



AIRTEL MONEY TRANSFER LIMITED DATA PROTECTION & PRIVACY POLICY



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1 INTRODUCTION

As part of our operations, Airtel Money Transfer Limited (“Airtel Money Transfer”) collects and processes certain types of information (including but not limited to, name, telephone numbers, postal address, email address, gender, photograph, ID card number, fingerprint, and signature etc.) of individuals that makes them easily identifiable. These individuals include customers, directors, partners and other individuals whom Airtel Money Transfer communicates or deals with, jointly and/or severally (“**Data Subjects**”).

Maintaining the Data Subject’s trust and confidence requires that Data Subjects do not suffer negative consequences/effects as a result of providing Airtel with their Personal Data. To this end, Airtel Money Transfer is firmly committed to complying with the Data Protection Act No. 24 of 2019 Laws of Kenya; the Regulations thereunder, and any other applicable data protection laws, regulations, rules and principles to ensure security of Personal Data handled by the Company. This Data Protection & Privacy Policy (“**Policy**”) describes the minimum standards that must be strictly adhered to regarding the collection, use and disclosure of Personal Data and indicates that Airtel Money Transfer is dedicated to processing the Personal Data it receives or processes with absolute confidentiality and security.

This Policy applies to all forms of systems, operations and processes within the Airtel Money Transfer environment that involve the collection, storage, use, transmission and disposal of Personal Data.

Failure to comply with the data protection rules and guiding principles set out in the Data Protection Act No. 24 of 2019 Laws of Kenya, the Regulations thereunder and any other applicable law as well as those set out in this Policy is a material violation of Airtel Money Transfer and may result in disciplinary action as required, including suspension or termination of employment or business relationship.

2. SCOPE

This Policy applies to all customers and employees of Airtel Money Transfer as well as to any external business partners (such as merchants, suppliers, contractors, vendors and other service providers) who receive, send, collect, access, or process Personal Data in any way on behalf of Airtel Money Transfer including processing wholly or partly by automated means. This Policy also applies to third party Data Processors who process Personal Data received from Airtel Money Transfer as well as personal data that Airtel Money Transfer may receive in its capacity as a data processor.

3. GENERAL PRINCIPLES FOR PROCESSING OF PERSONAL DATA

Airtel Money Transfer is committed to maintaining the principles in the Data Protection Act No. 24 of 2019 Laws of Kenya and the Regulations thereunder, regarding the processing of Personal Data.

To demonstrate this commitment as well as our aim of creating a positive privacy culture within Airtel Money Transfer, we adhere to the following basic principles relating to the



processing of Personal Data:

3.1 Lawfulness, Fairness and Transparency

Personal Data must be processed lawfully, fairly and in a transparent manner at all times. This implies that Personal Data collected and processed by or on behalf of Airtel Money Transfer must have an appropriate legal basis or legitimate interests clearly connected to the specific purpose of processing and in accordance with the specific, legitimate and lawful purpose as recognized under the Data Protection Act No. 24 of 2019 Laws of Kenya and the Regulations thereunder.

3.2 Data Accuracy

Personal Data must be accurate and kept up-to-date. In this regard, Airtel Money Transfer will take all reasonable efforts to:

- a) ensure data sources are reliable in terms of data accuracy;
- b) make efforts to ensure that any data it collects and/or processes is accurate and not misleading in a way that could be harmful to the Data Subject;
- c) make efforts to keep Personal Data updated where reasonable and applicable; and
- d) make timely efforts to correct or erase Personal Data when inaccuracies are discovered.

3.3 Purpose Limitation

3.3.1 Airtel Money Transfer will process personal data based on one of the following grounds:

- a) performing a contract or to enter into a contract with the data subject, for example, we process customers names, identification numbers and phone numbers, so that we can provide them with an Airtel Money Transfer mobile wallet;
- b) By consent from a data subject, for example, once a customer accepts the terms and conditions for an Airtel Money Transfer service and consent to the sharing of their personal information we may process the customer's personal data for the sole purpose of performing the Airtel Money Transfer Service.
- c) Airtel Money Transfer's legitimate business interests, if these do not override the data subject's rights and freedoms. For example, we may process your information for detection, prevention and investigation of fraud, safeguarding the security of our network and services as well as analyzing and improving our services; or
- d) complying with a mandatory legal obligation, for example, accounting, tax, money



laundering, anti-bribery requirements.

