



BANK OF INDIA -KENYA CENTRE, PRIVACY POLICY

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BANK OF INDIA -KENYA CENTRE. PRIVACY POLICY

Bank of India endeavors to provide superior banking services, we are committed to ensuring your concerns are well catered for. In a bid to ensure this, we formulated the Privacy policy which stipulates that information provided by you is kept private and only disclosed with your consent. As a banking institution we realize that we possess and interact with our customer's data on a day-to-day basis. This policy sets out how seriously managed and guarded this information is. The objective of the Policy is to enshrine basic privacy rights of the customers of the Banks regulated by the Central Bank of Kenya. It spells out the rights of the customer as well as those of the Bank.

Please read this policy to understand how we collect, use, and protect the information you submit to us. This information shall be held by the Bank of India (known as **"the Bank"**)

1. Definitions

- 1.1. **"Consent"** means any express and unequivocal manifestation of the customer indicating acceptance to their processing of personal information.
- 1.2. **"Data Protection Officer"** means a natural or legal person identified by the Bank which shall process personal information.
- 1.3. **"Data subject"** means an identified or identifiable natural person who is the subject of personal data.
- 1.4. **"Data processing"** means the conduct of operations on data through electronic devices to retrieve and classify information
- 1.5. **"DPA"** means the Kenya Data Protection Act, 2019, including any statutory modification or re-enactment
- 1.6. **"GDPR"** means the European Union General Data Protection Regulations
- 1.7. **"Personal Information"** means information, identifiable to an individual owing to their relationships with the Bank, information capable of enabling the Bank to form an opinion of the customer and any other meaning given to it in the DPA:

2. Scope of this Policy

The policy is based on laws and regulations set in place to ensure that customer personal information is managed in compliance with the GDPR, DPA and principles on privacy enshrined in the Constitution of Kenya 2010. It highlights the means of collecting data, its purposes, parties privy to the information. The policy applies to all products and services offered by the Bank or its agents whether provided across the counter, over phone, by post, through interactive electronic devices, on internet or by any other method. In collecting and processing personal data, we endeavour to strictly adhere to the principles set in place by the GDPR and DPA

3. Information Collected

We only collect information which is necessary and relevant in the performance of our duties. Such information includes gender, date of birth, nationality, bank account details, record of your purchases, transactional information, national identification or passport information, contact



details such as phone number, email address, employment details, residency status, information on your next of kin, race, ethnicity, photographs, Kenya Revenue Authority personal identification number, criminal convictions, property details or motor vehicle registration details where property or motor vehicle is given as security, references from previous employers or educational institutions.

We will ensure that in collecting your personal information it shall be done in a transparent manner and shall only be used for the purposes known to you and are compatible with the purposes sought.

We may collect the information from applications, emails, letters, tele-conversations, customer surveys, location of your payments and transactions, web browsers, IP addresses, biometric data, and computer operating systems.

4. Information provided

We may collect information directly from you or through other means such as where information is a matter of public record, in situations of incapacity; from the guardian or parent, you have deliberately consented to collection from other source, the source would not be a direct conflict with your interests or if the collection is necessary for prevention or investigation of a crime.

We may retain your information for as long as may be reasonably necessary and shall cease/delete or erase it as soon as the purpose is accomplished.

However, as stipulated in the Kenyan Data Protection Act 2019, a data controller or data processor shall retain personal data only as long as may be reasonably necessary to satisfy the purpose for which it is processed unless the retention is -

- (a) required or authorised by law;
- (b) reasonably necessary for a lawful purpose;
- (c) authorised or consented by the data subject; or
- (d) for historical, statistical, journalistic literature and art or research purposes.

5. Use of information

To understand you and your needs better in providing our services, we shall use the information collected for several reasons including:

- a. To develop and improve our products and services. Occasionally, you may receive promotional emails about new products, products on offer and other information which you may find to be of your liking using the contact details you have provided.
- b. Managing your relationship with us by updating and improving accuracy of our records by constantly updating and improving the accuracy of our records.
- c. Evaluating the effectiveness of market research and training by using your information for profiling purposes on offers, competitions and promotions.
- d. In assessing and tabulating your credit worthiness.



