthebank.com**. In this document, wherever we have said **'you'** or **'your'**, this shall mean you (the customer), any authorised person on your account, anyone who does your banking or deals with us on your behalf (such as agents, advocates, trustees or executors, attorneys under a Power of Attorney) and other related people (including authorised signatories, partners, members). If you are an insurance customer it also means you, named insured parties or beneficiaries under your policy, dependants, claimants and other third parties involved in an insurance policy or claim (such as witnesses).

Further, in this document, wherever we say **'we'**, it shall mean **ABC Group** which act as a data controller in respect of your personal data. Unless otherwise stated below, the data controller for the purposes of this notice is **African Banking Corporation Limited**.

The address for the African Banking Corporation Limited companies set out in this notice is ABC Bank House, Woodvale Grove, Westlands, P. O. Box 38610 – 00800, Nairobi.

Information we collect

We will only collect your information in line with relevant regulations and law.

We may collect it from a range of sources and it may relate to any of our products or services you apply for, currently hold or have held in the past. We may also collect information about you when you interact with us, such as visit to our websites or mobile channels, call us or visit one of our branches, or ask about any of our products and services. Some of it will come directly from you, such as when you provide your National Identity Card to open an account with ourselves. It can also come from third parties to whom you have consented including but not limited to your financial advisor, broker or mortgage intermediary, the insurance company which provides the insurance policies we offer, or other sources including who have your information. We might also get some of it from publicly available sources including but not limited to, Companies registry, lands registry and other government registries and/or agencies, service providers we interact or integrate with now or

in the future, Integrated Personal Registration Systems, Kenya Revenue Authority and the National Transport and Safety Authority database.

Type of information we collect will differ depending on whether you are a banking, stock brokerage or insurance customer. The information we collect may include:

- a.** Information connected to you and individuals connected to the business that you provide to us or which others provided to us on your behalf i.e.:
 - i. personal details – title, name, previous names, gender, date and place of birth;
 - ii. contact details, such as address, email address, landline and mobile numbers;
 - iii. information concerning your identity such as photograph, signature, passport information, National Insurance number, National ID card and nationality;
 - iv. market research; such as information and opinions expressed when participating in market research;
 - v. user login and subscription data, such as login credentials for phone and online banking and mobile banking apps;
 - vi. other information about you that you give us by filling in forms or by communicating with us, whether face-to-face, by phone, email, online, or otherwise;

If our relationship arises out of an insurance policy or claim, we may also collect:

- i. information regarding your family members or other third parties who might be covered by or benefit from your insurance policy, or be financially dependent on you;
- ii. information which is relevant to your insurance policy including details of previous policies and claims history. This will depend on the type of policy that you have with us;
- iii. lifestyle information, such as your smoking status and alcohol consumption if you apply for a life insurance policy;
- iv. details about your physical or mental health which are relevant to your insurance policy or claim, such as if you make a claim we may ask for medical information relating to the claim;
- v. details about your criminal convictions or related information. This will include information relating to offences or alleged offences;
- vi. any other information which is relevant to a claim that you make.

b. Information we collect or generate about you and individuals connected to your business:

- i. your financial information and information about your relationship with us, including the products and services you hold, the channels you use and your ways of interacting with us, your ability to get and manage your credit, your payment history, transactions records, market trades, payments into your account including salary details and information concerning complaints and disputes;
- ii. information we use to identify and authenticate you, such as your signature and your biometric information or additional information that we receive from external sources that we need for compliance purposes;
- iii. geographic information, such as about which branches or ATMs you use;

