

Version 2.0



**UNITED BANK FOR AFRICA (UK) LIMITED**

**PRIVACY NOTICE**

United Bank for Africa (UK) Limited is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and Prudential Regulation Authority (FCA Register 695048). Registered in England and Wales (Company No. 03104974).

Registered Office: 36 Queen Street, London, EC4R 1BN. United Bank for Africa (UK) Limited's trading name is "UBA UK".

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## 1. PURPOSE OF THIS NOTICE

United Bank for Africa (UK) Limited ("UBA UK") is a financial institution, authorised by the Prudential Regulation Authority ("PRA") and regulated by the Financial Conduct Authority ("FCA") and the PRA, to provide wholesale banking services in the United Kingdom.

At UBA UK we take your privacy very seriously and we are committed to protecting your personal data. Personal Data is any information relating to an identified or identifiable individual ("you" or "your"), and it comprises all the details UBA UK holds or collects about you, directly or indirectly, your transactions, transactions you effect, financial information, interactions and dealings with UBA UK, including information received from third parties, the public domain, collected through the use of our website, cookies and our electronic banking services.

This Privacy Notice ("Notice") explains what information UBA UK as data controller collects about you and individuals who are connected to your business, how we will use that information, who we will share it with, the circumstances when we will share it, and what steps we'll take to make sure it stays private and secure. This Notice should be read alongside our banking terms and conditions (or other applicable product or service terms and conditions), as these include sections relating to the use and disclosure of information. It continues to apply even if our business relationship ends.

This Notice covers all banking products or services that we provide including loans, trade finance, invoice financing, asset financing, payment services, accounts and deposit. Sometimes we may need to provide you with separate or further information about specific products and services.

Some of the links on our websites lead to other non-UBA UK websites with their own privacy notices, which may be different to this notice. You will need to make sure you are happy with their privacy notices when using those other sites.

Wherever we have said 'you' or 'your', this means you, any authorised person on your account, and other related people (including authorised signatories, directors, partners, members and trustees). When we say 'we', we mean UBA UK who acts as a data controller in respect of your personal data.

Parts of this notice relate only to individuals, and we have highlighted this where relevant. This includes individuals whose business does not have a separate legal identity (e.g. sole traders and partners in a general partnership but excluding limited companies and other forms of corporate entity), and individuals connected to your business. An individual connected to your business could be any guarantor, a director, officer or employee of a company, partners or members of a partnership, any substantial owner, controlling person, or beneficial owner, trustee, settlor or protector of a trust, account holder of a designated account, recipient of a designated payment, your attorney or representatives (e.g. authorised signatories), agent or nominee, or any other persons or entities with whom you have a relationship that's relevant to your relationship with us.

You must ensure that any relevant individuals are made aware of this notice and the individual rights and information it sets out, prior to providing their information to us or our obtaining their information from another source. If you, or anyone else on your behalf, has provided or provides information on an individual connected to your business to us, you or they must first ensure that you or they have the authority to do so.

## **2. WHAT INFORMATION WE COLLECT RELATING TO YOU AND INDIVIDUALS CONNECTED TO YOUR BUSINESS**

We will only collect your information and information relating to individuals connected to your business, in line with relevant regulations and law. We may collect it from a range of sources, and it may relate to any of our products or services you apply for, currently hold or have held in the past. We may also collect information about you and individuals connected to your business when you or they interact with us, e.g. visit our website, call us or visit our offices, or ask about any of our products and services.

Some of this information will come directly from you and individuals connected to your business, e.g. when providing identification to open an account. It can also come from your financial advisor, lawyer, broker or other intermediary or other sources you have asked us to obtain information from. We might also get some data from publicly available sources. The information we collect may include:

### **2.1 Information relating to you and individuals connected to your business that you provide to us or which others provided to us on your behalf**

- Where you are an individual, personal details (e.g. name, previous names, gender, date and place of birth). We will also collect this information about individuals connected to your business.
- Contact details (e.g. address, email address, position in company, landline and mobile numbers, IP addresses).
- Information concerning your identity including where you're an individual and, in the case of individuals connected to your business, photo ID, passport information, National Insurance number, National ID card and nationality.
- Market research (e.g. information and opinions expressed when participating in market research).
- User login and subscription data (e.g. login credentials for phone and online banking and mobile banking applications).
- Other information about you and individuals connected to your business that you have provided to us by filling in forms or by communicating with us, whether face-to-face, by phone, email, online, or otherwise.

