

CITIBANK, N.A. KENYA BRANCH PRIVACY STATEMENT

Citibank N.A. Kenya Branch (“**Citi Kenya**” or “**we**” or “**our**”) provides products and services to its clients such as corporations, financial institutions, public sector organizations and non-profit organizations (“**clients**”).

We, at Citi Kenya, respect your privacy and are committed to processing your personal data in accordance with the law and in particular, the Data Protection Act, 2019 (the “**Act**”).

This Privacy Statement explains how Citi Kenya processes personal data concerning people, whom we come into contact with (referred to as “**you**” or “**your**” in this document) in the course of our dealings with our clients, service providers, business counterparties and other relevant persons (referred to as “**Your Organization**” in this document). The reference to “**you**” and “**your**” includes reference to employees, officers, directors, beneficial owners, shareholders, authorised signatories and contact persons of Your Organization, any other persons authorized to act on behalf of Your Organization as well as any other person whose personal data is provided to Citi Kenya in relation to our provision of services to or in the course of our interactions with Your Organization.

Please note that we will act on behalf of and under the instructions of Your Organization which will act as a “data controller” while Citi Kenya will act as both a “data processor” and “data controller” in relation to your personal data. While we are committed to protecting your personal data, please refer to the privacy policies of Your Organization for more information regarding the processing of your personal data.

Personal data means any information relating to you as an identified or identifiable natural person.

Please note that some of the data we collect about you may be in the form of cookies.

1. Who is responsible for collection of your personal data and how can you contact them?

Citi Kenya is responsible for the collection of your personal data and you can contact Citi Kenya at Citibank N.A. Citibank House, Upperhill, Upperhill Road P.O. Box 30711 - 00100 Nairobi.

If you have any concerns about the use of your personal data or questions about this Privacy Statement including any requests to exercise your legal rights under the law, please contact our Data Protection Officer using the details set out below:

Email address: yvonne.n.muturi@citi.com

Postal address: P.O. Box 30711 - 00100 Nairobi

Physical address: Citibank House, Upper Hill, Nairobi, Kenya

Telephone number: +254-20-2754091

2. Why do we process your personal data?

We will process your personal data for the following purposes:

- (a) to provide products and services to our clients and to communicate with you and/or our clients about them;
- (b) to manage, administer and improve our business, client and service provider engagements and relationships and for corporate marketing, business development, analysis and operational purposes;
- (c) to monitor and analyze the use of our products and services for system administration, operation, testing and support purposes;

- (d) to manage our information technology and to ensure the security of our systems and premises;
- (e) to establish, exercise and/or defend legal claims or rights and to protect, exercise and enforce our rights, property or safety or to assist our clients or others to do this;
- (f) to investigate and respond to complaints or incidents relating to us or our business, to maintain service quality and to train staff to deal with complaints and disputes;
- (g) to cooperate with, respond to requests from, and to report transactions and/or other activity to, government, tax or regulatory bodies, financial markets, brokers or other intermediaries or counterparties, courts or other third parties;
- (h) to monitor and analyze the use of our products and services for risk assessment and control purposes (including detection, prevention and investigation of fraud);
- (i) to conduct compliance activities such as audit and reporting, assessing and managing risk, maintenance of accounting and tax records, fraud and anti-money laundering (AML) prevention and measures relating to sanctions and anti- terrorism laws and regulations and fighting crime.

This includes know your customer (KYC) screening (which involves identity checks and verifying address and contact details), politically exposed persons screening (which involves screening client records against internal and external databases to establish connections to 'politically exposed persons' (PEPs) as part of client due diligence and onboarding) and sanctions screening (which involves the screening of clients and their representatives against published sanctions lists);
- (j) to record and/or monitor telephone conversations so as to maintain service quality and security, for staff training and fraud monitoring and to deal with complaints, disputes and potential and/or actual criminal activity. To the extent permitted by law, these recordings are our sole property;
- (k) for any additional purposes authorized by Your Organization or by you; and
- (l) to comply with applicable laws and regulations.

