

This privacy notice describes how Commercial International Bank (CIB) Kenya Limited processes personal data and sets out individuals' rights in relation to their personal data. This privacy notice applies to all personal data Commercial International Bank (CIB) Kenya Limited processes about a customer in compliance with the Data Protection Act, 2019. Personal data means any information relating to an identified or identifiable personal.

### Personal data CIB Kenya collects

Commercial International Bank (CIB) Kenya Limited shall collect and process certain personal data about the following individuals associated with a Customer (referred to as "related parties"):

The Customer themselves, such as where it is operating as a sole trader.

- Individual members of a partnership.
- Individual members of a co-ownership.
- Individual directors, company secretaries or other equivalent individual office holders and beneficial owners of a customer.
- Guarantors and third-party security providers • Individuals with joint financial obligations with directors and beneficial owners of a customer.
- Individuals associated with the directors and beneficial owners of a customer's business
  - Any employees, contractors, representatives, officers, or agents of a customer.
- Legal representatives and other individuals authorized to act on behalf of a customer.
- Commercial International Bank (CIB) Kenya Limited collects personal data directly from a customer, related parties, and from other sources including:
- Commercial International Bank (CIB) Kenya Limited will check its own records for information about (i) any accounts belonging to a customer or any associated businesses and

(ii) the customer's shareholders who are beneficial owners of the businesses.

- Commercial International Bank (CIB) Kenya Limited may carry out searches using credit reference agencies and financial crime prevention agencies for information relating to a customer's business and related parties.
- Commercial International Bank (CIB) Kenya Limited may search publicly available sources, such as media stories, for information relating to a customer's business and related parties.
- The categories of information that Commercial International Bank (CIB) Kenya Limited collects about a customer and related parties include:
- Personal details (e.g. name, date of birth, passport information, identification information, biographical information, information about personal interests)
- Customer-related details (e.g. relationship with the customer or related parties, business information, information about any shareholdings, business contact details)
- Transactional details (e.g. information about services, requests, queries or complaints)
- Financial details (e.g. information about business accounts, financial history) • Information from credit reference agencies and fraud prevention agencies)

Some of the information that Commercial International Bank (CIB) Kenya Limited collects is sensitive personal data. Where Commercial International Bank (CIB) Kenya Limited processes sensitive personal data, it will usually do so, on the basis that it is necessary for reasons of substantial public interest or to establish, exercise or defend any legal claims. Commercial International Bank (CIB) Kenya Limited will carry out the processing in accordance with the Data Protection Act, 2019 and other relevant laws.

Commercial International Bank (CIB) Kenya Limited may be required by law to collect certain personal data, or because of its contractual

relationship with its customers. Failure to provide this information may prevent or delay the fulfilment of these obligations.

### What CIB Kenya Limited uses personal data for and on what basis

Commercial International Bank (CIB) Kenya Limited must have a legal basis to process customer and related parties' personal data. The list below sets-out the purposes for which Commercial International Bank (CIB) Kenya Limited uses personal data about customers and related parties, and its legal basis for doing so. Where Commercial International Bank (CIB) Kenya Limited is relying on a legitimate interest, these are also set out below:

- Where the law requires it.
- Where it is necessary for the performance of a contract.
- Where it is in Commercial International Bank (CIB) Kenya Limited's legitimate interests to ensure that its customer accounts are well-managed, so that its customers are provided with a high standard of service, to protect its business interests and the interests of its customers.
- Where it is in Commercial International Bank Kenya Limited's legitimate interests to develop, build, implement, and run business models and systems which protect its business interests and provide its customers with a high standard of service.
- Commercial International Bank (CIB) Kenya Limited's interests to prevent and investigate fraud, money laundering and other crimes.
- To verify the Customer's identity to protect its business and to comply with laws that apply to it.
- Where it is in Commercial International Bank (CIB) Kenya Limited's legitimate interests to provide information about its business and services that it considers would benefit or inform its customers.

Recipients of any marketing communications may inform Commercial International Bank (CIB) Kenya Limited at any time if they wish to change their contact preferences for this purpose.

When Commercial International Bank (CIB) Kenya Limited processes customer and related parties' personal data to meet its legitimate interests, it puts in place safeguards to ensure that the customer and related parties' privacy is protected and to ensure that its legitimate interests do not override the customer and related parties' interests or fundamental rights and freedoms.

Commercial International Bank (CIB) Kenya Limited may contact a customer's guarantors and security providers in connection with any products and services provided to a customer by the Bank.

Where Commercial International Bank (CIB) Kenya Limited processes any information about customers and related parties that is not personal data, Commercial International Bank (CIB) Kenya Limited will comply with its obligations of confidentiality and establish and maintain adequate security measures to safeguard confidential information from unauthorized access or use.