- iv. information included in customer documentation, such as a record of advice that we may have given you;
 - v. marketing and sales information, such as details of the services you receive and your preferences;
 - vi. information about your device or the software you use, such as its IP address, technical specification and unique identifying data;
 - vii. cookies and similar technologies we use to recognise you, remember your preferences and tailor the content we provide to you;
 - viii. risk rating information, such as credit risk rating, transactional behaviour and underwriting information;
 - ix. investigations data, such as due diligence checks, sanctions and anti-money laundering checks, financial reporting checks, external intelligence reports, content and metadata related to relevant exchanges of information between and among individuals and/or organisations, including emails, voicemail, live chat, etc.;
 - x. records of correspondence and other communications between us, including email, live chat, instant messages and social media communications;
 - xi. information that we need to support our regulatory obligations, such as information about transaction details, detection of any suspicious and unusual activity and information about parties connected to you or these activities.
- c. Information we collect from other sources:**
- i. information you have asked us to collect for you, such as information about your accounts or holdings with other companies including transaction information;
 - ii. We may receive personal data from third parties, where you have purchased any of our products or services through such third parties:
 - iii. information from third party providers, such as information that helps us to combat fraud or that relates to your social interactions (including your communications via social media, between individuals, organisations, prospects and other stakeholders acquired from companies that collect combined information);
 - iv. We collect personal data that you may choose to make public, including via social media including but not limited to information on your social media profile(s) that you choose to make publicly visible.
- d. If our information arises out of an insurance policy or claim, we may also collect:**
- information relating to your insurance application where you apply for a policy via a comparison website or aggregator;
 - information relating to your medical records, with your agreement;
 - information relating to your insurance claims history;
 - information from other parties involved in your insurance policy or claim;
 - information from publicly available sources.

How we will use your information

We will only use your information with your express consent or in the event we have a lawful reason to use it. These reasons include but are not limited to:

- i. need to pursue our legitimate interests;
- ii. need to process the information to enter into or carry out an agreement we have with you;
- iii. need to process the information to comply with a legal obligation;
- iv. for the purpose of preventing or detecting crime;
- v. need to establish, exercise or defend our legal rights;
- vi. need to use your information for insurance purposes.
- vii. need to deliver our products and services;
- viii. need to carry out your instructions, such as to fulfil a payment request, or make a change to your insurance policy;
- ix. need to carry out checks in relation to your creditworthiness;
- x. manage our relationship with you, including (unless you tell us otherwise) telling you about products and services we think may be relevant for you;
- xi. need to understand how you use your accounts and services;
- xii. need to support our banking operations;
- xiii. need to prevent or detect crime including fraud and financial crime, such as financing for terrorism and human trafficking;
- xiv. need to ensure security and business continuity;
- xv. need to manage risk;
- xvi. need to provide Online Banking, mobile apps and other online product platforms;
- xvii. need to improve our products and services through analysing how you use them;
- xviii. need to analyse data to better understand your circumstances and preferences so we can make sure we can provide you with the best advice and offer you a tailored service;
- xix. need to protect our legal rights and comply with our legal obligations;
- xx. need to correspond with advocates, surveyors, valuers, other lenders, conveyances and third party intermediaries;
- xxi. need to undertake system or product development and planning, insurance, audit and administrative purposes;
- xxii. need to recover money which you owe including enforcing our rights under the any agreement with you for instance, debt recovery and indemnification.
- xxiii. For Know Your Customer (KYC) formalities, we may review your political affiliations to determine politically exposed persons or criminal records to help prevent and detect

criminal behaviour, postpone debt repayments and consider restructured repayments or for legal claims.

If our relationship arises from an insurance policy or claim, we will also use your information to:

- evaluate your insurance application and use your medical information to manage our services and products and provide you with a quotation;
- handle or monitor any claims which you make or which arise under your insurance policy;
- where relevant, bring a claim against a third party;
- apply for and claim on our own insurance policies.

Tracking or recording of interactions

In order to help keep you and your money safe, we may record details of your interactions with us. We may record and keep track of conversations you have with us including phone calls, face to face meetings, letters, emails, live chats, video chats and any other kinds of communication.

We may use these recordings to check your instructions to us, assess, analyse and improve our service, train our people, manage risk or to prevent and detect fraud and other crimes.

We may also capture additional information about these interactions, such as telephone numbers that you call us from and information about the devices or software that you use.

We use closed circuit television (CCTV) in and around our sites and these may collect photos or videos of you, or record your voice.

