

PRIVACY STATEMENT OF the Company

TRUSTGRO SCA LIMITED (the “Company”) endeavours to treat all your personal information carefully and responsibly.

This Privacy Statement relates to the collection, use, processing and disclosure of personal data, including special or sensitive personal data, by **the Company**. Personal Data is information relating to an identified or identifiable individual (“you” or “your”).

1. The Personal Data we may hold includes any information that lets **the Company** identify you as a unique individual, such as your name/s and surname combined with your identity/passport number, physical address. This may also include data pertaining to natural persons may be collected from time to time and such data includes race, health status, ethnic social origin, conscience, belief, genetic data, biometric data, property details, marital status, family details including, where applicable the names of your spouse or spouses, your sex or sexual orientation.
2. Processing of personal data includes any initial processing that **the Company** does when we first collect your personal information. It also includes any further and ongoing processing that **the Company** is allowed to carry out legitimately in terms of the reasons provided therein. The term ‘processing’ includes collecting, recording, organizing, structuring, storage, adaptation, alteration, retrieval, consultation or use, disclosure by transmission, sharing with third parties, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
3. We generally do not collect your personal data unless you provide it voluntarily or through your authorized representative as part of a written application form, electronically (email), telephonically, **the Company** website or via the **the Company** USSD code pursuant to the specific terms and conditions or our legitimate Social media platforms or any such medium as may be provided from time to time. We obtain your consent for the processing of your personal data. We may however collect and process your data without your consent where permitted under the Data Protection Act, 2019, regulations made therein or other laws as amended from time to time.

YOUR RIGHTS

4. In line with the Data Protection Act 2019 and other applicable law, regulation, industry guidelines, you have the following rights regarding your personal data:
 - i. **Reasons**
Be informed of the use to which your personal data is to be put.
 - ii. **Access**

To request a copy of the personal data processed in relation to you by filling in a request form at your Branch and or through the website and other available virtual channels.

The Company may be allowed by law to charge a fee for this. The Branch staff shall guide you on the expected time taken to access your personal data.

- ii. **Correction**

To request that we correct your personal data. You can do this at your branch or through your relationship manager/officer and you will be guided on the time taken to correct your personal data.

iii. **Erase**

To ask us to delete your personal data, for example if we no longer have a valid reason to process it. The Branch staff shall guide you on the considerations on retention of information erase your personal data.

iv. **Object**

To object to the processing your personal data. the Company retains a legitimate and overriding interest in processing of the data. We may not be able to offer you services if you do not want us to process the personal data, we consider it necessary to process to provide the services.

v. **Restriction**

At your request, restrict how your personal data is processed in certain cases, such as where the accuracy of your Personal Data is contested, the personal data is no longer required, the processing is unlawful, and you have opposed it or where you are awaiting verification of the legitimacy of the personal data.

vi. **Portability**

To request a copy of the personal data you have given to us in a machine-readable format.

PROCESSING YOUR PERSONAL DATA

5. **The Company** will only collect and process your personal information for the reason you provided it to us with your consent, or to enable us to comply with the requirements of specific laws that we are governed by either directly from you or third-party sources which may include but are not limited to:

- I. public records,
- II. places where you may already have made your personal information public. (for example, on social media),
- III. credit reference bureaus; or
- IV. individuals/directors whom you have appointed as your representative, where you are a corporate entity.

The Company will only collect your personal information from other sources where we are legally entitled or obliged to do so, and you are entitled to ask **the Company** which sources they used to collect your personal information.

6. **The Company** shall require that a mandatory field for personal data under be accurately filled in for **the Company** to provide you with your chosen product and/or service. If **the Company** does not receive the necessary personal information, we will not be able to continue with your application. During your relationship with us, the Company may request additional personal data from you for pursuant to a law or regulatory guideline and you do not provide it, the Company will have to suspend the provision of the product and/or services for a period of time, or as the case may be, even terminate our relationship with you.

7. The Company may process your personal information to protect your or our legitimate interests. **The Company** will not collect and process personal information about you that we do not need for this purpose. The general purposes for which **The Company** collects and processes your personal information include, but are not limited to:

- i. Creating your record on our system to verify your identity, as well as next of kin and other details pertaining to you,
- ii. provide you with the products and/or services you have applied for and then communicate with and keep you informed about these products and/or services;
- iii. Further processing for historical, statistical or research purposes where the outcomes will not be published in an identifiable format;
- iv. processing applications for products and services, effecting payments, transactions and completing instructions or requests;
- v. assessing suitability for products and services;
- vi. assessing your credit assessment, including conducting credit checks and setting credit limits;
- vii. to carry out operational purposes;
- viii. Providing income tax-related information to tax authorities as may be required under relevant laws or regulations;
- ix. establishment, continuation, and management of account relationships;
- x. Assessing whether you qualify for credit, or an increase or decrease of your credit limit;
- xi. Identifying you and verifying your physical address, source of income and similar information;
- xii. Assessing your personal financial circumstances and needs before providing advice to you;
- xiii. Any purpose related to the prevention of financial crime, including sanctions screening, monitoring of anti-money laundering and any financing of terrorist activities;
- xiv. Sending you marketing information about our goods or services including notifying you of our marketing events, initiatives and promotions, lucky draws, membership and rewards schemes and other promotions;
- xv. Where you have been identified as a next of kin by an employee or customer, we create a record of you on our system.

