

Supplier and Business Partner 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 the Companies Act, No. 7 of 2017. 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 FNBZ 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.
Data subject	Means the person to whom the personal information relates. In reference to FNBZ and for the purposes of this notice, this primarily means, but is not limited to, suppliers, business partners and their respective related persons.
FNBZ	Means First National Bank Zambia and its Local divisions, segments and business units.
Information Regulator	Means the office of the Data Protection Commissioner established in terms of section 4 of the Data Protection Act, No. 3 of 2021
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: (a) the collection, receipt, recording, organization, 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.
DPA	Data Protection Act of 2021
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

- 2.1 Protecting the personal information or personal data of suppliers is important to FNBZ. To do so, FNBZ follows general principles in accordance with applicable Zambian privacy laws.
- 2.2 FNBZ has developed a group supplier privacy notice (**notice**) to enable its suppliers to understand how we collect, use and safeguard their personal information.

3 RESPONSIBLE PARTIES WITHIN FNBZ

The Segments/or Business Units of FNBZ are responsible parties. When a FNBZ supplier or business partner provides its personal information to any of the business units of FNBZ, the responsible party will be the FNBZ which, from an overall perspective, determines the means and purpose of the processing of the personal information.

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

A **business partner**, in the context of this notice, means a natural or juristic person holding a business relationship with FNBZ, where such relationship does not fall within the category of a supplier, employee or customer relationship. By virtue of the business relationship, FNBZ may process personal information belonging to its business partner. Such a 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. It should not be construed to imply a partnership between FNBZ and the business partner in a legal sense or as understood in law. Depending on the nature of the business relationship, a business partner could be considered an operator, an independent responsible party or (together with FNBZ) a joint responsible party. FNBZ and its business partners will always remain independent contracting parties.

4 PERSONAL INFORMATION PERTAINING TO SUPPLIERS AND BUSINESS PARTNERS

- 4.1 **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 related persons.

4.2 If the supplier or business partner provides the personal information of a related person to FNBZ, the supplier or business partner warrants that the related person is aware that the supplier or business partner is sharing their personal information with FNBZ and that the related person has consented thereto. FNBZ will process the personal information of related persons as stated in this notice, thus references to “the supplier or business partner” in this notice will include related persons (with the necessary amendments).

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

- i. financial information of the supplier or business partner, which includes banking account information and financial records including bank statements provided to the group.
- ii. invoices issued by the supplier or business partner to FNBZ.
- iii. the contract between FNBZ and the supplier or business partner, including all annexures and addendums;
- iv. other identifying information of the supplier or business partner, which includes company registration number, VAT number, tax number and contact details;
- v.
- vi. marital status and matrimonial property regime (e.g., married in community of property);
- vii. national origin.
- viii. age.
- ix. language.
- x. education.
- xi. financial history.
- xii. identifying number (e.g., an account number, identity number or passport number);
- xiii. email address.
- xiv. physical address (e.g., residential address, work address or physical location);
- xv. information about the location (e.g. geolocation or GPS location) of a supplier or business partner;
- xvi.
- xvii. telephone number.
- xviii. online identifiers.
- xix. social media profiles.
- biometric information (like fingerprints, facial recognition, signatures or voice collected through the group’s authenticated processes or CCTV);
- xx.
- xxi. race.
- xxii. gender.
- xxiii. criminal history.
- xxiv. personal views, preferences and opinions; and/or
- xxv. confidential correspondence.

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

4.4 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 FNBZ), 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 supplier or business partner 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, including the determination and auditing of broad-based black economic empowerment status and levels);
- political beliefs (e.g. to determine political exposure and risk management for the purposes of anti-money laundering, anti-financial crime, anti-bribery and anti-corruption legislation);
- 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 FNBZ corporate and social responsibility initiatives); or
- biometric information (e.g. to verify identity and permit entry into the premises of FNBZ).
- All information described as sensitive personal information under the Data Protection Act No. 3 of 2021.