3.3.2 Airtel Money Transfer will collect personal data relating to:

- a) employees and applicants for employment, including an employee's job application, records of training, documentation of performance appraisals, salary increases, expense claims and other employment records (Employee Personal Data);
- b) customers who directly purchase Airtel Money Transfer products and services;
- c) consumers (that is members of the public to whom we do not directly sell our products and services but who use, will use or are considering using a service which Airtel Money Transfer ultimately provides) and customer contacts (Customer Personal Data);
- d) users of Airtel's websites or other related services provided by Airtel Money Transfer (User Personal Data); and
- e) our, our partners, industry professionals and other individuals who provide goods and/or services to Airtel Money Transfer (Supplier Personal Data).

3.3.3 Airtel Money Transfer holds and processes Employee Personal Data for the following purposes:

- a) administering and managing its employees;
- b) administering employee benefits and entitlements;
- c) to fulfill Airtel Money Transfer's obligations under the contract of employment;
- d) protecting the legitimate interests of Airtel, including investigating acts or defaults; and
- e) compliance with applicable laws, regulations and rules.

3.3.4 Airtel Money Transfer holds and processes Customer Personal Data for the following purposes:

- a) administering and managing our relationships with our consumers and customers, which may include:
 - i. Collection of personal information for customer registration purposes for any member of the public who wishes to procure the products and services that Airtel Money Transfer offers.
 - ii. dealing with enquiries, processing orders and providing the customer with products and services (including facilitating delivery);
 - iii. taking the appropriate measures to invoice and take the appropriate



- payment or credit from the customer; and
- iv. providing updated information, such as changes to terms and conditions;
- b) any corrective action which may be required in respect of any of the products and services we supply;
- c) improving and innovating our products and services which, for example, enables us to manage our networks and understand network usage more effectively;
- d) credit checks, fraud prevention, debt recovery and security purposes; and
- e) compliance with applicable laws, regulations and rules.

3.3.5 Airtel Money Transfer holds and processes User Personal Data for the following purposes:

- a. administering and improving our websites and related purposes, (including collecting and analyzing anonymous, de-identified and aggregate information); and
- b. compliance with applicable laws, regulations and rules.

3.3.6 Airtel Money Transfer holds and processes Supplier and Partner Personal Data for the following purposes:

- a) administering the receipt of products and services from its suppliers or partners;
- b) conducting due diligence checks;
- c) administering and managing its relationships with its suppliers or partners; and
- d) compliance with applicable laws, regulations and rules.

3.3.7 Airtel Money Transfer may share the personal data that it collects with its corporate affiliates and third parties operating on its behalf. Airtel Money Transfer will only share personal data with companies that are required to protect personal data in accordance with relevant laws, regulations and rules, and subject to any appropriate security measures and directions from the relevant data controller (where applicable), and in accordance with this policy.

3.4 Data Minimization

3.4.1 Airtel Money Transfer limits Personal Data collection and usage to data that is relevant, adequate, and absolutely necessary for carrying out the purpose for which the data is processed.

3.4.2 Airtel Money Transfer will evaluate whether and to what extent the processing of personal data is necessary and where the purpose allows, anonymized data must be used.