Our websites, apps, and other digital products also track and record your interactions with them. Our website may include links to third party websites, plug-ins, cookies and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We have no control over these third party websites or influence on the use of the data collected and are thus not responsible for their privacy policies. Once you leave our website, we encourage you to read the privacy policy of any website you visit to understand our rights therein.

Compliance with laws and regulatory compliance obligations

We will use your information to meet our compliance obligations, with laws and regulations and to share with regulators and other authorities that African Banking Corporation Limited and its subsidiaries are subject to.

This may include using it to help detect or prevent crime (including terrorism financing, money laundering and other crimes). We will only do this on the basis that it's needed to comply with a legal obligation, it's in our legitimate interests and that of others, or to prevent or detect unlawful acts.

Marketing

We may use your information to provide you with details about African Banking Corporation Limited products and services, and also products and services from our partners and other relevant third parties. We may send you marketing messages by post, email, telephone, text, secure messages, or through social media. You can change your mind on how you receive marketing messages or choose to stop receiving them at any time. To make that change, please contact us in the usual way.

If you ask us not to send you marketing, it may take us a short period of time to update our systems and records to reflect your request, during which time you may continue to receive marketing messages. Do note that despite your opting out of our marketing messages, we will continue to use your contact details to provide you with important information, such as changes to your terms and conditions or your need to comply with our regulatory obligations.

Market Research

We may use your information for market research and to identify trends. We won't invite you to take part in research if you have asked us not to get in touch. Any responses that you provide whilst participating in market research will be reported back to us anonymously unless you give us permission for your details to be shared.

Who we might share your information with

We may share your information with others where it is lawful to do so including where we or they:

- i. need to do so in order to provide you with products or services you have requested, such as fulfilling a payment request;
- ii. need to do so in order to provide you with your insurance policy or to administer your claim;
- iii. have a public or legal duty to do so, such as to assist with detecting and preventing fraud, tax evasion and financial crime;
- iv. need to do so in connection with regulatory reporting, litigation or asserting or defending legal rights and interests;
- v. wish to send marketing information to you or others, as long as you have given us your consent, or it's within our legitimate interest to do so;
- vi. have a legitimate business reason for doing so, such as to manage risk, verify your identity, enable another company to provide you with services you have requested, or assess your suitability for products and services;
- vii. have asked you for your permission to share it, and you have agreed.

We may thus need to share your information for these purposes with:

- i. ABC Group companies and any sub-contractors, agents or service providers who work for us or provide services to us or Group companies (including their employees, sub-contractors, service providers, directors and officers). We ensure that your Personal Data is protected by requiring all our related companies follow the same rules when processing your Personal Data;
- ii. any joint account holders, trustees, beneficiaries or executors;
- iii. people who give guarantees or other security for any amounts you owe us;
- iv. people you make payments to and receive payments from;
- v. your beneficiaries, intermediaries, correspondent and agent banks, clearing houses, clearing or settlement systems, market counterparties and any companies you hold securities in through us, such as stocks, bonds or options;

- vi. other financial institutions, lenders and holders of security over any property you charge to us, tax authorities, trade associations, credit reference agencies, payment service providers and debt recovery agents;
- vii. any fund managers who provide asset management services to you and any brokers who introduce you to us or deal with us for you;
- viii. anybody who provides marketing services to us;
- ix. any entity that has an interest in the products or services that we provide to you, including if they take on the risk related to them;
- x. any people or companies where required in connection with potential or actual corporate restructuring, merger, acquisition or takeover, including any transfer or potential transfer of any of our rights or duties under our agreement with you;
- xi. law enforcement, government, courts, dispute resolution bodies, our regulators, auditors and any party appointed or requested by our regulators to carry out investigations or audits of our activities;
- xii. other parties involved in any disputes, including disputed transactions;
- xiii. fraud prevention agencies who'll also use it to detect and prevent fraud and other financial crime and to verify your identity;
- xiv. anyone who provides instructions or operates any of your accounts on your behalf, such as Power of Attorney, solicitors, intermediaries, etc;
- xv. anybody else that we've been instructed to share your information with by either you, a joint account holder or anybody else who provides instructions or operates any of your accounts on your behalf;
- xvi. our card processing supplier(s) to carry out credit, fraud and risk checks, process your payments, issue and manage your card;

