



FNBB SUPPLIER PRIVACY NOTICE

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1 DEFINITION OF CERTAIN TERMS USED IN THIS NOTICE

Affiliate	Means (a) any subsidiary or a holding company or a subsidiary of the holding company of either party, or (b) any entity that controls, is controlled by, or is under common control with, either party. The terms “subsidiary” and “holding company” will have the meaning assigned thereto in Section 114 of the Companies Act of 2007. The term “control” means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of the entity through the ownership of voting securities representing 50% (fifty percent) plus 1 (one) of the possible votes.
Associate	Means any entity or unincorporated joint venture in which FNBB has the right to receive at least 20% (twenty percent) of the profit share or similar benefit derived from such entity or unincorporated joint venture.
Automated	Means any equipment capable of operating automatically (without human intervention) in response to instructions given for the purpose of processing information.
Consent	Means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.
FirstRand or the group	Means FirstRand Limited and its South African subsidiaries (as defined in the Companies Act, 2018) including divisions, segments and business units and including its subsidiaries in Africa, India, Mauritius and China.
Operators	Means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party.
Processing	Means any operation or activity or any set of operations, whether by automatic means, concerning personal information, including: <ul style="list-style-type: none"> (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use; (b) dissemination by means of transmission, distribution or making available in any other form; or (c) merging, linking, as well as restriction, degradation, erasure or destruction of information.
Responsible party	A public or private body or other person who alone, or in conjunction with others, determines the purpose of and means for processing personal information.

2 BACKGROUND AND PURPOSE OF THIS NOTICE

Protecting the personal information or personal data of suppliers is important to FNBB. To do so, FNBB follows general principles in accordance with applicable privacy laws and the Botswana Data Protection Act (DPA) in particular, FNBB’s policies in this regard and applicable laws pertaining to the subject matter.

FNBB has developed an FNBB supplier privacy notice (**notice**) to enable its suppliers to understand how the bank collects, uses and safeguards their personal information.

3 RESPONSIBLE PARTIES WITHIN FNBB

The companies in FNBB are responsible parties.

A supplier in the context of the notice means a natural or juristic person that provides a product or renders services to FNBB and is a data subject with relevant personal information relating to it. A supplier could also be considered as an operator as defined in applicable data privacy laws.

4 PERSONAL INFORMATION PERTAINING TO SUPPLIERS

Personal information refers to any information relating to the supplier and which identifies the supplier (who can be a natural or a juristic person). If a supplier is a juristic person, the bank 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. These are related persons.

If the supplier provides the personal information of a related person to the bank, the supplier warrants that the related person is aware that the supplier is sharing their personal information with FNBB and that the related person has consented thereto. FNBB will process the personal information of related persons as stated in this notice, thus references to "the supplier" in this notice will include related persons with the necessary amendments.

Examples of the supplier's personal information (natural or juristic person) could include, but is not limited to:

- the supplier's financial information, which includes banking account information and financial records including bank statements provided to the bank;
- invoices issued by the supplier to the bank;
- the contract/agreement with FNBB;
- other identifying information of the supplier, which includes company registration number, VAT number, tax number and contact details;
- marital status and matrimonial property regime (e.g. married in community of property);
- national origin;
- age;
- language;
- education;
- financial history;
- identifying number (e.g. an account number, identity number or passport number);
- email address;
- physical address (e.g. residential address, work address or physical location);
- telephone number;
- online identifiers;
- social media profiles;
- biometric information (like fingerprints, signature or voice);
- race;
- gender;
- criminal history;
- personal views, preferences and opinions; and/or

- confidential correspondence.

Some of the personal information elements, are considered special personal information, specifically as explained below.

Special personal information is personal information about the following:

- criminal behaviour, to the extent that such information relates to the alleged commission of an offence (to prevent money laundering as required by law, or when entering a business relationship with FNBB), or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

5 THE PURPOSES IN REFERENCE TO PROCESSING OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS

Personal information will be processed by FNBB in the normal course of the management of suppliers for various purposes. Such purposes include, but are not limited to:

- To procure products, goods and services from the supplier.
- To respond to enquiries and complaints from the supplier.
- To maintain the supplier's data.
- 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 fulfil reporting requirements and information requests.
- To detect, prevent and report theft, fraud, money laundering and other crimes. This will include conducting criminal, credit reference/bureaux, sanctions, anti-bribery and other related reference checks on the supplier, including but not limited to politically exposed person (PEP), relevant fraud prevention agencies and services and reference checks where FNBB has to determine whether certain persons are guilty of fraud or dishonesty or not qualified to hold certain positions or offices. Such checks may be conducted on an ongoing basis throughout the period of engagement and may include lifestyle audits as well as reporting on the conduct of suppliers where required to do so by law to the relevant bodies after termination of the underlying agreement;
- To comply with all applicable laws authorising or requiring such processing, including (but not limited to) laws relating to:
 - KYC, anti-money laundering and financial crime;
 - prevention and combating of corrupt activities;
 - Regulations to the corporate laws;
 - any other law impacting on the rendering of the bank's services and products.
- To process special personal information, like alleged criminal behaviour or the supply of false, misleading or dishonest information.
- To enforce and/or collect on any agreement when the supplier is in default or breach of the agreement terms and conditions, like tracing the supplier or to institute legal proceedings against the supplier.
- To conduct market and behavioural research, including scoring and analysis.
- For historical, statistical and research purposes, like market segmentation or performance management.
- For security, identity verification and to check the accuracy of the supplier's personal information.
- For performing vendor risk management processes;
- To communicate with the supplier and carry out the supplier's instructions and requests;

- To enable the supplier's participation in supplier development programmes, including training and evaluation to access resources like funding and banking.
- For any other related purposes.

