

African Bank Privacy Policy

1 INTRODUCTION

- 1.1 African Bank Limited (registration number: 2014/176899/06) ("**African Bank**", "**us**", "**we**" or "**our**") respects your privacy and is committed to protecting and preserving the personal information of all persons who use the self-service remote banking channels made available by African Bank (for example, online banking, mobile banking application and cell-phone banking) (collectively, the "**Electronic Banking Channels**") or access our website located at **www.africanbank.co.za** ("**the Website**"). All references to "**you/your**" in this document will be references to persons accessing the Electronic Banking Channels or the Website and/or otherwise sharing personal information with African Bank.
- 1.2 This privacy policy ("**Privacy Policy**") sets out the basis and governs the processing (which includes the collection, use and sharing) of personal information by African Bank which we may collect from you, or that may be provided to us either through the Electronic Banking Channels, the Website or via email or other correspondence.

2 IMPORTANT NOTICE

- 2.1 Please read the terms of this Privacy Policy carefully to understand our views and practices regarding your personal information and how we will treat it.
- 2.2 By using our Electronic Banking Channels or accessing our Website and/or submitting personal information to us, whether while using the Electronic Banking Channels, visiting our Website or otherwise, you acknowledge that you are aware of the practices described in this Privacy Policy and that you agree that your personal information may be used for the purposes stated in this Privacy Policy.
- 2.3 If you do not want us to process your personal information for purposes as set out in this Privacy Policy, please do not use the Website or any of the Electronic Banking Channels.

3 PERSONAL INFORMATION WE COLLECT FROM YOU

- 3.1 Personal information is information that identifies, or could be reasonably associated with you. The term "**personal information**" as used in this Privacy Policy shall have the same meaning as defined in the Protection of Personal Information Act, 4 of 2013. This information may include details of your name, age, identity number, home address and work address and other contact details. It further encompasses details relating to your liability, income and payment records, financial information and banking details such as account numbers.
- 3.2 Information that does not identify a person, such as anonymous or aggregated data, is not covered by this Privacy Policy. We may collect, use and disclose such information in order to evaluate and improve our service offerings; communicate to our service providers, advertisers and affiliates, or for other purposes without limitation. For example, African

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Bank gathers and analyses information of the visitors to its Website. It then uses this information to monitor which areas of the Website are most frequently visited, which assists African Bank in continuing to develop a value-added service. This information is pooled so that any individual's personal information, behaviour or patterns cannot be identified.

3.3 To enable African Bank to service your requirements and inform you of new products and services, African Bank may need to collect personal or other information that you have submitted via our Website.

3.4 Should you decide to register to use any of our Electronic Banking Channels, we may require you to provide us with personal information which includes but is not limited to –

3.4.1 your name and surname;

3.4.2 your bank statements and other financial statements, identity documents, proof of residence documentation, physical address, postal address, tax certificate (including tax number);

3.4.3 your email address;

3.4.4 your mobile number;

3.4.5 your identity number; and

3.4.6 your date of birth.

3.5 **In registering to use any Electronic Banking Channels, you are required to provide us with complete and accurate information about yourself. By doing so, you warrant that the information provided is correct. Also, where you give us personal information about another person, you warrant that you have that person's express permission to give us their personal information (or where that person is a minor, you have that person's parent or legal guardian's express permission to give us their personal information). In the event that you change any of your personal information, you shall notify us of such changes as soon as this is reasonably possible.**

3.6 You agree that African Bank may make enquiries to confirm and verify any information provided by you in any application form.

3.7 You may choose to provide additional personal information to us, in which event you agree to provide accurate and current information, and not to impersonate or misrepresent any person or entity or falsely state or otherwise misrepresent your affiliation with anyone or anything.

