



RAND MERCHANT BANK NIGERIA LIMITED

PRIVACY POLICY

We operate in an environment where we often receive personal information about our clients and our business. Trust between us and our clients must never be compromised. Our privacy statement describes how we may collect, use and share information you provide.

We promise: -

- To implement computer, physical and procedural safeguards to protect the security and confidentiality of the personal data we collect;
- To limit the personal data collected to the minimum required to provide a better service;
- To permit only properly trained, authorised employees to access personal data;
- Not to disclose your personal data to external parties unless you have agreed, we are required by law or we have previously informed you.

In this document any reference to “we” or “us” or “our” refers to Rand Merchant Bank Nigeria Limited.

Where we refer to “process”, it means how we collect, use, store, make available, destroy, update, disclose, or otherwise deal with your personal information. As a general rule we will only process your personal information if this is required to deliver or offer a service, provide a product or carry out a transaction with you. We respect your privacy and will treat your personal information confidentially.

We may combine your personal information and use the combined personal information for any of the purposes stated in this Privacy Policy.

VERY IMPORTANT: If you use our services, goods, products and service channels you agree that we may process your personal information as explained under this Privacy Policy. Sometimes you may provide us with consent to process your personal information. Read it carefully because it may limit your rights.

We can change this Privacy Policy from time to time if the law or its business practices requires it. The version of the Privacy Policy displayed on our website will apply to your interactions with us. The latest version of this Privacy Policy will replace all earlier versions unless it says otherwise.

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1. What is personal information?

Personal information refers to any information that identifies you or specifically relates to you.

Personal information includes, but is not limited to, the following information about you:

- your marital status (like married, single, divorced);
- your national origin;
- your age;
- your language; birth; education;
- your financial history (like your income or your buying, investing and banking behaviour based on, amongst others, account transactions);
- your identifying number (like an account number, identity number or passport number) and other unique identifiers such as but not limited to MAC address, IP address, IMEI number, IMSI number, SIM and others;
- your e-mail address; physical address (like residential address, work address or your physical location); telephone number;
- your online identifiers; social media profiles;
- your biometric information (like fingerprints, your signature or voice);
- your race; gender; sex; pregnancy; ethnic origin; social origin; colour; sexual orientation;
- your physical health; mental health; well-being; disability; religion; belief; conscience; culture;
- your medical history (like your HIV/ AIDS status); criminal history; employment history;
- your personal views, preferences and opinions;
- your confidential correspondence; and/ or
- another's views or opinions about you and your name also constitute your personal information.

Personal information includes special personal information, as explained below.

2. When will we process your personal information?

We will only process your personal information for lawful purposes relating to our business if the following applies: *act honestly and fairly*;

- if you have consented thereto;
- if a person legally authorised by you, the law or a court, has consented thereto;
- if it is necessary to conclude or perform under a contract we have with you or in order to take steps at your request prior to entering into a contract with us;
- if the law requires or permits it;
- if it is necessary to comply with a legal obligation to which we are subject to;
- if it is required to protect or pursue your, our or a third party's vital interests;
- if the processing is needed to create, use or protect a right or obligation in law;
- if it is necessary to comply with applicable legislations and regulations;
- if it is necessary for the performance of a task carried out in the public interest or in the exercise of official public mandate vested in us;
- if it is necessary in connection with our ordinary business purpose and for maintaining our overall relationship with you;
- if the processing is for statistical or research purposes and all legal conditions are met;
- if you are a child, a competent person (like a parent or guardian) has consented thereto.



3. When and from where we obtain personal information about you

- We collect personal information from you directly.
- We collect information about you based on your use of our products, services or service channels (like our websites and digital banking platforms).
- We collect information about you based on how you engage or interact with us such as but not limited to on social media, emails, letters, telephone calls, surveys.
- We may collect information about you from public sources (like newspapers) and from third parties we interact with for the purposes of conducting our business. Such third parties include but not limited to credit reporting and government agents, online partners or our service providers.

The third parties from whom we may collect your personal information include, but are not limited to, the following:

- members of FirstRand Limited (which includes First National Bank, WesBank (including Direct Axis SA (Pty) Ltd.), Rand Merchant Bank) and Ashburton Investments (Pty) Ltd., FirstRand Life Assurance Limited, FirstRand Limited, any connected companies, subsidiary companies, its associates, cessionaries, delegates, assigns, affiliates or successors in title and / or appointed third parties (like its authorised agents, partners, contractors and suppliers) for any of the purposes identified in this Privacy Policy;
- your spouse, dependents, partners, employer, joint applicant or account holder and other similar sources;
- people you have authorised to share your personal information, like a person that makes a travel booking on your behalf or a medical practitioner for insurance purposes;
- attorneys, tracing agents, debt collectors and other persons that assist with the enforcement of agreements;
- payment processing services providers, merchants, banks and other persons that assist with the processing of your payment instructions;
- insurers, brokers, other financial institutions or other organisations that assist with insurance and assurance underwriting, the providing of insurance and assurance policies and products, the assessment of insurance and assurance claims and other related purposes;
- law enforcement and fraud prevention agencies and other persons tasked with the prevention and prosecution of crime;
- regulatory authorities, industry ombudsman, governmental departments, local and international tax authorities;
- credit bureaux;
- trustees, Executors or Curators appointed by a court of law;
- cheque verification service providers;
- our service providers, agents and sub-contractors like couriers and other persons we use to offer and provide products and services to you;
- courts of law or tribunals;
- our marketing list providers