### **2.2 Information we collect or generate about you and individuals connected to your business**

- Your financial information and information about your relationship with us, including the products and services you hold, the channels you and the individuals connected to your

business use and your and their ways of interacting with us, your ability to get and manage your credit, your payment history, transactions records, bank feeds, market trades, sort code and account numbers of customers' accounts, payments into your account including information concerning complaints and disputes and full beneficiary name, address and details of the underlying transaction.

- Information we use to identify and authenticate you and the individuals connected to your business, (e.g. signature and biometric information, such as voice for voice ID and additional information that we receive from external sources that we need for compliance purposes).
- Information included in customer documentation.
- Marketing and sales information (e.g. details of the services you receive and your preferences).
- Risk rating information (e.g. credit risk rating).
- Investigations data (e.g. due diligence checks, sanctions and anti-money laundering checks, external intelligence reports, content and metadata related to relevant exchanges of information between and among you and individuals, organisations, including emails and voicemail).
- Records of correspondence and other communications between you and your representatives and us, including email and social media communications.
- Information that we need to support our regulatory obligations (e.g. information about transaction details, detection of any suspicious and unusual activity and information about parties connected to you or these activities).

### **2.3 Information we collect from other sources relating to you and individuals connected to your business**

- Information you've asked us to collect for you (e.g. information about your accounts or holdings with other companies including transaction information).
- Information from third party providers (e.g. information that helps us to combat fraud or that relates to social interactions (including communications via social media, between individuals, organisations, prospects and other stakeholders acquired from companies that collect combined information)).

Further information on the type of information and reasons for collecting this from you is provided in the Appendix to this notice.

## **3. HOW WE WILL USE YOUR INFORMATION AND INFORMATION RELATING TO INDIVIDUALS CONNECTED TO YOUR BUSINESS**

We will only use information on you and individuals connected to your business where we have consent, or we have another lawful reason for using it. These reasons include where we:

- Need to pursue our legitimate interests;
- Need to process the information to carry out an agreement we have with you;
- Need to process the information to comply with legal obligation; or

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- Believe the use of information as described is in the public interest (e.g. for the purpose of preventing or detecting crime).

The reasons we use your information and information relating to individuals connected to your business include:

- Delivering our products and services including obtaining and securing internal credit approvals for any trade loans or other credit facilities that you have applied for;
- Carrying out your instructions (e.g. to fulfil a payment request);
- Managing our relationship with you, including (unless you tell us otherwise) telling you about products and services we think may be relevant for you;
- Understanding how you use your accounts and services;
- Providing banking operations support;
- Preventing or detecting crime including fraud and financial crime (e.g. financing for terrorism and human trafficking);
- Providing security and business continuity;
- Undertaking risk management;
- Undertaking product and service improvement;
- Undertaking data analytics to better understand your circumstances and preferences so we can make sure that we can provide you with the best advice and offer you a tailored service;
- Protecting our legal rights and complying with our legal obligations;
- Corresponding with solicitors, other lenders and third-party intermediaries; or
- Undertaking system or product development and planning, insurance, audit and administrative purposes.

Further details of how we will use your information can be found in Appendix A.

### **3.1 Tracking or recording what you say or do**

To help keep you and your business safe, we may record details of your interactions (and the interactions of the individuals connected to your business) with us. We may record and keep track of conversations with us including phone calls, face-to-face meetings, letters, emails, and any other kinds of communication. We may use these recordings to check your instructions to us, assess, analyse and improve our service, train our people, manage risk or to prevent and detect fraud and other crimes. We may also capture additional information about these interactions (e.g. telephone numbers that we are called from and information about devices or software that are used). We use closed circuit television ("CCTV") in our offices and these may collect photos videos of you and the individuals connected to your business.