3. What legal basis do we rely on for processing your personal data?

We will rely on the following lawful bases for processing your personal data:

- (a) **Legitimate interests:** We will process your personal data to pursue our legitimate interests or those of a third party to whom personal data is disclosed, except if the processing is unwarranted in any particular case having regard to the harm and prejudice to your rights, freedoms or legitimate interests.
- (b) **Legal and regulatory obligations:** We will process your personal data for the purpose of complying with legal or regulatory obligations such as when it is necessary to pursue our legitimate interests in cooperating with our regulators and other government authorities, complying with foreign laws, preventing or detecting financial and other crimes and regulatory breaches and protecting our businesses and the integrity of the financial markets.
- (c) **Contractual performance:** We will process your personal data to perform our obligations with respect to the contract we have with Your Organization or to take steps, prior to entering into such a contract with Your Organization.
- (d) **Consent:** We will rely on your consent as a lawful basis for processing personal data, as appropriate, including the processing of personal data relating to a child, processing sensitive personal data outside Kenya, processing your personal data for the purpose of direct marketing to you and where you have provided us with your consent. Where you have provided your consent to the processing of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Please note that by withdrawing

your consent, the withdrawal will not render unlawful our prior processing of your personal data or the processing which is based on other legal bases for processing of your personal data.

- (e) **Vital interests:** We will process your personal data to protect your vital interests or another natural person.
- (f) **Public interest:** We will also process your personal data for the performance of a task carried out in the public interest.

4. Is the provision of personal data mandatory or discretionary?

The provision of personal data is mandatory.

5. What are the consequences of failure to provide the personal data?

If you do not provide information that we request, we may not be able to provide (or continue providing) relevant products or services to, or otherwise do business with, you or Your Organization.

6. Where does Citi obtain personal data about you?

We process personal data that you provide to us directly or that we learn about you from your use of our systems and our communications and other dealings with you and/or Your Organization. We also obtain your personal data from Your Organization, other financial institutions, credit reference and fraud prevention agencies and regulatory, tax and law enforcement authorities. We also obtain personal data about you from international sanctions lists, publicly available websites, databases and other public data sources.

We may collect or otherwise process different types of personal data concerning you depending on our relationship with Your Organization including:

- (a) personal details (such as your date of birth, title and job description, contact details such as your business email address, physical address and telephone number and other information required for Know Your Customer (KYC), Anti-Money Laundering (AML) and/or sanctions checking purposes (e.g., copies of your passport or a specimen of your signature);
- (b) contact details (information that allows addressing, serving or communicating a message to you e.g. phone number, email address, postal address, mobile number);
- (c) client-related and personal relationship details (e.g. relationship with Your Organization, business information, information about any shareholdings, business contact details);
- (d) transactional details (e.g. information about services, requests, queries or complaints);
- (e) communications data (information contained in voice, messaging, email and other communications we have with you); and
- (f) financial details (information that identifies your financial position, status and history e.g. information about business accounts, financial history, information from credit reference agencies and fraud prevention agencies).

We may process biometric data about you that we learn from your interaction with our systems and applications. For example, in order to prevent and detect fraud, we may collect and process data about your mouse speed and movements, your keystroke rhythm or your keyboard usage characteristics, in each case in order to verify your identity. We will always provide you with additional explanatory information and any additional required disclosures if we collect and otherwise process your biometric data.

You may be able to log into or otherwise interact with our systems and applications by using biometric technology on your eligible mobile device. Such biometric authentication is a digital authentication method that utilizes your unique biometric data (for example, fingerprint or facial characteristics) and the built-in biometric technology on your eligible mobile device. Your biometric data remains on your eligible mobile device and is not transferred to us when this authentication method is used.

Should we require information about other people connected to you, we may request you to provide such information. If you are providing information about another person, we expect you to ensure that they are aware of your actions and consent to the disclosure by you of their information to us.