4. Reasons we need to process your personal information

We will process your personal information for the following reasons:



- to provide you with products, goods and services;
- to market our products, goods and services to you;
- to respond to your enquiries and complaints;
- to comply with legislative, regulatory, risk and compliance requirements (including directives, sanctions and rules), voluntary and involuntary codes of conduct and industry agreements or to fulfill reporting requirements and information requests;
- to detect, prevent and report theft, fraud, money laundering and other crimes. This may include the processing of special personal information, like alleged criminal behaviour or like the supply of false, misleading or dishonest information when opening an account with us or avoiding liability by way of deception;
- to enforce and collect on any agreement when you are in default or breach of the agreement terms and conditions, like tracing you or to institute legal proceedings against you;
- to conduct market and behavioural research, including scoring and analysis to determine if you qualify for products and services or to determine your credit or insurance risk;
- to develop, test and improve products and services for you;
- for historical, statistical and research purposes, like market segmentation;
- to process payment instruments and payment instructions;
- to conduct affordability assessments, credit assessments and credit scoring;
- to develop credit models and credit tools;
- to open, manage and maintain your accounts or relationship with us;
- to disclose and obtain personal information from credit bureaux regarding your credit history;
- to enable us to deliver goods, documents or notices to you;
- for security, identity verification and to check the accuracy of your personal information;
- to communicate with you and carry out your instructions and requests;
- for customer satisfaction surveys, promotional and other competitions;
- insurance and assurance underwriting and administration;
- to process or consider or assess insurance or assurance claims;
- to provide insurance and assurance policies and products and related services;
- to enable you to take part in and make use of value added products and services;
- to assess our lending risks; and / or
- for any other related purposes.

5. How we use your personal information for marketing

- We will use your personal information to market financial, investments and other related banking products and services to you.
- We will do this in person, by post, telephone, or electronic channels such as SMS, email and fax.
- If you are not our customer, or in any other instances where the law requires, we will only market to you by electronic communications with your consent.
- In all cases you can request us to stop sending marketing communications to you at any time.

6. When, how and with whom we share your personal information

In general we will only share your personal information if any one or more of the following apply:

- if you have consented to this;



- if it is necessary to conclude or perform under a contract we have with you;
- if the law requires it; and / or
- if it is necessary for compliance with a legal obligation to which we are subject;
- if it's necessary to protect or pursue your, our or a third party's vital interests.
- if it is necessary in connection with our ordinary business purpose and for maintaining our overall relationship with you; and
- if it is necessary to comply with applicable legislations and regulations.

Where required, each member of FirstRand Limited (including RMBN) may share your personal information with the following persons. These persons have an obligation to keep your personal information secure and confidential:

- other members of FirstRand Bank Limited (which includes First National Bank, WesBank, Rand Merchant Bank), FirstRand Limited, any connected companies, subsidiary companies including Direct Axis SA (Pty) Ltd., Ashburton Investments (Pty) Limited and FirstRand Life Assurance Limited, its associates, cessionaries, delegates, assigns, affiliates or successors in title and / or appointed third parties (like its authorised agents, partners, contractors and suppliers) for any of the purposes identified in this Privacy Policy;
- our employees as required by their employment conditions;
- attorneys, tracing agents, debt collectors and other persons that assist with the enforcement of agreements;
- payment processing services providers, merchants, banks and other persons that assist with the processing of your payment instructions, like card scheme providers (like VISA or MasterCard);
- insurers, brokers, other financial institutions or other organisations that assist with insurance and assurance underwriting, the providing of insurance and assurance, the assessment of insurance and assurance claims and other related purposes;
- law enforcement and fraud prevention agencies and other persons tasked with the prevention and prosecution of crime;
- regulatory authorities, industry ombuds, governmental departments, local and international tax authorities and other persons the law requires us to share your personal information with;
- credit bureaux;
- our service providers, agents and sub-contractors like couriers and other persons we use to offer and provide products and services to you;
- persons to whom we have ceded our rights or delegated its obligations to under agreements, like where a business is sold;
- courts of law or tribunals that require the personal information to adjudicate referrals, actions or applications;
- the general public where you submit content to our social media sites;
- trustees, Executors or Curators appointed by a court of law;
- cheque verification service providers;

7. Under what circumstances will we transfer your information to other countries?

We will only transfer your personal information to third parties in foreign countries or international organizations that have been designated by the National Information Technology Agency (NITDA) or the Honourable Attorney-General of the Federation (HAGF) as having adequate data protection law.