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

5.1 Personal information will be processed by FNBZ in the normal course of the management of suppliers and dealing with business partners for various purposes. Such purposes include, but are not limited to the following:

- i. To procure products, goods and services from the supplier or business partner.
- ii. To respond to enquiries and complaints from the supplier or business partner.
- iii. Maintaining the data of the supplier or business partner.
- iv. Collaborating with the supplier or business partner (for example, collaborating in order to provide products or services to FNBZ customers).
- v. 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.
- vi. 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 FNBZ 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.

- vii. To comply with all applicable laws authorising or requiring such processing, including (but not limited to) laws relating to:
 - a. Data Protection Act, 2018
 - b. Financial Intelligence Centre Act, 2010;
 - c. The Companies Act, 2010
 - d. The Banking and Financial Services Act, 2017
 - e. The prevention and prohibition of anti-money laundering act, 2001
 - f. prevention and combating of corrupt activities.
 - g. Regulations to the corporate laws.
 - h. any other law impacting on the rendering of the bank's services and products.
- viii. To process special personal information, like alleged criminal behaviour or the supply of false, misleading or dishonest information.
- ix. Enforcing and/or collecting on any agreement when the supplier or business partner is in default or breach of the agreement and or terms and conditions, e.g. tracing the supplier or business partner or instituting legal proceedings against the supplier or business partner.
- x. Conducting market and behavioural research, including scoring and analysis.
- xi. Investigating and concluding on the outcome of matters referred to the independent ethics line (whistle-blowing), either by the supplier or business partner or about the supplier or business partner.
- xii. Historical, statistical and research purposes, e.g. market segmentation or performance management.
- xiii. Security, identity verification and checking the accuracy of the personal information of the supplier or business partner.
- xiv. Performing vendor and other risk management processes.
- xv. Communicating with the supplier or business partner and/or carrying out the instructions and requests of the supplier or business partner.
- xvi. 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.
- xvii. Providing marketing or advertising to the supplier or business partner, in the context of supplier development programmes, while honouring consents and opt-outs.
- xviii. Generally exercising the FNBZ's rights and carrying out FNBZ's obligations in terms of the contract between FNBZ and the supplier or business partner.
- xix. Any other related purposes.
- xx.

5.2 FNBZ will process a supplier's or a business partner's personal information pursuant to a lawful justification, including:

- 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; and/or
- 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.

5.3 There may be instances where FNBZ will lawfully process personal information for purposes not listed above. In this event, FNBZ may be required to request specific consent from the supplier or business partner, which consent may be withdrawn at any point.

6 THE CONSEQUENCES RELATING TO SUPPLIERS OR BUSINESS PARTNERS WHO DO NOT PROVIDE THEIR PERSONAL INFORMATION TO FNBZ

In some circumstances, it may be mandatory for suppliers or business partners to provide their personal information. If a supplier or business partner refuses to provide the required personal information, FNBZ may be unable to carry out certain activities. For example, if a supplier or business partner refuses to provide the requisite personal information to enter into or pursue a contract or business relationship, FNBZ will be unable to enter into a contract or pursue any contractual relationship with the supplier or business partner.

7 THE QUALITY OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS OR BUSINESS PARTNERS

FNBZ will take reasonable and practicable steps to ensure that the personal information of FNBZ'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 FNBZ, or (in the case of suppliers) by directing such a request to the FNBZ's procurement help desk. The contact person will be the individual, the supplier or business partner is working/dealing with from FNBZ. The contact email for FNBZ's procurement help desk for suppliers is procurement@fnbzambia.co.zm

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

8.1 All personal information of the supplier or business partner processed by FNBZ will be held confidentially.

8.2 FNBZ will take reasonable, appropriate technical and organisational measures to keep the personal information of its suppliers and business partners secure, in accordance with the FNBZ's policies and procedures on information security, and in accordance with any applicable law.

9 RETENTION OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS OR BUSINESS PARTNERS

9.1 Personal information will not be kept by FNBZ 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 FNBZ 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 FNBZ, or where the retention is for historical, statistical or research purposes and appropriate safeguards have been applied to the personal information.

10 CENTRALISED PROCESSING

FNBZ aims to create efficiencies in the way it processes information across the group. Suppliers' and business partners' personal information may therefore be processed through centralised group functions and systems, which include storing personal information in a centralised group data warehouse, performing centralised administrative functions and providing a centralised payments system.