If our relationship arises from an insurance policy or claim, we will also share your information with:

- other parties involved in providing your insurance policy, such as the intermediary or insurer who provides your policy;
- third parties involved in the administration of the relevant insurance policy or claim including loss adjusters, claims handlers, private investigators, experts and our advisors;
- where relevant, medical experts and rehabilitation providers.

How long will we keep your information?

We keep your information in line with our data retention policy. For example, we normally keep your core banking data for a period of **Seven Years** from the end of our relationship with you. This enables us to comply with legal and regulatory requirements or use it where we need to for our legitimate purposes such as managing your account and dealing with any disputes or concerns that may arise.

We may need to retain your information for a longer period where we need the information to comply with regulatory or legal requirements or where we may need it for our legitimate purposes, such as to help us respond to queries or complaints, fighting fraud and financial crime, responding to

requests from regulators, etc. If we don't need to retain information for this period of time, we may destroy, delete or anonymise it more promptly.

Transferring your information overseas

Your information may be transferred to and stored in locations outside Kenya, including countries that may not have the same level of protection for personal information. When we do this, we will ensure it has an appropriate level of protection and that the transfer is lawful.

We may need to transfer or store your information in another jurisdiction to fulfil legal obligations, for our legitimate interest and/or to protect the public interest. If the other jurisdiction does not have the same level of protection for Personal Data, when we do process the data, we shall put in place appropriate safeguards like contractual commitments to ensure the data is adequately protected.

Where third parties are based in other jurisdictions, their processing of your Personal Data will involve transfer of data to their jurisdictions.

We may need to transfer your information in this way to carry out our contract with you, to fulfil a legal obligation, to protect the public interest and/or for our legitimate interests.

In some countries the law might compel us to share certain information with their agencies such as with tax authorities. Even in these cases, we will only share your information with people who have the right to see it.

Your rights

You have a number of rights in relation to the information that we hold about you. These rights include:

- i. the right to access information we hold about you and to obtain information about how we process it;
- ii. the right to withdraw your consent to our processing of your information, which you can do at any time. We may however continue to process your information if we have legitimate reason for doing so;
- iii. the right to receive certain information you have provided to us in an electronic format and/or request that we transmit it to a third party;
- iv. the right to request that we rectify your information if it's inaccurate or incomplete;
- v. the right to request that we erase your information. We may continue to retain your information if we're entitled or required to retain it;
- vi. the right to object to, and to request that we restrict, our processing of your information. Again, there may be situations where you object to, or ask us to restrict, our processing of your information but we're entitled to continue processing your information and/or to refuse that request. You can exercise your rights by contacting us using the details set out in the 'More details about your information' section below.
- vii. You also have a right to complain to the Data Commissioner's Office by visiting their office.

Credit Reference Checks, Fraud and Money Laundering Checks

If you apply for new products or services (including credit like a mortgage, personal loan or credit card), we may perform credit and identity checks on you with one or more credit reference bureaus

(CRBs). When you use our banking services, we may also make periodic searches at CRBs to manage your account with us. To do this, we will supply your personal information to CRBs and they'll give us information about you. This will include information from your credit application and about your financial situation and financial history. CRBs will supply us with public and shared credit information, financial situation, history and fraud prevention information. We may use this information to:

- i. assess if we can offer you credit and whether you can afford to take the product you applied for;
- ii. verify the accuracy of the data you have provided to us;
- iii. prevent criminal activity, fraud and money laundering;
- iv. manage your account(s);
- v. trace and recover debts;
- vi. ensure any offers provided to you are appropriate to your circumstances.