- e. In protecting our legitimate interests such as crime detection, fraud prevention.
- f. In compliance with any legal, governmental and regulatory requirement and/or for use in relation to any legal proceedings.

We shall retain your information for as long as necessary to enable us to provide you with our services and process transactions you have requested or for other essential purposes. We reserve the ability to retain your information for as long as required to ensure compliance with applicable laws, audit requirements, or address disputes.

6. Disclosure of your information

The Bank shall not disclose your information to any external body, individual unless and only in the following scenarios:

- a. With your explicit consent
- b. If it is in the public interest or for security purposes.
- c. Compulsion by written law or court order
- d. To protect the Bank's legitimate interests such as sub-contractors, organisations that provide services to us
- e. Where a public body requires disclosure of such information

7. Rights of data subject

Your rights as our esteemed customer are as under: -

- a. To be informed of the usage of your personal data. You have the right to be duly informed of how we use the information we have about you.
- b. To object to processing of all or part of the personal data. You can object to certain information being processed by the Bank. However, the Bank, if it deems that is for legitimate purposes can decline your request.
- c. To access your personal data in our possession. You have the right to access information that is held by the Bank.
- d. To correct false or misleading data. It is of critical importance that information that we hold is accurate and upto date at all time. We advise that if you believe that we have information relating to you that is incorrect, please contact us and we will work to amend it.
- e. To request deletion of false or misleading data. Where there is no compelling reason why the Bank should continue processing your information, you may request that it be removed/deleted.
- f. To data portability. At a cost, you have the right to request the Bank for a copy of your personal data in a commonly used electronic format.
- g. To withdraw your consent at any time where the Bank relied on your consent to process your personal data in accordance with applicable laws and regulations.

8. Status of Security

Our security systems are designed to prevent access by unauthorized personnel, damage, loss in case of cyber hacking and/or destruction. This is necessary as countless customers entrust the



Bank to collect and store their personal information for example their credit card information which when accessed by unauthorized persons can cause a lot of damage.

We purpose to protect your information and are constantly reviewing and enhancing our security systems and measures and as such our servers are equipped to detect a breach.

9. Third party information

Personal information can be sought after by a third party which includes organizations, service providers, individuals, and other subsidiaries to which the bank has a professional relationship with and by virtue of their interactions.

We guarantee that your information shall be not be made available to third parties without your consent. The third parties who shall have access to your information will have been verified by the Bank and the same communicated to you. This is to ensure that your information is always secured and protected.

The Bank has put in place safety measures and safeguards to guarantee you that your information is only accessed with your consent

We require that these third parties handle the information with due care and use the information provided to them only for the intended purpose initially sought for and under our instructions.

10. Our global operations/Transfer of DATA

The Bank has its Head Office and Data Centre in Mumbai, India and its Disaster Recovery Site in Bengaluru, India. As a result, your information shall be transferred out of Kenya. By submitting your information, you agree to this transfer, storing and processing.

We commit to ensure that such information is transferred in a secure manner and have put in place safety measures and safeguards in the recipient countries to process and store the personal data including ensuring that your personal information is transferred to countries with appropriate data protection laws.

11. Accurate information

To ensure that the information in our possession is upto date, accurate and represent your current position, we have put in place reasonable measures to maintain consistency of such information.

In a situation where the information in our records is not accurate, we advise that you contact our various branches to implement the changes.

12. Cookies

Cookies are minute data files which help us to analyse your visit to our Website, your web traffic, and sites you particularly visit. We shall use the information collected to provide online advertisements or offers on our Website most relevant to your interests. We tailor our operations to meet your needs, likes and dislikes by collecting information about your preferences.

You can accept or reject cookies. However, if you reject necessary cookies, certain features of our Website may not operate.



13. Governing law

This privacy policy shall be governed by and construed in accordance with Kenyan Laws.

14. Right to amend this privacy policy

The Bank reserves the right to amend this policy at any time. All amendments shall become effective when posted on the website.

This privacy policy was last updated 30th May 2022.

15. Data Officer

If you may wish to contact our Data Protection Officer with any queries about this privacy policy or any information relating to you, please email us at kenya.dpo@bankofindia.com or write to us at:

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The Data Protection Officer
The Bank of India
P.O. Box 30246-00100
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