### **3.2 Compliance with laws and regulatory compliance obligations**

We will use your information and information relating to individuals connected to your business to meet our compliance obligations, to comply with laws and regulations that UBA UK is subject to and to share with our regulators and other regulators and authorities. This may include using

information to help detect or prevent crime (including terrorism financing, money laundering and other financial crimes). We will only do this on the basis that it is needed to comply with a legal obligation, or it is in our legitimate interests and that of others.

### **3.3 Marketing and market research**

We may use your information and information relating to individuals connected to your business to provide information about UBA UK products and services, and also products and services from other companies in the UBA Group and other relevant third parties. Please visit our website [www.ubagroup.com/uk/](http://www.ubagroup.com/uk/) for details about our parent company, United Bank for Africa Plc and its other subsidiaries, together "UBA Group"). We may send marketing messages by post, email, telephone or secure messages. If you or individuals connected to your business, wish to change how marketing messages are sent or wish to stop receiving these, please contact us using the contact details shown in this Notice.

It may take us a short period of time to update our systems and records to reflect requests to stop receiving marketing messages, during which time you and individuals connected to your business may continue to receive marketing messages. Even if you tell us not to send marketing messages, we'll continue to use contact details to provide important information, such as changes to your terms and conditions or if we need to tell you, or individuals connected to your business, something to comply with our regulatory obligations.

## **4. WHO WE MIGHT SHARE INFORMATION WITH**

We may share your information and information relating to individuals connected to your business with others where lawful to do so, including where we or they:

- Need to do so in order to provide you with products or services you have requested (e.g. fulfilling a payment request);
- Have a public or legal duty to do so (e.g. to assist with detecting and preventing fraud, tax evasion and financial crime);
- Need to do so in connection with regulatory reporting, litigation or asserting or defending legal rights and interests;
- Have a legitimate business reason for doing so (e.g. to manage risk, verify identity, enable another company to provide you with services you've requested, or assess your suitability for products and services); and
- Have asked you or the individuals connected to your business for your permission to share it, and you (or they) have agreed.

We may share your information and information relating to individuals connected to your business for these purposes with others, including:

- UBA Group and any sub-contractors, agents or service providers who work for us or provide services to us or other UBA Group companies (including their employees, sub-contractors, service providers, directors and officers);

- Your beneficiaries, intermediaries, correspondent and agent banks, clearing houses, clearing or settlement systems, market counterparties and any companies you hold securities in through us (e.g. stocks, bonds or options);
- Other financial institutions, lenders and holders of security over any property or assets you charge to us, tax authorities, trade associations, credit reference agencies, payment service providers and debt recovery agents;
- Any fund managers who provide asset management services to you and any brokers who introduce you to us or deal with us for you;
- Any entity that has an interest in the products or services that we provide to you, including if they take on the risk related to them;
- Any people or companies where required in connection with potential or actual corporate restructuring, merger, acquisition or takeover, including any transfer or potential transfer of any of our rights or duties under our agreement with you;
- Law enforcement, government, courts, dispute resolution bodies, our regulators, auditors and any party appointed or requested by our regulators to carry out investigations or audits of our activities;
- Other parties involved in any disputes, including disputed transactions;
- Fraud prevention agencies who'll also use it to detect and prevent fraud and other financial crime and to verify your identity; and
- Anybody else that we've been instructed to share your information with by you, or anybody else who provides instructions or operates any of your accounts on your behalf.

## **5. INTERNATIONAL TRANSFERS**

Your information and that of individuals connected to your business may be transferred outside the UK and European Economic Area ("EEA"). While some countries have adequate protections for personal data under applicable laws, in other countries additional measures will be taken to ensure appropriate safeguards apply to it and that the transfer is lawful. These include imposing contractual obligations of adequacy or requiring the recipient to subscribe or be certified with an 'international framework' of protection. UBA UK has taken reasonable steps to safeguard your information if any is transferred outside the UK and EEA. We may need to transfer information in this way to carry out our contract with you, to fulfil a legal obligation, to protect the public interest and/or for your or our legitimate interests. In some countries the law might compel us to share certain information (e.g. with tax authorities). Even in these cases, we will only share information with people who have the right to see it. You can obtain more details of the protection given to your information (and information relating to individuals connected to your business) when it's transferred outside the EEA by contacting us directly using the contact details provided at the end of this Notice.