3.5 Integrity and Confidentiality

- 3.5.1 Airtel Money Transfer has established adequate controls in order to protect the integrity and confidentiality of Personal Data, both in digital and physical format and to prevent personal data from being accidentally or deliberately compromised.
- 3.5.2 Airtel Money Transfer ensures that Personal data of Data Subjects is protected from unauthorized viewing or access and from unauthorized changes to ensure that it is reliable and correct.
- 3.5.3 Airtel Money Transfer has placed safeguards to ensure that only authorized employees are able to process personal information as part of their legitimate duties.
- 3.5.4 Airtel Money Transfer has placed strict safeguards to ensure that the employees that may have access to Personal Data can only access what is appropriate for the type and scope of the task in question and are forbidden to use Personal Data for their own private or commercial purposes or to disclose them to unauthorized persons, or to make them available in any other way.
- 3.5.5 In order to maintain the confidentiality and integrity of personal data, Airtel Money Transfer shall adhere to the provisions of the Airtel Africa Information Security Policy.

3.6 Personal Data Retention

- 3.6.1 All personal information shall be retained, stored and destroyed by Airtel Money Transfer in line with the Airtel Money Transfer Personal Data Retention Schedule. For all Personal Data and records obtained, used and stored within the Company, Airtel Money Transfer shall perform periodical reviews of the data retained to confirm the accuracy, purpose, validity and requirement to retain.
- 3.6.2 To the extent permitted by applicable laws, the length of storage of Personal Data shall, amongst other things, be determined by:
 - (a) the contract terms agreed between Airtel Money Transfer and the Data Subject or as long as it is needed for the purpose for which it was obtained; or
 - (b) whether the transaction or relationship has statutory implication or a required retention period; or
 - (c) whether there is an express request for deletion of Personal Data by the Data Subject, provided that such request will only be treated where the Data Subject is not under any investigation which may require Airtel to retain such Personal Data or there is no subsisting contractual



arrangement with the Data Subject that would require the processing of the Personal Data; or

- (d) whether Airtel Money Transfer has another lawful basis for retaining that information beyond the period for which it is necessary to serve the original purpose.

3.6.3 Airtel Money Transfer will use all reasonable means to not keep any Personal Data in Airtel Money Transfer's possession where such Personal Data is no longer required by Airtel Money Transfer provided no law or regulation being in force requires Airtel Money Transfer to retain such Personal Data.

3.7 Accountability

3.7.1 Airtel Money Transfer demonstrates accountability in line with the obligations under the Data Protection Act No. 24 of 2019 Laws of Kenya and the Regulations thereunder by monitoring and continuously improving data privacy practices within Airtel Money Transfer.

3.7.2 Any individual or employee who breaches this Policy or the data protection laws may be subject to internal disciplinary action (up to and including termination of their employment); and may also face civil or criminal liability if their action violates the law.

4.0 DATA PRIVACY NOTICE

4.1 Airtel Money Transfer considers Personal Data as confidential and as such must be adequately protected from unauthorized use and/or disclosure. Airtel Money Transfer will ensure that the Data Subjects are provided with adequate information regarding the use of their Personal Data as well as acquire their respective Consent, where necessary.

4.2 Airtel Money Transfer shall display a simple and conspicuous notice (Privacy Notice) on any medium through which Personal Data is being collected or processed. The following information shall be disclosed in the Privacy Notice, in order to ensure fair and transparent processing:

- a) Description of collectible Personal Data;
- b) Purposes for which Personal Data is collected, used and disclosed;
- c) What constitutes Data Subject's Consent;
- d) Purpose for the collection of Personal Data;
- e) The technical methods used to collect and store the information;
- f) Available remedies in the event of violation of the Policy and the timeframe for remedy; and
- g) Adequate information in order to initiate the process of exercising their privacy rights, such as access to, rectification and deletion of Personal Data.



4.3 The Airtel Money Transfer's Privacy Notice is available on Airtel Money Transfer's website via https://www.airtelkenya.com/copyright_and_privacy.

