

Website Privacy Policy

Effective Date: 26 November 2018

SBM Bank (Mauritius) Ltd (“SBM”, “We”, “Us”) operates www.sbmgroup.mu (the “Website”). This Website Privacy Policy (“Policy”) sets out how we collect and process your personal data in connection with this Website.

This Policy should be read alongside, and in addition to, our Terms and Conditions, which can be found at: <https://www.sbmgroup.mu/terms-and-conditions>

Please read this Policy carefully to understand our practices regarding your personal data and how we will treat it.

A. DEFINITIONS AND INTERPRETATION

1. In this Policy, the following definitions are used:

Data	collectively all information that you submit to SBM Bank (Mauritius) Ltd. This definition incorporates, where applicable, the definitions provided in the Data Protection Act;
Cookies	a small text file placed on your computer by this Website when you visit certain parts of the Website and/or when you use certain features of the Website. Details of the cookies used by this Website are set out in the Cookie Policy.
Data Protection Laws	any applicable law relating to the processing of personal Data, including but not limited to the General Data Protection Regulation (EU) 2016/679, Data Protection Act 2017 as may be amended or updated from time to time.;
GDPR	the General Data Protection Regulation (EU) 2016/679;
SBM Bank (Mauritius) Ltd, or us	SBM Bank (Mauritius) Ltd, a company incorporated in the Republic of Mauritius with registered number C2193 whose registered office is at SBM Tower, 1, Queen Elizabeth II Avenue, Port Louis;

User or you

any third party that accesses the Website and is not either (i) employed by SBM Bank (Mauritius) Ltd and acting in the course of their employment or (ii) engaged as a consultant or otherwise providing services to SBM Bank (Mauritius) Ltd and accessing the Website in connection with the provision of such services; and

Website

the website that you are currently using, <https://www.sbmgroup.mu/>, and any sub-domains of this site unless expressly excluded by their own terms and conditions.

2. In this Policy, unless the context requires a different interpretation:

- a) the singular includes the plural and vice versa;
- b) references to sub-clauses, clauses, schedules or appendices are to sub-clauses, clauses, schedules or appendices of this Policy;
- c) a reference to a person includes firms, companies, government entities, trusts and partnerships;
- d) "including" is understood to mean "including without limitation";
- e) reference to any statutory provision includes any modification or amendment of it;
- f) the headings and sub-headings do not form part of this Policy.

B. SCOPE OF THIS POLICY

- 3. This Policy applies only to the actions of SBM Bank (Mauritius) Ltd and Users with respect to this Website. It does not extend to any websites that can be accessed from this Website including, but not limited to, any links we may provide to social media websites.
- 4. For purposes of the applicable Data Protection Laws, SBM Bank (Mauritius) Ltd is the "data controller". This means that SBM Bank (Mauritius) Ltd determines the purposes for which, and the manner in which, your Data is processed.

C. DATA COLLECTED

- 5. We may collect the following Data, which includes personal Data, from you:
 - name; date of birth; gender; contact Information such as email addresses and

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telephone numbers; demographic information such as postcode, employment details, financial information; IP address (automatically collected); National ID card number; in each case, in accordance with this Policy.

D. HOW WE COLLECT DATA

6. We collect Data in the following ways:

- a) data is given to us by you; and
- b) data is collected automatically.

E. DATA THAT IS GIVEN TO US BY YOU

7. SBM Bank (Mauritius) Ltd will collect your Data in a number of ways, for example:

- a) when you contact us through the Website, by telephone, post, e-mail or through any other means;
- b) when you register with us and set up an account to receive our products/services;
- c) when you make payments to us;
- d) when you elect to receive marketing communications from us;
- e) when you use our services.

F. DATA THAT IS COLLECTED AUTOMATICALLY

8. To the extent that you access the Website, we will collect your Data automatically, for example:

- a) we automatically collect some information about your visit to the Website. This information helps us to make improvements to Website content and navigation, and includes your IP address, the date, times and frequency with which you access the Website and the way you use and interact with its content.
- b) we will collect your Data automatically via cookies, in line with the cookie settings on your browser. For detailed information about the cookies we use and the purposes for which we use them see our [Cookie Policy](#).

G. USE WE MAKE OF YOUR DATA

9. Any or all of the above Data may be required by us from time to time in order to provide you with the best possible service and experience when using our Website. Specifically, Data may be used by us for the following reasons:

- a) internal record keeping;
- b) transmission by email of marketing materials that may be of interest to you;

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c) for market research purposes. Such information may be used to customise or update the Website; and/or

d) for business related purposes.

10. For the delivery of direct marketing to you via e-mail, we'll need your consent, whether via an opt-in or soft-opt-in:

a) soft opt-in consent is a specific type of consent which applies when you have previously engaged with us (for example, you contact us to ask us for more details about a particular product/service, and we are marketing similar products/services). Under "soft opt-in" consent, we will take your consent as given unless you opt-out.

b) for other types of e-marketing, we are required to obtain your explicit consent; that is, you need to take positive and affirmative action when consenting by, for example, checking a tick box that we'll provide.

c) if you are not satisfied about our approach to marketing, you have the right to withdraw consent at any time. To find out how to withdraw your consent, see the section headed "Your rights" below.