4 HOW WE USE YOUR PERSONAL INFORMATION

4.1 Subject to clause 4.2 below, we will not, without your express consent -

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- 4.1.1 use your personal information for any purpose other than as set out below:
 - 4.1.1.1 to provide services and products to you;
 - 4.1.1.2 to provide services and functionalities to you through our Electronic Banking Channels (including access to African Bank Products and Value-Added Services);
 - 4.1.1.3 opening and managing your account and profile for any of our Electronic Banking Channel;
 - 4.1.1.4 complying with our legal obligations including those under the Financial Intelligence Centre Act, No. 38 of 2001;
 - 4.1.1.5 investigating and detecting any unlawful activities in relation to your account on any Electronic Banking Channel. Examples of such unlawful activities include fraudulent conduct and money-laundering activities;
 - 4.1.1.6 analysing information in order to identify new trends and develop new products and services;
 - 4.1.1.7 contact you regarding current or new promotional products or rewards or any other goods offered by us or any of our divisions and/or partners (unless you have not agreed to receive marketing material from African Bank); and
 - 4.1.1.8 in order to receive services from any of African Bank's service providers or agents, whether such service providers or agents are situated within or outside of the borders of South Africa; or
- 4.1.2 disclose your personal information to any third party other than as set out below:
 - 4.1.2.1 to our employees and/or third party service providers who assist us to interact with you via our Electronic Banking Channels, email or any other method, in relation to your account or profile on any Electronic Banking Channel, and thus need to know your personal information in order to assist us to communicate with you properly and efficiently;
 - 4.1.2.2 to our divisions and/or partners (including their employees and/or third party service providers) in order for them to interact directly with you via email or any other method for purposes of sending you marketing material regarding any current or new goods or services, new features, special offers or promotional items offered by them (unless you have not agreed to receive marketing material from African Bank);
 - 4.1.2.3 to law enforcement, government officials, fraud detection agencies or other third parties when we believe in good faith that the disclosure of personal information is necessary to prevent physical harm or financial loss, to report or support the

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investigation into suspected illegal activity, or to investigate violations of these Terms; and

4.1.2.4 to our service providers (under contract with us) who help with parts of our business operations (fraud prevention, marketing, technology services etc.). However, our contracts dictate that these service providers may only use your information in connection with the services they perform for us and not for their own benefit.

4.2 We may use or disclose your personal information if such use or disclosure is required in order to comply with any applicable law, subpoena, order of court or legal process served on us, or to protect and defend our rights or property. In the event of fraudulent activity, African Bank is entitled to disclose relevant personal information for criminal investigation purposes or in line with any other legal obligation for disclosure of the personal information which may be required of it.

5 HOW WE SECURE YOUR PERSONAL INFORMATION

5.1 We will ensure that all of our employees, third party service providers, divisions and partners (including their employees and third-party service providers) having access to your personal information are bound by appropriate and legally binding confidentiality obligations in relation to your personal information.

5.2 African Bank is committed to providing secure online services. As such, African Bank protects the transmission of your personal information, when completing online applications forms, by way of encryption. African Bank's Internet servers are protected by firewalls and intrusion detection systems. Access to information on these servers is restricted to authorised personnel only.

5.3 African Bank will -

5.3.1 treat your personal information as strictly confidential, save where we are entitled to share it as set out in this Privacy Policy;

5.3.2 take appropriate technical and organisational measures to ensure that your personal information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration, disclosure or access;

5.3.3 provide you with access to your personal information to view and/or update personal details;

5.3.4 promptly notify you if we become aware of any unauthorised use, disclosure or processing of your personal information;

5.3.5 provide you with reasonable evidence of our compliance with our obligations under this Privacy Policy on reasonable notice and request; and

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- 5.3.6 upon your request, promptly return or destroy any and all of your personal information in our possession or control, save for that which we are legally obliged to retain.

6 **STORING YOUR PERSONAL INFORMATION**

- 6.1 Personal information that we collected from you is stored in a secure environment and is not available to any person outside African Bank (except as set out in this Privacy Policy).
- 6.2 We will not keep your personal information longer than the period for which it was originally needed, unless we are required by law to do so, or you consent to us keeping such information for a longer period.
- 6.3 African Bank will never sell or make your personal information available to any third party other than as provided for in this Privacy Policy.

7 **DISCLAIMERS**

- 7.1 Whilst we will do all things reasonably necessary to protect your rights of privacy, we cannot guarantee or accept any liability whatsoever for unauthorised or unlawful disclosures of your personal information, whilst in our possession, made by third parties who are not subject to our control, unless such disclosure is as a result of our gross negligence or fraud.
- 7.2 If you disclose your personal information to a third party, such as an entity which operates a website linked to the Electronic Banking Channels or anyone other than African Bank, **African Bank shall not be liable for any loss or damage, howsoever arising, suffered by you as a result of the disclosure of such information to the third party.** This is because we do not regulate or control how that third party uses your personal information. You should always ensure that you read the privacy policy of any third party.

8 **MARKETING BY POST, EMAIL OR TEXT MESSAGE**

Where you have opted in to receiving marketing material, we may use your personal information to contact you about products, services and special offers from us or other companies that may interest you. We will do this by post, email or text message. If you decide that you do not want us to do this, you can opt-out of receiving these communications by contacting us and requesting that we stop sending you these communications.

9 **CHANGES TO THIS PRIVACY POLICY**

African Bank reserves the right to amend this Privacy Policy at any time. All amendments to this Privacy Policy will become effective when the updated version is posted on the Website. Unless otherwise stated, the current version viewed on the Website shall supersede and replace all previous versions of this Privacy Policy.