We will continue to exchange information about you with CRBs while you have a relationship with us. We will also inform the CRBs about your repayment history. If you borrow and don't repay in full and on time, CRBs will record the outstanding debt. This information may be supplied to other organisations by CRBs. When CRBs receive a search request from us they'll place a search footprint on your credit file that may be seen by other lenders. We may also carry out further credit checks on you while you are a customer to maintain an accurate and up-to-date record of your credit history and to verify the accuracy of the information you have provided to us.

If you are making a joint application, or tell us that you have a spouse or financial associate, we will link your records together. You should discuss this with them, and share this information with them before submitting the application. CRBs will also link your records together and these links will remain on your and their files until you or your partner successfully files for a disassociation with the CRBs to break that link.

To comply with the law and for our own legitimate interest to enable us to assess and manage risk, we can share details about your financial situation and financial history with CRBs, fraud prevention agencies, etc. This includes information on any bank accounts or credit you have with us, including:

- i. how you manage your bank accounts or credit;
- ii. if you owe us money;
- iii. if we have concerns about financial crime;
- iv. if you haven't kept up with your payments or paid off what you owe us (unless there's a genuine dispute over how much you owe us), or if you have agreed and stuck to a repayment plan.

Fraud Prevention Agencies

We will carry out checks with fraud prevention agencies for the purposes of preventing fraud and money laundering, and to verify your identity before we provide products and services to you. These checks require us to process personal information about you. The personal information you provide or which we've collected from you, or received from third parties, will be used to carry out these checks in order to prevent fraud and money laundering, and to verify your identity.

We will process personal information such as your name, address, date of birth, contact details, financial information, employment details, and device identifiers such as IP address. We and fraud prevention agencies may also enable law enforcement agencies to access and use your personal data to detect, investigate and prevent crime.

We process your personal data on the basis that we have a legitimate interest in preventing fraud and money laundering and to verify your identity. This enables us to protect our business and to comply with laws that apply to us. This processing is also a contractual requirement of any of our products or services you use. **N/B:** Fraud prevention agencies can hold your personal data for different periods of time. If any of the fraud prevention agencies are concerned about a possible fraud or money laundering risk, your data can be held by them for up to **Six Years**.

Consequences of Processing

If we, or a fraud prevention agency, have reason to believe there's a fraud or money laundering risk, we may refuse to provide the services and credit you have requested. We may also stop providing existing products and services to you. A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services to you.

Your responsibility

You are responsible for making sure the information you give us is accurate and up to date, and you must tell us if anything changes as soon as possible. If you provide information for another person (such as a joint account holder, a beneficiary under an insurance policy or a dependant), it shall be your responsibility to direct them to this notice.

How we keep your information secure

We use a range of measures to keep your information safe and secure which may include anonymization, encryption and other forms of security. We require our staff and any third parties who carry out any work on our behalf to comply with appropriate compliance standards including obligations to protect any information and applying appropriate measures for the use and transfer of information.

We have put in place appropriate security measures to prevent your Personal Data from being lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your Personal Data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your Personal Data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Online Banking, Mobile Apps and other online product platforms

We will use your information to allow us to provide you with access to African Banking Corporation Limited's online platforms and mobile apps (i.e. ABC Bank Mobile Banking App). The platform may allow you to directly or indirectly communicate with us through mobile apps, such as using Online Banking, or applying for products and services online.

The lawful basis for using your information for this purpose is to perform our contract with you or that processing for this purpose is in our legitimate interest;

Product and service improvement

We will analyse your information to identify possible service and product improvements. Where we provide you with aggregated information services, we will use your information to understand how you use these products which may include your transactional information from other financial institutions to help improve our products and services. We do this to improve our products and services to best meet the needs of our customers;

More details about your information

If you'd like further information on anything we've said in this Privacy Notice, or to contact our **Data Protection Officer**, contact us at **ABC Bank House, Woodvale Grove, Westlands, P. O. Box 38610 – 00800, Nairobi** or email us on talk2us@abcthebank.com addressed '**for the attention of the DPO**'. This Privacy Notice may be updated from time to time and the most recent version can be found on our website.