

# PRIVACY NOTICE

This notice is to inform and guide you our esteemed customer, employee, supplier or vendor (hereinafter referred to as "Customer") on how we as Prime Bank Limited (hereinafter referred to as "the Bank"), will process your personal data and the safeguards applied to ensure that your rights, as a data subject, are protected pursuant to Article 31 (c) and (d) of the Constitution of Kenya and Kenya Data Protection Act of 2019. This notice should be read together with the General Terms and Conditions of the Bank.

## Key Terms

**Act** – the Kenya Data Protection Act of 2019 (KDPA)

**Data subject** - an identified or identifiable natural person who is the subject of personal data.

**Personal data** - any information relating to a data subject including and but not limited to Name, Identity Card (ID) number, Passport number, photo, email address, Phone No., Bank and transactional details, IP address, home address etc.

**Sensitive Personal data** - data revealing the natural person's race, health status, ethnic social origin, conscience, belief, genetic data, biometric data, property details, marital status, family details including names of the person's children, parents, spouse or spouses, sex or the sexual orientation of the data subject.

**Rights** - privileges a data subject is entitled to as per the Kenya Data Protection Act (KDPA).

**Data Controller** - a natural or legal person(s), public authority, agency or other body, which alone or jointly with others determines the purpose and means of processing personal data, in this case, the Bank.

**Processing data** - any process that is applied on personal data i.e. collecting, processing, storing and transferring of personal data.

## 1.2 How the Bank collects personal data?

The Bank will collect data directly from its Customers;

- a) At the point of onboarding the Customer to the Bank during account opening
- b) When a customer is applying for a credit facility (loan)
- c) Enrolling for internet banking service
- d) Enrolling for mobile banking service
- e) Enrolling for debit and credit cards service
- f) During the recruitment process and execution of employment contracts
- g) When onboarding employees to various processes in the Bank
- h) When establishing new business relationship with suppliers or vendors
- i) Through the CCTV surveillance in the Bank premises

The Bank may also collect data indirectly;

- a) Where a prospective employee has provided the information publicly.
- b) Where a customer's information is available in the public domain (News /social media)
- c) In case of minor accounts or where a customer is incapacitated and the appointed guardian has consented to such collection.

## 1.3 Why the Bank collects Personal Data?

We may collect personal data to further a legitimate interest, which is to offer various Banking services, efficiently and promptly, to our Customers.

We may also collect data for contractual interest when issuing credit facilities to Customers, during the recruitment process of employees and when establishing new business relationships with suppliers or vendors.

## 1.4 What personal data is collected?

We may collect both categories of personal data i.e. personal data and sensitive personal data from our customers for the purposes outlined in 1.3 above.

## 1.5 Processing activities done on the Personal Data

We as your Bank shall process the personal data only for the lawful and intended purpose. For processing of sensitive personal data, we shall restrict the processing to the legitimate and contractual interest between our customers and the Bank as stipulated in the Act.

However, where the Bank is required by law to further process customer data for legal and regulatory obligation the Bank will be obligated to do so without the customer's prior consent.

## 1.6 Does the Bank use your Personal Data for any other Purpose?

We may process the customer's Personal Data for any other purpose if such purpose is in line with the initial basis of processing. However, where the purpose deviates we shall seek consent from you with the exception of where the processing is for legitimate interest, facilitating the performance of a contract, legal obligations, vital interest, public interest, regulatory and national security bodies, and historical, journalistic, literature, art or scientific research as stipulated in the Act.

## 1.7 Automated individual decision-making

The Bank will, within the constraint of law, use automated decision-making for its various products and processes with the aim of making informed decisions and offering tailor made products and services.

## 1.8 Who in the Bank can access Personal Data?

The personal data will be accessed by individuals who due to the nature of their work are mandated to process personal data and are bound by an oath of confidentiality and secrecy and this may include third parties with whom we have signed data protection agreements.

## 1.9 How long will the Bank store Personal Data?

We shall retain necessary personal data in our database throughout our banking relationship with the customer. In case of termination of the banking/contractual/employment relationship either by the Bank or Customer we shall retain the data for the timelines stipulated by various laws of the land after which we shall delete the data to fulfill the right to be forgotten as per the Act, with the exception of where the Bank is required by regulatory / legal obligations to continue retaining the data.

## 2.0 Does the Bank share personal data with third party?

We may share the personal data with third parties for the purpose of enhancing and providing better products and services.

## 2.1 Does the Bank transfer personal data outside Kenya?

We shall share Customers' data outside Kenya to our vendors for the purpose of issuance of debit, credit and prepaid cards. The Bank has put in place necessary safeguards to ensure that the data is protected throughout the processing and has entered into data protection agreements with the respective vendors.

## 2.2 Does the Bank use cookies

We use cookies when customers sign into our Online Banking Services, to make access more appropriate and convenient. The cookies are generated once the customer logs onto the Online Banking Services and expires once they log out or at a definite time period to protect the privacy. We do not store any sensitive information such as customer information in the cookies.

## 2.3 Data subject Rights

As stipulated in the Act, our Customers (which includes Service Providers/Vendors and Employees) are entitled to the following rights:

### a) Right to Access:

Customer may request access to Personal Data collected through the Branch or Relationship Manager and in the case of Employees through the Head of Human Resource. The Data Protection Officer will respond to the request within seven (7) days of receipt of the request. No fee will be charged for such requests.

### b) Right to information:

Customer has the right to know the type of personal data we hold, how we will process this data, with whom we will share the data with and how long we intend to retain the data.

### c) Right of rectification:

Customer may request, from time to time, through the Branch or Relationship Manager and at no fee, for rectification of your the personal data in our possession. We will, within 14 days of receipt of the request, rectify the same where the Bank is satisfied that the rectification is necessary.

Where the Bank feels the rectification is not practical, Customer shall be notified you of such decline within 7 days of the request with reasons thereof.

### d) Right of Erasure:

Customer may request us to delete the personal data from our database. However, this right will be exercised subject to other laws and regulatory requirements.

### e) Right to object to Processing of Data:

Customer may object, at no fee, to processing of a part or all of the Personal Data, in case the data is erroneous or is being used for direct marketing where we have not sought for your consent. However, if processing is in line with legitimate and contractual interest, the Bank reserves the right to share data.

### f) Right to lodge a complaint

Customer has the right to lodge a complaint with the relevant supervisory authority that is tasked with protection of personal data in Kenya.

### g) Right to data portability:

Customer may request the Bank to transfer the personal data to an intended recipient within 30 days of receipt of the request while complying with the Act and the regulations at a reasonable fee.

Where the request is not granted the Bank shall notify in writing within 7 days giving the reasons for the decline.

### h) Right to withdraw consent:

Customer may withdraw consent to processing of Personal Data at any time unless otherwise provided in the Act. However, this withdrawal does not affect any processing done before receiving such a request, based on prior consent.

## 2.4 Effective Date and Amendment of the Privacy Notice

This notice is effective from July 2022 and may be revised from time to time in accordance with the relevant laws and regulations. Any amendment or modification to this notice will take effect from the date of publication of the same on the Bank's website.

## 2.5 Contact details in case of queries

In case of any queries about this Privacy notice, please contact our Data Protection Officer by email:

[dpo@primebank.co.ke](mailto:dpo@primebank.co.ke)