5.0 CONSENT

Where processing of Personal Data is based on consent, Airtel Money Transfer shall obtain the requisite consent of Data Subjects at the time of collection of Personal Data. In this regard, Airtel will ensure:

- a) to ask the data subject to actively opt in [to Airtel services/platforms] by signing a consent statement on a paper form; ticking an opt-in box on paper or electronically; clicking an opt-in button or link online; selecting from equally prominent yes/no options; choosing technical settings or preference dashboard settings; responding to an email requesting consent; answering yes to a clear oral consent request; and volunteering optional information for a specific purpose – eg filling optional fields in a form (combined with just-in-time notices) or dropping a business card into a box;
- b) to provide the data subject with an opt-out option for withdrawing consent which is the withdrawal or reverse of the opt-in option;
- c) that the specific purpose of collection is made known to the Data Subject and the Consent is requested in a clear and plain language;
- d) that the Consent is freely given by the Data Subject and obtained without fraud, coercion or undue influence;
- e) that the Consent is sufficiently distinct from other matters to which the Data Subject has agreed;
- f) that the Consent is explicitly provided in an affirmative manner;
- g) that Consent is obtained for each purpose of Personal Data collection and processing; and
- h) that it is communicated in a simple language and Data Subjects have the right to update, manage or withdraw their Consent at any time.

6.0 DATA SUBJECT RIGHTS

All individuals who are the subject of Personal Data held by Airtel Money Transfer are entitled to the following rights:

- a) Right to be informed of the use to which their personal data is to be put;
- b) Right to request for and access their Personal Data collected and stored. Where data is held electronically in a structured form, such as in a Database, the Data Subject has a right to receive that data in a common electronic format;
- c) Right to information on their personal data collected and stored;
- d) Right to objection or request for restriction of their personal data;
- e) Right to object to automated decision making;
- f) Right to request rectification and modification of their data which Airtel keeps;
- g) Right to request for deletion of their data, except as restricted by law or Airtel



- statutory obligations;
- h) Right to request the movement of data from Airtel Money Transfer to a Third Party; this is the right to the portability of data; and
 - i) Right to object to, and to request that Airtel Money Transfer restricts the processing of their information except as required by law or Airtel Money Transfer's statutory obligations.

To opt out of marketing and unsolicited messages:

If you no longer want to receive marketing messages from Airtel Money Transfer, you can choose to opt out at any time. If you've previously opted in to receive personalized content based on how and where you use our network, you can also opt out at any time.

These are various ways to opt out:

- Contact our customer services team via the email address – customerservice@ke.airtel.com
- Reach out to any member of the High Value Experience managers or Key Account Managers (KAMs)
- Click the unsubscribe icon from our email or newsletters if you receive any.
- Disable push notification messages, including marketing messages, at any time in our apps by changing the notification settings on your device or by uninstalling the app and
- You can also activate DND (Do not Disturb) by dialing *100*4#
- Contact our customer service team by dialing 100

Airtel Money Transfer's well-defined procedure regarding how to handle and answer Data Subject's requests are contained in Airtel Money Transfer's Data Subject Access Request Standard Operating Procedure, which sets out what our staff should do when receiving a request for personal information

7.0 TRANSFER OF PERSONAL DATA

7.1 Airtel Money Transfer may engage the services of third parties in order to process Personal Data collected. The processing by such third parties shall be governed by a written contract with Airtel Money Transfer to ensure adequate protection and security measures are put in place by the third party for the protection of Personal Data in accordance with the terms of this Policy and the Data Protection Act No. 24 of 2019 Laws of Kenya. We may also share your personal data with law enforcement agencies where required by law to do so.

7.2 Where applicable, Airtel Money Transfer may share your information with:

- a) Partners, suppliers or agents involved in delivering the products and services you've ordered or used. For example, when you apply for loan and consent to the sharing of your personal data, your loan request and personal information will be shared with our business partner(s) who are bound by contract to protect your personal data.
- b) Law enforcement agencies, government bodies, regulatory organisations, courts or other public authorities if we have to, or are authorized to by law. For example, under



the Cybercrimes Act, a law enforcement agency may request a service provider to keep or release any traffic data, subscriber information, content or non-content information. This is however for law enforcement purposes only.