This centralised processing is structured to ensure efficient processing that benefits both the supplier or business partner and FNBZ. Such benefits include, but are not limited to:

- improved information management, integrity and information security;
- the leveraging of centralized crime and fraud prevention tools, which would include the processing of the supplier's and business partner's personal information and special personal information across the companies in the group to prevent, detect and report on financial crimes and related matters in terms of the Financial Intelligence Centre Act, 2010;
- a reduction in information management costs;
- analytics, statistics and research; and
- streamlined transfers of personal information for suppliers and business partners with solutions across different businesses or companies within the group.

Should a supplier or business partner wish to exercise their privacy rights in terms of personal information provided to FNBZ, or enquire about the centralised processing procedure, enquiries can be made through the contact details provided in this notice.

11 THE SHARING OF PERSONAL INFORMATION PERTAINING TO SUPPLIERS AND BUSINESS PARTNERS

10.1 The personal information of supplier or business partner may be shared within FNBZ and with affiliates and third parties with whom FNBZ contracts to process such personal information and pursuant to the instruction of FNBZ, under specific terms or purposes as set forth in this notice and to the extent that such sharing is permitted or required by law.

10.2 Moreover, certain affiliates and third parties could be based outside of Zambia. In such instances, FNBZ will comply with cross-border transfer conditions of personal information as set out in the Data Protection Act No. 3 of 2021 and the Cyber Security and Crimes Act No. 2 of 2021.

10.3 FNBZ will ensure that all legally required, reasonable and adequate safeguards are in place when sharing the supplier's personal information as set out above.

10.4 Where required and as permitted by law FNBZ may share your personal information with the following persons. These persons have an obligation to keep your personal information secure and confidential:

- our employees as required by their employment conditions.
- attorneys, tracing agents, debt collectors and other persons that assist with the enforcement of agreements.
- payment processing services providers, merchants, banks and other persons that assist with the processing of your payment instructions, like card scheme providers (like VISA or MasterCard);
- insurers, brokers, other financial institutions or other organisations that assist with insurance and assurance underwriting, the providing of insurance and assurance, the assessment of insurance and assurance claims and other related purposes.
- law enforcement and fraud prevention agencies and other persons tasked with the prevention and prosecution of crime.
- regulatory authorities, industry ombudsman, governmental departments, local and international tax authorities and other persons the law requires us to share your personal information with.
- credit bureaux.
- our service providers, agents and sub-contractors like couriers and other persons we use to offer and provide products and services to you.
- persons to whom we have ceded our rights or delegated its obligations to under agreements, like where a business is sold.
- courts of law or tribunals that require the personal information to adjudicate referrals, actions or applications.
- the general public where you submit content to our social media sites like our Facebook page.
- trustees, Executors or Curators appointed by a court of law.
- cheque verification service providers.
- participating partners in our customer loyalty reward programmes, where you purchase goods, products and service or spend loyalty rewards; and / or
- our joint venture and other partners with whom we have concluded business agreements.

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

FNBZ may assign the processing personal information of a supplier or business partner to an operator who will process such personal information on the basis of a contract entered into with FNBZ . In terms of a contract or mandate, FNBZ will ensure that the operator processes the personal information of the supplier or business partner on a confidential basis and applies reasonable and appropriate technical and organisational security measures when processing the personal information of the supplier or business partner.

13 RIGHTS OF SUPPLIERS AND BUSINESS PARTNERS

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 FNBZ collects, uses and safeguards their personal information.

Privacy rights	Description and information to exercise such rights
The right to access to information	The supplier or business partner has the right to access their personal information. The supplier or business partner may address a request to FNBZ
The right to the correction, destruction, deletion and objections to the processing of the personal information of the supplier or business partner	Such requests can be forwarded to the responsible relationship manager within FNBZ. The responsible relationship manager will advise on the form and manner to submit and action such requests. A supplier could also update personal information through the supplier help desk. The contact email address is procurement@fnbzambia.co.zm
The right to object to direct marketing	If the personal information of the supplier or business partner has been used for direct marketing purposes, FNBZ 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. Please refer to the FNBZ's apps or websites for the management of consent preferences.
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, FNBZ will explain the consequences of such withdrawal.