11. When you register with us and set up an account to receive our services, the legal basis for this processing is the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.

12. We may use your Data to show you SBM Bank (Mauritius) Ltd adverts. If you do not want us to use your data to show you SBM Bank (Mauritius) Ltd adverts and other content on other websites, please turn off the relevant cookies on your browser

H. WHO WE SHARE DATA WITH

13. We may share your Data with the following groups of people for the following reasons:

a) any of our group companies or affiliates;

b) our employees - to process application of facilities;

c) relevant in order to comply with any legal obligations.

I. KEEPING DATA SECURE

14. We will use technical and organisational measures to safeguard your Data, for example:

a) access to your account is controlled by a password and a user name that is unique to you.

b) we store your Data on secure servers.

c) payment details are encrypted using SSL technology (typically you will see a lock icon or green address bar (or both) in your browser when we use this technology.

15. Technical and organisational measures include measures to deal with any suspected data breach. If you suspect any misuse or loss or unauthorised access to your Data, please let us know immediately by contacting us via this e-mail address: dataprotection@sbmgroup.mu.

J. DATA RETENTION

16. How long we hold your personal data will vary. The retention period will be determined by various criteria including:

- The purpose for which we are using it – we will need to keep the data for as long as it is necessary for that purpose; and
- Legal obligations – laws or regulation may set a minimum period for which we have to keep your personal data.

K. YOUR RIGHTS

17. You have the following rights in relation to your Data:

- Right to access** - the right to obtain information regarding the processing of your personal data and access to the personal data which we hold about you. If we provide you with access to the information we hold about you, we will not charge you for this, unless your request is "manifestly unfounded or excessive." Where we are legally permitted to do so, we may refuse your request. If we refuse your request, we will tell you the reasons why.
- Right to withdraw your consent** – the right to withdraw your consent to our processing of your personal data at any time. Please note, however, that we may be entitled to process your personal data if we have another legitimate reason (other than consent) for doing so.
- Right to rectify** - the right to have your Data rectified if it is inaccurate or incomplete.
- Right to deletion** - the right to request that we delete or remove your Data from our systems in certain circumstances. Please note that there may be circumstances where you ask us to restrict our processing of your personal data but we are legally entitled to refuse that request.
- Right to restrict our use of your Data** - the right to "block" us from using your Data or limit the way in which we can use it.
- Right to object** - the right to object to our use of your Data including where we use it for our legitimate interests.

g) **Right to lodge a complaint** – the right to lodge a complaint with the Data Protection Commissioner (details which are provided below) if you think any of your rights have been infringed by us.

18. To make enquiries, exercise any of your rights set out above, or withdraw your consent to the processing of your Data (where consent is our legal basis for processing your Data), please contact us via this e-mail address:

dataprotection@sbmgroup.mu.

19. If you are not satisfied with the way a complaint you make in relation to your Data is handled by us, you may be able to refer your complaint to the relevant data protection authority, the Data Protection Office (DPO). The DPO's contact details can be found on their website at <http://dataprotection.govmu.org/>.

20. It is important that the Data we hold about you is accurate and current. Please keep us informed if your Data changes during the period for which we hold it.

L. TRANSFERS OUTSIDE THE MAURITIAN AREA

21. Data which we collect from you may be stored and processed and transferred outside Mauritius. We will only transfer Data outside the Mauritian area where it is compliant with data protection legislation and the means of transfer provides adequate safeguards in relation to your data, for example by way of data transfer agreement, incorporating the current standard contractual clauses.

22. To ensure that your Data receives an adequate level of protection, we have put in place appropriate safeguards and procedures with the third parties we share your Data with. This ensures your Data is treated by those third parties in a way that is consistent with the Data Protection Laws.

M. LINKS TO OTHER WEBSITES

23. This Website may, from time to time, provide links to other websites over which we do not have control.

N. GENERAL

24. You may not transfer any of your rights under this Policy to any other person. We may transfer our rights under this Policy where we reasonably believe your rights will not be affected.

25. If any court or competent authority finds that any provision of this Policy (or part of any provision) is invalid, illegal or unenforceable, that provision or part-provision will, to the extent required, be deemed to be deleted, and the validity and enforceability of the other provisions of this Policy will not be affected.

26. Unless otherwise agreed, no delay, act or omission by a party in exercising any

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right or remedy will be deemed a waiver of that, or any other, right or remedy.

27. This Agreement will be governed by and interpreted according to the law of Mauritius. All disputes arising under the Agreement will be subject to the exclusive jurisdiction of Mauritian courts.

O. CHANGES TO THIS POLICY

28. We reserve the right to make changes to this Policy as we may deem necessary from time to time or as may be required by law. Any changes will be immediately posted on the Website.

You may contact SBM Bank (Mauritius) Ltd by email on dataprotection@sbmgroup.mu.