## **6. HOW LONG WILL WE KEEP YOUR INFORMATION**

We will keep information in line with our data retention policy. For example, we will normally keep your core banking data for a period of seven years from the end of our relationship with you. This enables us to comply with legal and regulatory requirements or use it where we need to for our



legitimate purposes such as managing your account and dealing with any disputes or concerns that may arise.

We may need to retain information for a longer period where we need the information to comply with regulatory or legal requirements or where we may need it for our legitimate purposes (e.g. to help us respond to queries or complaints, fighting fraud and financial crime, responding to requests from regulators, etc.).

If we do not need to retain information for this period of time, we may destroy, delete or anonymise it more promptly.

## **7. RIGHTS OF INDIVIDUALS**

Individuals have a number of rights in relation to the information that we hold about them. These rights include:

- The right to access information we hold about them and to obtain information about how we process it;
- In some circumstances, the right to withdraw their consent to our processing of their information, which they can do at any time. We may continue to process their information if we have another legitimate reason for doing so. In certain circumstances withdrawal of consent may mean that we are no longer able to continue with a business relationship.
- In some circumstances, the right to receive certain information they have provided to us in an electronic format and/or request that we transmit it to a third party;
- The right to request that we rectify their information if it's inaccurate or incomplete;
- In some circumstances, the right to request that we erase their information. We may continue to retain their information if we are entitled or required to retain it; and
- The right to object to, and to request that we restrict our processing of their information in some circumstances. Again, there may be situations where individuals object to, or ask us to restrict, our processing of their information but we are entitled to continue processing their information and/or to refuse that request.

Individuals (including individuals connected to your business) can exercise their rights by contacting us using the details set out below. Individuals also have a right to complain to the UK Information Commissioner's Office by visiting [www.ico.org.uk](http://www.ico.org.uk), or to the data protection regulator in the country where they live or work.

## **8. FRAUD AND MONEY LAUNDERING**

We will carry out checks with fraud prevention agencies for the purposes of preventing fraud and money laundering, and to verify your identity and the identity of individuals connected to your business before we provide products and services to you. These checks require us and these agencies to process information about you and individuals connected to your business.

The information you provide or which we have collected from you, or on your behalf, including from individuals connected to your business or received from third parties, will be used to carry out these checks in order to prevent fraud and money laundering, and to verify your identity and the identity of individuals connected to your business. This includes information such as name, address, date of birth, contact details, financial information, employment details, and device identifiers (e.g. IP address).

We and fraud prevention agencies may also enable law enforcement agencies to access and use information about you and individuals connected to your business to detect, investigate and prevent crime.

We process this information on the basis that we have a legitimate interest in preventing fraud and money laundering and to verify your identity and the identity of individuals connected to your business. This enables us to protect our business and to comply with laws that apply to us. This processing is also a contractual requirement of any of our products or services you use.

Fraud prevention agencies can hold information for different periods of time. If they are concerned about a possible fraud or money laundering risk this information and data can be held by them for up to six years.

## **8.1 Consequences of processing**

If we, or a fraud prevention agency, have reason to believe there is a fraud or money laundering risk, we may refuse to provide the services and credit you have requested. We may also stop providing existing products and services to you and/or individuals connected to your business. A record of any fraud or money laundering risk will be retained by the fraud prevention agencies and may result in others refusing to provide services to you and individuals connected to your business.

## **9. HOW WE KEEP INFORMATION SECURE**

We use a range of measures to keep information safe and secure which may include encryption and other forms of security. We require our staff and any third parties who carry out any work on our behalf to comply with appropriate compliance standards including obligations to protect any information and applying appropriate measures for the use and transfer of information.

## **10. WHAT WE NEED FROM YOU**

You are responsible for making sure the information you give us, information which is provided by individuals connected to your business, or information which is otherwise provided on your behalf is accurate and up to date, and you must tell us if anything changes as soon as possible.