The provision of personal information by suppliers is mandatory to enable:

- the performance of the contract to which the supplier is party or in order to take steps at the request of the prospective supplier prior to entering into the contract, such as the signing of a non-disclosure agreement whilst busy with negotiations;
- compliance with legal obligations to which FNBB is subject;
- the protection of a legitimate interest of the supplier; or
- the legitimate interests pursued by FNBB, or by the third party to whom the personal information is disclosed for one or more of the above purposes.

There may be instances where FNBB will lawfully process personal information for purposes not listed above. Where the provision of personal information is voluntary in such instances, a consent from the supplier (which consent may at any moment be withdrawn) will be sought where the law requires.

6 THE CONSEQUENCES RELATING TO SUPPLIERS WHO DO NOT PROVIDE THEIR PERSONAL INFORMATION TO FNBB

A supplier undertakes to provide their personal information to FNBB when specifically requested to do so. If a supplier should not want to do so and the personal information is needed to enter into a contract or business relationship, then the bank will be unable to enter into a contract or pursue any contractual relationship with the supplier.

7 THE QUALITY OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS

FNBB will take reasonable and practicable steps to ensure that the personal information of the bank's suppliers is complete, accurate and not misleading, and is updated where necessary.

Suppliers can update their personal information, once given, by forwarding such a request to the responsible supplier contact within FNBB, or by directing such a request to the bank's procurement department. The contact person will be the individual the supplier is working/dealing with from the bank.

8 SECURITY AND CONFIDENTIALITY OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS

All personal information of the supplier processed by the bank will be held confidentially.

FNBB will take reasonable, appropriate technical and organisational measures to keep the supplier's personal information secure in accordance with the bank's policies and procedures on information security, and in accordance with any applicable legislation.

9 RETENTION OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS

Personal information will not be kept by FNBB for longer than is necessary for the purposes of the processing set out above, unless a further retention period is required by law, or where FNBB reasonably requires a further retention period

for a lawful purpose relating to its functions or activities, or where a further retention period is required by the contract between the supplier and FNBB.

Other than in the aforementioned instances, FNBB may request the supplier's consent for the further retention of their personal information and will state the reasons for making such a request.

10 THE SHARING OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS

The supplier's personal information may be shared within FNBB and with affiliates and third parties with whom FNBB contracts to process such personal information and pursuant to the instruction of FNBB, under specific terms or purposes as set forth in this notice. A simplified legal entity structure for the FirstRand group can be found at <https://www.firststrand.co.za/the-group/ownership-and-legal-structure/>.

Moreover, certain affiliates and third parties could be based outside of Botswana and/or South Africa. In such instances, FNBB will comply with cross-border transfer conditions of personal information as set out in DPA and/or the POPIA.

FNBB will ensure that reasonable and adequate safeguards are in place when sharing the supplier's personal information as set out above.

11 THE USE OF OPERATORS TO PROCESS PERSONAL INFORMATION PERTAINING TO SUPPLIERS

FNBB may assign the processing of the supplier's personal information to an operator who will process such personal information on the basis of a contract entered into with FNBB. The terms of such a contract FNBB will ensure that the operator processes the supplier's personal information on a confidential basis and to apply reasonable and adequate security standards when processing the supplier's personal information.

12 PRIVACY RIGHTS OF SUPPLIERS

Privacy rights	Description and information to exercise such rights
The right to be informed	The notice has been developed to enable suppliers to understand how FNBB collects, uses and safeguards their personal information.
The right to access to information	The supplier has the right to access their personal information. The supplier may address a request in accordance with the procedure referred to in FNBB's manual. This manual may be obtained at: https://www.firststrand.co.za/media/investors/governance/information-manual.pdf
The right to the correction, destruction, deletion and objections to the processing of the Suppliers personal information	Such requests can be forwarded to the responsible relationship manager within the bank. The responsible relationship manager will advise on the form and manner to submit and action such requests.

Privacy rights	Description and information to exercise such rights
<p>The right to object to direct marketing</p>	<p>If the supplier’s personal information has been used for direct marketing purposes, FNBB will afford the supplier (and the individuals or representatives or related parties of the supplier) an opportunity to opt out from receiving such direct marketing.</p>
<p>The right to submit a complaint to FNBB and to the information regulator (if such office, or a similar office, has been created)</p>	<p>Suppliers have the right to submit a complaint to the information regulator (if such office, or a similar office, has been created) regarding an alleged breach of the conditions for lawful processing of personal information.</p> <p>The supplier can choose to submit complaints to the bank for resolution before submission to the information regulator. Any queries or complaints regarding the supplier’s personal information can be directed to the responsible relationship manager within the bank.</p>

13 RESPONSIBILITIES OF SUPPLIERS UNDER DPA

When a supplier processes personal information for responsible parties within FNBB in terms of a contract or mandate, the supplier will be required to adhere to the obligations set out in the bank’s data protection policy for suppliers. This policy sets out the rules of engagement in relation to how personal information is processed by suppliers on behalf of the bank as well as the minimum legal requirements that FNBB requires the suppliers to adhere to, including compliance to the General Data Privacy Regulation and other legislation where applicable, from time to time, in their capacity as service providers to the bank. This policy is applicable to all suppliers that engage with FNBB and handle personal information as defined in applicable law.

14 DOCUMENT INFORMATION

Any changes and / or amendments to the notice will come into force and effect once the updated notice has been published on the relevant supplier electronic channels and a notice regarding the publication of the updated notice has been dispatched to the supplier or the supplier’s authorised representative(s).

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