- c) A third party or body where such disclosure is required to satisfy any applicable law, or other legal or regulatory requirement e.g. to detect or prevent fraud or the commission of any other crime.
- d) A merging or acquiring entity where we undergo business reorganization e.g. merger, acquisition or takeover. Such entities will be bound by contract to protect your personal data.

7.3 Transfer of Personal Data to Foreign Country:

7.3.1 Where Personal Data is to be transferred to a country outside Kenya, Airtel Money Transfer shall use appropriate safeguards to ensure the security of such Personal Data and adhere to the conditions for transfer of personal data out of Kenya as provided under the Data Protection Act No. 24 of 2019 Laws of Kenya and the Regulations thereunder.

7.3.2 Transfer of Personal Data out of Kenya would be in accordance with the provisions of the Data Protection Act No. 24 of 2019 Laws of Kenya and the Regulations thereunder.

8.0 DATA BREACH MANAGEMENT PROCEDURE

8.1 A data breach procedure is established and maintained in order to deal with incidents concerning Personal Data or privacy practices leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, Personal Data transmitted, stored or otherwise processed.

8.2 All employees must inform the Data Protection Officer of Airtel Money Transfer, via privacy@ke.airtel.com, immediately about cases of violations of this Policy or other regulations on the protection of Personal Data, in accordance with Airtel Money Transfer Personal Data Breach Management Procedure in respect of any:

- a) improper transmission of Personal Data across borders;
- b) loss or theft of data or equipment on which data is stored;
- c) accidental sharing of data with someone who does not have a right to know this information;
- d) inappropriate access controls allowing unauthorized use;
- e) equipment failure;
- f) human error resulting in data being shared with someone who does not have a right to know; and
- g) hacking attack.

8.3 A data protection breach notification must be made immediately after any data breach to ensure that:



- a) immediate remedial steps can be taken in respect of the breach;
- b) the Data Protection Officer reports the breach to the Office of the Data Protection Commissioner within 72 hours of becoming aware of such breach;
- c) the Data Protection Officer communicates to the data subject in writing within a reasonably practical period, unless the identity of the data subject cannot be established; and
- d) any stakeholder communication can be managed.

8.4 When a potential breach has occurred, Airtel Money Transfer will investigate to determine if an actual breach has occurred and the actions required to manage and investigate the breach as follows:

- a) Validate the Personal Data breach.
- b) Ensure proper and impartial investigation is initiated, conducted, documented, and concluded.
- c) Identify remediation requirements and track resolution.
- d) Report findings to the top management
- e) Coordinate with appropriate authorities as needed.
- f) Coordinate internal and external communications.
- g) Ensure that impacted Data Subjects are properly notified, if necessary.
- h) Immediately the breach is detected it needs to be notified to the Group Privacy Officer, Chief Information security officer (CISO) and Chief Legal Officer.

9.0 COMPLAINTS HANDLING PROCEDURE

Airtel Kenya will handle all data subject requests and complaints in accordance with the Airtel Money Transfer Data Subject Requests and Complaints Handling Procedure.

10.0 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 Airtel Money Transfer shall carry out a Data Protection Impact Assessment (DPIA) in respect of any new project or IT system involving the processing of Personal Data to determine whenever a type of processing is likely to result in any risk to the rights and freedoms of the Data Subject.
- 10.2 Airtel Money Transfer shall carry out the DPIA in line with the procedures laid down in the Airtel **Data Protection Impact Assessment Standard Operating Procedure developed by Airtel Money Transfer**

11.0 DATA SECURITY

- 11.1 All Personal Data must be kept securely and should not be stored any longer than necessary. Airtel Money Transfer will ensure that appropriate measures are employed against unauthorized access, accidental loss, damage and destruction to data. This includes the use of password encrypted databases for digital storage and locked cabinets for those using paper form



11.2 To ensure security of Personal Data, Airtel Money Transfer will, among other things, implement the following appropriate technical controls:

- a) Industry-accepted hardening standards, for workstations, servers, and databases.
- b) Full disk software encryption on all corporate workstation/laptops operating systems drives storing Personal and Personal/Sensitive Data.
- c) Encryption at rest including key management of key databases.
- d) Enable Security Audit Logging across all systems managing Personal Data.
- e) Restrict the use of removable media such as USB flash disk drives.
- f) Anonymization or Pseudonymization techniques on testing environments.
- g) Physical access control where Personal Data are stored in hardcopy.