Privacy rights	Description and information to exercise such rights
The right to submit a complaint to the FNBZ and to the information regulator (Office of the Data Protection Commissioner))	Suppliers and business partners have the right to submit a complaint to the Information Regulator (Office of the Data Protection Commissioner) regarding an alleged breach of the conditions for lawful processing of personal information as set out in the Data Protection Act, 2021. The contact details of the office of the Data Protection Commissioner are provided below: Physical address: Ministry of Technology and Science, Maxwell House, Los Angeles Boulevard, Long Acres, Lusaka. The supplier or business partner can choose to submit complaints to FNBZ for resolution before submission to the Information 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 FNBZ.
Right to Legal Action	Suppliers and business partners have the right to take legal action.

14 RESPONSIBILITIES OF SUPPLIERS UNDER DATA PROTECTION ACT OF 2021

Where a supplier or business partner, in terms of a contract or mandate, processes personal information for responsible parties within FNBZ and is considered an operator of FNBZ, the supplier or the business partner must adhere to the obligations set out in the FNBZ data protection notice for suppliers and business partners. This notice is available on the FNBZ's website (www.fnbzambia.co.zm/downloads/suppliernotice) and sets out the rules of engagement in relation to how personal information is processed by suppliers and business partners on behalf of FNBZ, as well as the minimum legal requirements that FNBZ requires the suppliers and business partners to adhere to in their capacity as suppliers or business partners to FNBZ. These include compliance with Data Protection Act (DPA) and the General Data Privacy Regulation and other legislation where applicable. This notice applies to all suppliers and business partners that engage with FNBZ and handle personal information as defined in applicable law.

15 DOCUMENT INFORMATION

Any changes to this notice will come into force and effect once the updated notice has been published on the FNBZ's websites. Suppliers are encouraged to obtain independent legal advice on their statutory rights for personal information supplied to FNBZ.

16 ANNEXURES

- FORM 1:**

OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 61(1) OF THE DATA PROTECTION ACT NO. 3 OF 2021

Note:

- 1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
- 2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
- 3. Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of responsible party:	First National Bank Zambia
Residential, postal or business address:	Stand number 22768 Corner Great East Road and Thabo Mbeki Road Lusaka
	Zambia, Postal address: P.O Box 36187 Lusaka Zambia
	Email: info@fnbzambia.co.zm and Web: www.fnbzambia.co.zm,

Contact number(s): <i>Fax number/ E-mail address:</i>	Tel: +2600 211 366800, Fax: +260 211 253057, info@fnbzambia.co.zm
C	REASONS FOR OBJECTION IN TERMS OF SECTION 60(1)(a) to (e) (Please provide detailed reasons for the objection)
<i>Information being objected to and date when availed to the Bank</i>	<i>Reasons for objection</i>

Signed at this day of20.....

.....
Signature of data subject/designated person

• **FORM 2**

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 59 (1-2) AND SECTION 60 (1-2) OF THE DATA PROTECTION ACT NO. 3 OF 2021

Note:

- 1. Affidavits or other documentary evidence as applicable in support of the request may be attached.*
- 2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
- 3. Complete as is applicable.*

Mark the appropriate box with an "X".

Request for:

☐

- *Correction of the personal information about the data subject which is in possession under the control of FNBZ.*

☐

Deletion of a record of personal information about the data subject which is in possession or under the control of FNBZ and who is no longer authorized to retain the record of information.

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number:	
Residential, postal or business address:	
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ registered name of responsible party:	First National Bank Zambia
Residential, postal or business address:	Stand number 22768 Corner Great East Road and Thabo Mbeki Road Lusaka
	Zambia, Postal address: P.O Box 36187 Lusaka Zambia
	Email: info@fnbzambia.co.zm and Web: www.fnbzambia.co.zm
Contact number(s):	Tel: +2600 211 366800
Fax number/E-mail address:	Fax: +260 211 253057, info@fnbzambia.co.zm
C	INFORMATION TO BE *CORRECTED/ERASED

D	<i>REASONS FOR ACTION ABOVE (Please provide detailed reasons for the request)</i>

** Delete whichever is inapplicable*

Signed at this day of20.....

.....

Signature of data subject/designated person