

Supplier and Business Partner Privacy

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 the Companies Act, No. 28 of 2004 (hereafter Companies Act). 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 FirstRand Namibia 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.
Consent	Means any voluntary, specific, and informed expression of will in terms of which permission is given for the processing of personal information.
Data subject	Means the person to whom the personal information relates. In reference to FirstRand Namibia, this primarily means, but is not limited to, suppliers, business partners and their respective related persons.
FirstRand Namibia or the group	Means FirstRand Namibia Limited and its subsidiary companies, including divisions, segments, and business units. Certain subsidiary companies may be excluded from the FirstRand Namibia group description for the purposes of this privacy notice such as where the FirstRand Namibia group is involved in private equity investments (excluded subsidiaries). A simplified legal entity structure for the group can be found on the FirstRand Namibia website.
Operator	Means 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 or not 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	Means a public or private body or other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information.

BACKGROUND AND PURPOSE OF THIS NOTICE

Protecting the personal information of the group's suppliers and business partners is important to FirstRand Namibia (hereafter FSRN or the group). To do so, the group follows general principles in accordance with applicable privacy laws and, particularly, the group's policies in this regard.

The group has developed this supplier and business partner privacy notice to enable its suppliers and business partners to understand how the group collects, uses and safeguards their personal information.

RESPONSIBLE PARTIES WITHIN FIRSTRAND NAMIBIA

The group has several responsible parties. These parties or companies are responsible for determining why and how the group will use suppliers' and business partners' personal information. This notice applies to the processing by all such group entities. This notice may also apply to the processing by excluded subsidiaries and/or by associates if agreed to by FSRN and the relevant excluded subsidiary or associate in writing.

When a group supplier or business partner provides its personal information to any of the FSRN group companies, the responsible party will be the FSRN group company which, from an overall perspective, determines the means and purpose for processing of the personal information. The group company may be the independent responsible party or a joint responsible party when acting jointly with the other companies in the group.

A **supplier**, in the context of this notice, means a natural or juristic person that provides a product or renders a service to the group and is a data subject, where their personal information is processed by the group. A supplier could also be considered as an operator, an independent responsible party or (together with FSRN) a joint responsible party. The group and its suppliers will at all times remain independent contracting parties.

A **business partner**, in the context of this notice, means a natural or juristic person holding a business relationship with the group, where such relationship does not fall within the category of a supplier, employee or customer relationship. By virtue of the business relationship, FSRN is required to process personal information belonging to its business partner and such business partner is thus a data subject. For the avoidance of doubt, the term "business partner" is used for the sake of convenience and for descriptive purposes only and should not be construed to imply a partnership between FSRN and the business partner in a legal sense or as understood in law. FSRN and its business partners will at all times remain independent contracting parties. Depending on the nature of the business relationship, a business partner could be considered as an operator, an independent responsible party or (together with FSRN) a joint responsible party.

PERSONAL INFORMATION PERTAINING TO SUPPLIERS AND BUSINESS PARTNERS

Personal information refers to any information relating to the supplier or business partner which identifies the supplier or business partner (who can be a natural or a juristic person). If a supplier or business partner is a juristic person, the group 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 the suppliers' and business partners' related persons.

If the supplier or business partner provides FSRN with its related persons' personal information, the supplier or business partner warrants that the related persons are aware of and have consented to the sharing and processing of their personal information with/by FSRN. FSRN will process the personal information of related persons as stated in this notice and references to "the supplier" or "the business partner" in this notice will include related persons (with the necessary amendments).

Examples of the personal information of the supplier or business partner where relevant may include (but are not limited to):

- Financial information of the supplier or business partner, which includes banking account information and financial records including bank statements provided to the group.
- Invoices issued by the supplier or business partner to the group.
- The contract/agreement between the group and the supplier or business partner.
- Other identifying information of the supplier or business partner, 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.
- Birth.
- 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).
- Information about the location (e.g., geolocation or GPS location) of a supplier or business partner.
- Telephone number.
- Online and other unique identifiers.
- Social media profiles.
- Biometric information (like fingerprints, facial recognition signature or voice collected through the group's authenticated processes or CCTV).
- Race.
- Gender.
- Sex.
- Criminal history.
- Personal views, preferences, and opinions.
- Confidential correspondence.
- Another's views or opinions about a supplier or business partner.
- The name of the supplier or business partner.

Some of the above 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 into a business relationship with the group), or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.
- Religious and philosophical beliefs (for example, where a customer enters a competition and is requested to express a philosophical view).
- Race or ethnic origin (e.g., for performing vendor and other risk management or statistical processes).
- Trade union membership.
- Political beliefs.
- Health, including physical or mental health, disability, and medical history (e.g., when assessing eligibility for funding which may for example be in the form of grants or sponsorships or when such information is collected via any one of the group's corporate and social responsibility initiatives).
- Biometric information (e.g., to verify identity).

THE PURPOSES IN REFERENCE TO PROCESSING OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS AND BUSINESS PARTNERS

Personal information will be processed by FSRN in the normal course of the management of suppliers and the dealings with business partners for various purposes. Such purposes may include (where applicable to the relationship), but are not limited to:

- Procuring products, goods and services from the supplier or business partner.
- Responding to enquiries and complaints from the supplier or business partner.
- Maintaining the data of the supplier or business partner.
- Collaborating with the supplier or business partner (for example, collaborating in order to provide products or services to group customers).
- Complying with legislative, regulatory, risk and compliance requirements (including directives, sanctions, and rules), voluntary and involuntary codes of conduct and industry agreements or fulfilling reporting requirements and information requests.
- Detecting, preventing, and reporting 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 or business partner, including but not limited to politically exposed person (PEP), relevant fraud prevention agencies and services, and reference checks where FSRN 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.
- Complying 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.