## **11. MORE DETAILS ABOUT YOUR INFORMATION AND INFORMATION RELATING TO INDIVIDUALS CONNECTED TO YOUR BUSINESS**

You and individuals connected to your business can obtain further information on anything we've said in this Notice including what steps have been taken to protect your information, contact us by writing to UBA UK, 36 Queen Street, London, EC4R 1BN ('for the attention of the Head of Legal & Company Secretary) or call us on + 44 (0) 207 766 4600.

## **12. CHANGES TO THE PRIVACY NOTICE**

This Notice may be updated from time to time and the most recent version can be found at [www.ubagroup.com/uk/](http://www.ubagroup.com/uk/).

## APPENDIX A

### How we process information about you and individuals connected to your business

We will use your information and information about individuals connected to your business for purposes, including:

- **To deliver our products and services:** to administer your accounts and process your transactions. We will do this in order to perform our contract with you;
- **To provide banking operations support:** to enable the provision and function of our banking services in line with regulation, laws and customer rights and interests (e.g. complaints management and exit management). We do this to comply with our legal obligations, to perform our contract with you and because it's in our legitimate interest;
- **To prevent and detect crime including (e.g. fraud, terrorist financing and money laundering):** this will include monitoring, mitigation and risk management, carrying out customer due diligence, name screening, transaction screening and customer risk identification. We do this to comply with our legal obligations and because it is in our legitimate interest. We may share your information and information relating to individuals connected to your business with relevant agencies, law enforcement and other third parties where the law allows us to for the purpose of preventing or detecting crime. Additionally, we and other financial institutions may take steps to help prevent financial crime and manage risk. We will do this because we have a legitimate interest, a legal obligation to prevent or detect crime or it is in the public interest. We may be required to use your information and information relating to individuals connected to your business to do this, even if you or they have asked us to stop using your/their information. That could include (among other things):
  - Screening, intercepting and investigating any payments, instructions or communications you send or receive (including drawdown requests and application forms);
  - Investigating who you're paying or who's paying you (e.g. checks on payments into and out of your account and other parties related to those payments);
  - Passing information to relevant agencies if we think you, individuals connected to your business and others acting on your behalf have given us false or inaccurate information, or we suspect criminal activity;
  - Checking whether the people or organisations you are paying or receiving payments from are who they say they are and are not subject to any sanctions.
- **To undertake risk management:** to measure, detect and prevent the likelihood of financial, reputational, legal, compliance or customer risk. This includes credit risk, traded risk and operational risk. We will do this because we have a legitimate interest in ensuring that we carry out a proper risk assessment prior to providing credit or other finance;
- **To provide product and service improvement:** to identify possible service and product improvements by analysing your information and information relating to individuals connected to your business. The lawful basis for processing your information and information relating to individuals connected to your business for this purpose is our legitimate interest. We do this to improve our products and services to best meet the need of our customers;
- **To undertake data analytics and to provide tailored services:** to identify relevant opportunities to promote products and services to existing or prospective customers by analysing your information and information relating to individuals connected to your

business. This may include reviewing historical customer transactional behaviour, comparison of customer activity. We do this to help us to provide you with products and services we think will be of most relevance to you. The lawful basis for using your information and information relating to individuals connected to your business in this way is our legitimate interest;

- **To undertake marketing:** to provide you with information about UBA UK products and services, and also products and services from UBA Group companies and other relevant third parties. The lawful basis for this is our legitimate interest. We may need your consent (or the consent of individuals connected to your business) to communicate by certain channels and we will always make sure we get this where we need to. You and the individuals connected to your business can change your mind on how you receive marketing messages or choose to stop receiving them at any time. To make that change, contact us in the usual way;
- **To protect our legal rights:** to protect our legal rights, e.g. in the case of defending or the protection of legal rights and interests (e.g. collecting money owed, enforcing or protecting our security or defending rights of intellectual property); court action; managing complaints or disputes; in the event of a restructuring of companies or other mergers or acquisition. This may be in connection with action taken against you for your obligations to us. We would do this on the basis that it is in our legitimate interest.