### Individuals' rights over their personal data

Individuals have certain rights regarding their personal data, subject to local law. These include the following rights to:

- To be informed of the use to which their personal data is to be put.
- Access their personal data.
- Rectify the information Commercial International Bank (CIB) Kenya Limited holds about them.
- To object to the processing of all or part of their personal data by Commercial International Bank (CIB) Kenya Limited.
- To correction of false or misleading data being processed by Commercial International Bank (CIB) Kenya Limited.
- To deletion of false or misleading data being processed by Commercial International Bank (CIB) Kenya Limited.

Please refer to the Contact Us section below for further details on how to exercise these rights.

### Information sharing

Where necessary Commercial International Bank (CIB) Kenya Limited may provide personal data about the customer and related parties:

- To other members of the Commercial International Bank (CIB) Kenya Limited, including internal service companies and to other Commercial International Bank (CIB) Kenya Limited companies and entities with whom the customer has a relationship.
- To its suppliers and agents. Where Commercial International Bank (CIB) Kenya Limited engages with a supplier or agent to process customer and related parties' personal data on its behalf, it will undertake due diligence,
- Monitoring and assurance activities to ensure that the personal data is appropriately protected, and contractual clauses will be agreed between the parties to ensure that data protection and confidentiality is maintained.
- To anyone as a result of any restructure, sale or acquisition of any Commercial International Bank (CIB) Kenya Limited or to anyone to whom CIB Kenya Limited transfers or may transfer its rights.
- If Commercial International Bank (CIB) Kenya Limited is required, requested, or permitted to do so by law, regulation, court order, or supervisory, regulatory, or similar authority.
- For international payments where Commercial International Bank (CIB) Kenya Limited is required to send details of the payee and the beneficiary with the payment, and to overseas regulators and authorities in connection with their legitimate duties.
- With third party payers: we may share the name of the account holder or holders with third parties paying money into your account if it is necessary to confirm the payment is being made to the right account. (We would only do this where the name submitted by the payer is a close match with the account holder or holders name.)

### International transfer of personal data

Where Commercial International Bank (CIB) Kenya Limited transfers the customers' and related parties' personal data to other jurisdictions (in the operation of its business or for example to its suppliers or agents) it will ensure that appropriate safeguards are provided in order to ensure that the data transfers are subject to an adequate level of protection. These safeguards will include the use of contractual terms

### Retention of personal data

Commercial International Bank (CIB) Kenya Limited will retain customer personal data following closure of the customer's account(s) or following a transaction for a period of time, which will be calculated depending on the type of personal data, and the purposes for which it is held by Commercial International Bank (CIB) Kenya Limited. Commercial International Bank (CIB) Kenya Limited will only retain customer personal data to enable it to:

- Maintain business records for analysis and/or audit purposes.
- Comply with record retention requirements under the law. (for example, as required under legislation concerning the prevention, detection and investigation of money laundering and terrorist financing).
- Defend or bring any existing or potential legal claims.
- Deal with any future complaints regarding the Commercial International Bank (CIB) Kenya Limited has delivered.

The retention period is often linked to the amount of time available to bring a legal claim, which is seven years following closure of a customer(s) accounts or following a transaction. Commercial International Bank (CIB) Kenya Limited will retain customer personal data after this time if it is required to do so to comply with the law, if there are outstanding claims or complaints that will reasonably require customer personal data to be retained, or for regulatory or technical reasons. Where Commercial International Bank (CIB) Kenya Limited retains this data, it will continue to make sure that related parties' privacy is protected.

### Contact us

Subject access requests should be submitted via the online Subject Access Request form.

For any other type of request, please contact your Relationship team in the first instance. You may also refer to the contact section of the Commercial International Bank (CIB) Kenya Limited banking website.

The Commercial International Bank (CIB) Kenya Limited Data Protection Officer can be contacted by email at [dataprotectionofficer@cibke.com](mailto:dataprotectionofficer@cibke.com)

Please note that we can't guarantee the security of your Personal Data while it's in transit to us. Therefore, if you choose to contact the Data Protection Officer by email, we advise that you keep Personal

Data to a minimum, and that you don't include full account information.

Commercial International Bank (CIB) Kenya Limited is committed to working with individuals to obtain a fair resolution of any complaint or concern about privacy. If, however, individuals believe that Commercial International Bank (CIB) Kenya Limited has not been able to assist with their complaint or concern, they have the right to make a complaint to the Office of the Data Protection Commissioner. Details of the Office of the Data Protection Commissioner are available.

**Changes to the Privacy Notice** The information in this privacy notice is current at the time of the date below, but Commercial International Bank (CIB) Kenya Limited may modify or update this privacy notice from time to time. You may ask your Relationship Team for the latest copy of this privacy notice at any time.

Where changes to this privacy notice shall have a fundamental impact on the nature of the processing or otherwise have a substantial impact on the Customer or Related Parties, Commercial International Bank (CIB) Kenya Limited shall give sufficient advance notice.