- Enforcing and/or collecting on any agreement when the supplier or business partner is in default or breach of the agreement terms and conditions, e.g., tracing the supplier or business partner or to institute legal proceedings against the supplier or business partner.
- Conducting market and behavioural research, including scoring and analysis.
- Historical, statistical and research purposes, e.g., market segmentation or performance management.
- Security, identity verification and checking the accuracy of the personal information of the supplier or business partner.
- Performing vendor and other risk management processes.
- Communicating with the supplier or business partner and/or to carry out the instructions and requests of the supplier or business partner.
- Enabling the supplier's participation in supplier development programmes (including training and evaluation to access resources like funding and banking) and/or assessing the eligibility of the supplier or business partner for funding, which may for example be in the form of grants or sponsorships.
- Generally exercising the group's rights and carrying out FSRN's obligations in terms of the contract between the group and the supplier or business partner.
- Any other related purposes.

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

- The conclusion or performance of the contract to which the supplier or business partner is party or, prior to entering into the contract, taking the necessary steps to enable the negotiation and/or execution of the contract.
- Compliance with legal obligations that the group is subject to.
- The protection of a legitimate interest of the supplier or business partner.
- The pursuit or maintenance of legitimate interests by the group 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 the group will lawfully process personal information for purposes not listed above. In instances where the provision of personal information is voluntary, where the law requires consent from the supplier or business partner may be sought. Such consent may at any moment be withdrawn.

THE CONSEQUENCES RELATING TO SUPPLIERS AND BUSINESS PARTNERS WHO DO NOT PROVIDE THEIR PERSONAL INFORMATION TO FIRSTRAND NAMIBIA

Suppliers and business partners undertake to provide their personal information to FSRN when specifically requested to do so. Should a supplier or business partner not want to do so, and the personal information is required to enter into a contract or business relationship, then the group will be unable to enter into a contract or pursue any contractual relationship with the supplier or business partner.

THE QUALITY OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS AND BUSINESS PARTNERS

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

Suppliers and business partners can update their personal information, once given, by forwarding such a request to their contact person within the group, or (in the case of suppliers) by directing such a request to the group's procurement helpdesk. The contact person will be the individual the supplier or business partner is working/dealing with from the group.

SECURITY AND CONFIDENTIALITY OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS AND BUSINESS PARTNERS

All personal information of the supplier or business partner processed by the group will be held confidentially. FSRN will take reasonable, appropriate, technical and organisational measures to keep the personal information of its suppliers and business partners secure in accordance with the group's policies and procedures on information security and in accordance with any applicable legislation.

RETENTION OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS AND BUSINESS PARTNERS

Personal information will not be kept by FSRN 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 FSRN 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 or business partner and FSRN.

THE SHARING OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS AND BUSINESS PARTNERS

The personal information of the supplier or business partner may be shared within FSRN and with affiliates and third parties with whom FSRN contracts to process such personal information and pursuant to the instruction of FSRN, under specific terms or purposes as set forth in this notice. A simplified legal entity structure for the group can be found on the FirstRand Namibia website.

Moreover, certain affiliates and third parties could be based outside of Namibia. In such instances, FSRN will also comply with cross-border transfer conditions of personal information as set out in the relevant domestic laws of the jurisdictions in which the affiliated and third parties are incorporated.

FSRN will ensure that reasonable and adequate safeguards are in place when sharing personal information of the supplier or business partner as set out above.

THE USE OF OPERATORS TO PROCESS PERSONAL INFORMATION PERTAINING TO SUPPLIERS AND BUSINESS PARTNERS

FSRN may assign the processing of the personal information of the supplier or business partner to an operator who will process such personal information under a contract or mandate entered into with the group. The operator may be a third party, another entity within the group, an excluded subsidiary, or an associate of the group. In terms of a contract or mandate, FSRN will ensure that the operator processes the personal information of the supplier or business partner on a confidential basis and applies reasonable, appropriate, technical and organisational security measures when processing the personal information of the supplier or business partner.

RIGHTS OF SUPPLIERS AND BUSINESS PARTNERS

Rights	Description and information to exercise such rights
The right to be informed	The notice has been developed to enable suppliers and business partners to understand how the group collects, uses and safeguards their personal information.
The right to access to information	<p>A supplier or business partner has the right to access its personal information.</p> <p>A supplier or business partner may follow various avenues to access personal information. A supplier or business partner may contact FSRN or direct its request to the responsible relationship manager within the group.</p>
The right to the correction, destruction, deletion, and objection to the processing of the personal information of the supplier or business partner	Such requests can be forwarded to the responsible relationship manager within the group. The responsible relationship manager will advise on the form and manner to submit and action such requests.
The right to object to direct marketing	If the personal information of the supplier or business partner has been used for direct marketing purposes, FSRN will afford the supplier or business partner (and the related persons of the supplier or business partner) an opportunity to opt out of receiving such direct marketing.
The right to withdraw consent	Where a supplier or business partner has provided their consent for the processing of their personal information, they may withdraw their consent. If they withdraw their consent, the group will explain the consequences of such withdrawal.
The right to submit a complaint to FirstRand Namibia and to the information regulator	<p>Suppliers and business partners have the right to submit a complaint to the relevant regulator regarding an alleged breach of the conditions for lawful processing of personal information.</p> <p>The supplier or business partner can choose to submit complaints to the group for resolution before submission to the relevant regulator. Any queries or complaints regarding the processing of personal information of the supplier or business partner can be directed to the responsible relationship manager within the group.</p>

RESPONSIBILITIES OF SUPPLIERS AND BUSINESS PARTNERS WHO ARE OPERATORS

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

DOCUMENT INFORMATION

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

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