The Company may have legal or regulatory obligation to process your Personal Data in connection with the products and services you have requested. These obligations include:

- I. identity verification, government sanctions screening and due diligence checks;
- II. to comply with local or foreign law, authority or regulator directives, enforcement agency, regulations, directives, judgments or court orders, government sanctions or embargoes, reporting requirements under financial transactions legislation, and demands of any authority, regulator, tribunal, enforcement agency, or exchange body.

We may also process your Personal Data where it is in our legitimate interests to seek professional advice, including, in connection with any legal proceedings (including any prospective legal proceedings), for obtaining legal advice or for establishing, exercising or defending legal rights.

8. CONSENT

The consent that you provide for the processing of your data shall remain valid until such time it is being withdrawn by you in writing and having the same delivered to your nearest **the Company** branch or via email to our Customer Experience Desk through the contact details provided below. We shall attend to your request within reasonable time depending on the complexity of the request and its impact on our relationship. In general, we shall seek to process your request within Seven (7) business days of receiving it.

A withdrawal of consent shall not affect the lawfulness of processing of your personal data based on prior consent before its withdrawal.

Your withdrawal of the consent does not affect our right to continue to collect, use and disclose personal data where such collection, use and disclosure without consent is permitted or required under applicable laws.

9. RETENTION OF YOUR PERSONAL DATA

We retain your personal data in line with our legal and regulatory obligations and for business and operational purposes. In most cases, this will be for a period of seven years from the end of your relationship with us.

10. PROTECTION OF PERSONAL DATA

To safeguard your personal data from unauthorized access, collection, use, disclosure, copying, modification, disposal or similar risks, we have introduced appropriate administrative, physical and technical measures such as up-to-date antivirus protection, encryption and the use of privacy filters to secure all storage and transmission of personal data by us, and disclosing personal data both internally and to our authorized third party service providers and agents only on a need-to-know basis.

You should be aware, however, that no method of transmission over the Internet or method of electronic storage is completely secure. While security cannot be guaranteed, we strive to protect the security of your information and are constantly reviewing and enhancing our information security measures.

11. AUTOMATED DECISIONS AND PROFILING

As a rule, we do not make decisions based solely on automated processing as defined in the Data Protection Act 2019 to establish and implement the business relationship. We may use profiling, including behavioural analysis, to assist us to provide you with better services, to make decisions and to prevent money laundering, terrorism, fraud and other financial crime. If we use these procedures which result in an automated decision relating to you, we will let you know and you will have the right to discuss the decision with us.

12. DISCLOSURE OF PERSONAL DATA

When using Your data for the Purposes, we may need to disclose it to **the Company's** affiliate companies and to our agents, advisors and third-party service providers ("Other Parties"). When this happens, we will require the Other Parties to handle Your Information using the same level of care that we apply. We will also require them to only use Your Information according to our instructions and directions.

We will not otherwise disclose Your Information to third parties unless we have your permission, or we are under a legal or similar obligation.

Your Information may be disclosed to:

- I. any member of TrustGro, including any officer, employee, agent or director;
- II. Regulators, supervisors, governments, or quasi-governmental authorities in countries where we, our agents, advisors or third-party service providers have a presence;
- III. professional advisors including auditors and advocates, agents, advisors or third-party service providers under a duty of confidentiality to TrustGro;
- IV. credit reference, debt collection, anti-money laundering and fraud prevention agencies (where necessary for the Purposes).
- V. upon your death or mental incapacity, your legal representative and their legal advisers, and a member of your immediate family for the purpose of allowing him/her to transact in respect to your loan account;
- VI. any person to whom disclosure is allowed or required by local or foreign law, regulation or any other applicable instrument;
- VII. any court, tribunal, regulator, enforcement agency, exchange body, tax authority, or any other authority (including any authority investigating an offence) or their agents;
- VIII. any person authorised to operate your account and to act on your behalf in giving instructions, to perform any other acts under our product agreement or use any product;
- IX. any actual or potential participant or sub-participant in relation to any of our obligations in respect of any product agreement, assignee, novatee or transferee (or any officer, employee, agent or adviser of any of them); located in any jurisdiction;

13. TRANSFER OF PERSONAL DATA OUT OF KENYA

We may transfer your personal information to the Company's servers located outside Kenya or to affiliates or other trusted third parties based in other countries so that they may process personal information on our behalf. By using the Company's website or otherwise providing the Company with personal information, you agree to us doing so in accordance with the terms of this Privacy Policy and applicable data protection laws and regulations.

You should be aware that many countries do not afford the same legal protection to personal information as you might enjoy in Kenya. While your personal information is in another country, it may be accessed by the courts, law enforcement and national security authorities in that country in accordance with its laws. Subject to such lawful access requests, we promise that anyone processing your personal information outside Kenya is required to implement measures to protect it and is only entitled to process it in accordance with the Company's instructions.

14. OTHER TERMS AND CONDITIONS

There may be specific terms and conditions in our product agreements that govern the collection, use and disclosure of your personal data. Such other terms and conditions must be read in conjunction with this Privacy Statement.

15. CONTACT DETAILS

You may contact our Customer Service Department if you have any enquiries or feedback or complaints in relation to the processing of your personal data or if you wish to make any request, in the contact details below:

TRUSTGRO SCA LIMITED Head office:	Avocado Towers, Muthithi road, Westlands
Postal address:	5483-00100, Nairobi
Information email:	info@trustgro.com
Email for all contractual and/or legal matters:	legal@trustgro.com
Phone Number:	0111149000

16. CHANGES TO THIS PRIVACY POLICY

This Privacy Policy may be updated from time to time and you are advised to visit this site regularly to check for any amendments. This policy was last updated on 21st March, 2022.