12.0 DATA PROTECTION OFFICER

12.1 Airtel Money Transfer has appointed a Data Protection Officer(s) (DPO) responsible for overseeing the Company's data protection strategy and its implementation to ensure compliance with the Data Protection Act No. 24 of 2019 Laws of Kenya requirements. The DPO is a knowledgeable person on data privacy and protection principles as well as the provisions of the Data Protection Act No. 24 of 2019 Laws of Kenya.

12.2 The main tasks of the DPO include:

- a) administering data protection policies and practices of Airtel;
- b) monitoring compliance with the Data Protection Act No. 24 of 2019 Laws of Kenya and other data protection regulations, data protection policies, awareness-raising, training, and audits;
- c) preparing the Airtel Money Transfer's Data Privacy Program by documenting a privacy strategy that outlines clear goals and objectives aligned with the needs of the organization;
- d) advising the business, management, employees and third parties who carry on processing activities of their obligations under the Data Protection Act No. 24 of 2019 Laws of Kenya;
- e) acting as a contact point for Airtel Money Transfer;
- f) monitoring and updating the implementation of the data protection policies and practices of Airtel Money Transfer and ensure compliance amongst all employees of Airtel Money Transfer;
- g) facilitating capacity building of staff involved in data processing operations;
- h) liaising with the Office of the Data Protection Commissioner and any other authority on matters relating to data protection;
- i) report to the Group privacy officer on data privacy practices and principles in line with the Group's policy;
- j) ensuring that Airtel Money Transfer undertakes a Data Impact Assessment and curb potential risk in Airtel Money Transfer data processing operations; and
- a) maintaining a Database of all Airtel Money Transfer data collection and processing operations.



13.0 TRAINING

Airtel Money Transfer shall ensure that employees who collect, access and process Personal Data receive adequate data privacy and protection training in order to develop the necessary knowledge, skills and competence required to effectively manage the compliance framework under this Policy and the Data Protection Act, No. 24 of 2019 Laws of Kenya, with regard to the protection of Personal Data. From time to time, Airtel shall develop a capacity building plan for its employees on data privacy and protection in line with the Data Protection Act No. 24 of 2019 Laws of Kenya.

14.0 CHANGES TO THE POLICY

Airtel Money Transfer reserves the right to change, amend or alter this Policy at any point in time. Airtel Money Transfer will endeavor to conduct annual review of this Policy, or as required to stay current with applicable laws and/or Airtel Policies.

GLOSSARY OF TERMS

- “Consent”** means any manifestation of express, unequivocal, free, specific and informed indication of the data subject's wishes by a statement or by a clear affirmative action, signifying agreement to the processing of personal data relating to the data subject.
- “Database”** means a collection of data organized in a manner that allows access, retrieval, deletion and processing of that data; it includes but not limited to structured, unstructured, cached and file system type Databases.
- “Data Processor** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of Airtel.
- “Data Subject”** means an identified or identifiable natural person who is the subject of personal data.
- “Personal Data”** means any information relating to an identified or identifiable natural person, either from that information alone or from other information that is in or is reasonably likely to come into the possession of Airtel Money Transfer. Examples of personal data include names, dates of birth, identity card numbers, HR files about employees, the details of consumers and individual contacts of suppliers and customers (such as their account details, email addresses and phone numbers), contact details held in the Outlook address book,



and data collected relating to the time, place and manner of use by individuals of Airtel Money Transfer website (including IP addresses, location and cookies).

“Sensitive Personal Data” means data revealing the natural person's race, health status, ethnic social origin, conscience, belief, genetic data, biometric data, property details, marital status, family details including names of the person's children, parents, spouse or spouses, sex or the sexual orientation of the data subject.