In the absence of any decision by NITDA or HAGF, we will only transfer your personal information in any one or more of the following circumstances:

- where your personal information will be adequately protected under the other country's laws or an agreement with the third party recipient;
- where the transfer is necessary to enter into or perform under a contract with you, or a contract with a third party that is in your interest, or the implementation of pre-contractual measures taken at your request;
- where the transfer is necessary for important reasons of public interest;
- where the transfer is necessary for the establishment, exercise or defence of legal claims;
- where the transfer is necessary in order to protect your vital interests or of other persons, where you are physically or legally incapable of giving consent
- where you have consented to the transfer; and / or
- where it is not reasonably practical to obtain your consent, the transfer is in your interest.

This transfer will happen within the requirements and safeguards of the law.

Where possible, the party processing your personal information in the other country will agree to apply the same level of protection as available by law in your country or if the other country's laws provide better protection the other country's laws would be agreed to and applied.

An example of us transferring your personal information to another country is where foreign payments take place if you purchase goods or services in a foreign country.

8. Your duties and rights about the personal information we have about you

You must provide proof of identity when enforcing the rights below.

You must inform us when your personal information changes.

You have the right to request access to the personal information we have about you by contacting us.

This includes requesting:

- confirmation that we hold your personal information;
- a copy or description of the record containing your personal information; and
- the identity or categories of third parties who have had access to your personal information.

We will attend to requests for access to personal information within a reasonable time. You may be required to pay a reasonable fee to receive copies or descriptions of records, or information about third parties. We will inform you of the fee before attending to your request.



Please note that the law may limit your right to access information.

You have the right to request us to correct or delete the personal information we have about you if it is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully or we are no longer authorised to keep it. You must inform us of your request in writing. We may request documents from you to verify the change in personal information.

A specific agreement that you have entered into with us may determine how you must change your personal information provided at the time when you entered into the specific agreement. Please adhere to these requirements. If the law requires us to keep the personal information, it will not be deleted upon your request. The deletion of certain personal information may lead to the termination of your business relationship with us.

You may object on reasonable grounds to the processing of your personal information.

We will not be able to give effect to your objection if the processing of your personal information was and is permitted by law; you have provided consent to the processing and our processing done according to your consent or the processing is necessary to conclude or perform under a contract with you.

You must inform us of any objection in writing.

Where you have provided your consent for the processing of your personal information, you may withdraw your consent. If you withdraw your consent we will explain the consequences to you. We may proceed to process your personal information even if you have withdrawn your consent if the law permits or requires it.

You have a right to file a complaint with us or any Regulator with jurisdiction about an alleged contravention of the protection of your personal information by us. We will address your complaint as far as possible.

9. How we secure your personal information

We will take appropriate and reasonable technical and organisational steps to protect your personal information according to industry best practices. Our security measures (including physical,



technological and procedural safeguards) will be appropriate and reasonable. This includes the following:

- keeping our systems secure (like monitoring access and usage);
- storing our records securely;
- controlling the access to our buildings, systems and/or records; and
- safely destroying or deleting records.

10. How long do we keep your personal information

We will keep your personal information for as long as:

- the law requires us to keep it;
- a contract between you and us requires us to keep it;
- you have consented for us keeping it;
- we are required to keep it to achieve the purposes listed in this Privacy Policy;
- we require it for statistical or research purposes;
- a code of conduct requires us to keep it; and / or
- we require it for our lawful business purposes.

Take note: We may keep your personal information even if you no longer have a relationship with us, if the law permits.

11. Our cookie policy

A cookie is a small piece of data sent from our websites or applications to your computer or device hard drive or Internet browser where it is saved. The cookie contains information to personalise your experience on our websites or applications and may improve your experience on the websites or applications. The cookie will also identify your device, like the computer or smart phone.

By using our websites or applications you agree that cookies may be forwarded from the relevant website or application to your computer or device. The cookie will enable us to know that you have visited the website or application before and will identify you. We may also use the cookie to prevent fraud.



12. How we process information about persons related to a juristic person i.e related persons

If you are a juristic person (like a company or corporation), we may collect and use personal information relating to the juristic person's directors, officers, employees, beneficial owners, partners, shareholders, members, authorised signatories, representatives, agents, payers, payees, customers, guarantors, spouses of guarantors, sureties, spouses of sureties, other security providers and other persons related to the juristic person ("Related Persons").

If you provide the personal information of a Related Person to us you warrant that the Related Person is aware that you are sharing their personal information with us and that the Related Person has consented thereto.

We will process the personal information of Related Persons as stated in this Privacy Policy, thus references to "you" or "your" in this Privacy Policy will include Related Persons with the necessary amendments.

13. Queries and Complaints

If you have any queries or complaints about privacy, please contact

Phone: 01-4637910

Email: dataprivacyofficer@rmb.com.ng