7. To whom do we disclose your personal data to?

We disclose your personal data, for the purposes set out in section 2 above, as follows:

- (a) to Your Organization in connection with the products and services that we provide to it, if Your Organization is our client or otherwise in connection with our dealings with Your Organization;
- (b) to other Citi entities (this includes the entities referenced at <http://www.citigroup.com/citi/about/countrypresence/>) for the purpose of managing Citi's client, service provider and other business counterparty relationships;
- (c) to counterparty banks, payment infrastructure providers and other persons from whom we receive, or to whom we make, payments on our clients' behalf;
- (d) to export credit agencies, multilateral agencies, development finance institutions, other financial institutions, payment service providers, governmental authorities and their agents, insurers, due diligence service providers, credit reference bureaus and credit assessors, in each case in connection with the products and services that we provide to Your Organization if Your Organization is our client, including in connection with financings;
- (e) to service providers that provide application processing, fraud monitoring, call center and/or other customer services, hosting services and other technology and business process outsourcing services;
- (f) to our professional service providers (e.g., legal advisors, accountants, auditors, insurers and tax advisors);
- (g) to legal advisors, government and law enforcement authorities and other persons involved in, or contemplating, legal proceedings;
- (h) to competent regulatory, prosecuting, tax or governmental authorities, courts or other tribunals in any jurisdiction;
- (i) to other persons where disclosure is required by law or to enable products and services to be provided to you or Your Organization;
- (j) to prospective buyers as part of a sale, merger or other disposal of any of our business or assets; and
- (k) to any other person you have authorised us by your consent to share your personal data with.

Please note that if you request us, in writing, to share your personal data with third parties, we will follow your request to share the relevant information. However, we do not have control over how those third parties will use your information. Before you make your request, we recommend that you (or the person acting on your behalf) consider the data protection practices of that third party by reading their privacy policies or contacting them.

8. Where do we transfer your personal data?

We may transfer your personal data to Citibank entities, regulatory, prosecuting, tax and governmental authorities, courts and other tribunals and entities related to Your Organization located in countries outside Kenya including countries which have different data protection standards to those which apply in Kenya. When we transfer personal data to Citibank entities, we will ensure that such entities protect your personal data in accordance with the requirements under the Act and that the personal data is kept secure and receives at least a similar level of protection as that which it receives in Kenya.

9. How long do we keep your personal data?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for purposes of our relationship with you or Your Organization or in connection with performing an agreement with Your Organization or for purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements.

We may retain your personal data for a longer period if the retention is:

- (a) required or authorised by law;
- (b) reasonably necessary for a lawful purpose;
- (c) authorised or consented by you;
- (d) for personal data that has been anonymised; or
- (e) for historical, statistical, journalistic, literature and art or research purposes.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you, in which case we may use such information without further notice to you.

10. What are your rights in relation to personal data?

You have the following rights in relation to your personal data:

- a) to request access to your personal data and receive a copy of the personal data we hold about you.
- b) to request correction and erasure of the personal data that we hold about you.
- c) to request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of your data.
- d) to request us to transfer personal data either to you or to another entity or person in a commonly used electronic format. This is known as the right to data portability.
- e) to object to the processing of your personal data.
- f) to request not to be subject to automated decision making.

To exercise any of these rights, please write to our Data Protection Officer via the contact details given in section 1 above.

11. Data Security

We have put in place appropriate technical and organisational security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

In addition, we will limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

12. Marketing

We will use your personal data to advertise and market to you or to Your Organization on our latest products and services (please note that if you do not want to receive our marketing information, you or Your Organization may opt out anytime by contacting us).

13. Other Terms and Conditions

There may be other specific terms and conditions that govern your and/or Your Organization's relationship with us. Please note that such terms and conditions must be read in conjunction with this privacy statement.

14. Changes to this Privacy Statement

This Privacy Statement took effect on 25 November 2019 and it was last updated on [*insert date*]. If we change it, to keep you fully aware of our processing of your personal data and related matters, we will post the new version to this website.