



**South Africa Branch**

**Privacy Notice**

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## PRIVACY NOTICE

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## **In this Privacy Notice:**

The Protection of Personal Information Act 2013, together with all other applicable and national implementing legislation, regulation relating to privacy or data protection; and where we use the terms "**Personal Information**", "**data subject**", "**Responsible Party**", "**processor**" and "**process**" (and its derivatives), such terms shall have the meanings given to them in the applicable Data Protection Legislation in South Africa.

### **1. INTRODUCTION:**

ICICI Bank Limited, South Africa Branch, regulated by South African Reserve Bank, is committed to keeping your personal information private, by dealing with the same in a lawful, legitimate and responsible manner. This Privacy Notice explains how we acquire, use, retain and disclose your personal information, as is required by the Protection of Personal Information Act 4 of 2013 (referred to as "POPI"). Please read this notice carefully to understand our views and practices regarding your personal information and how we will treat it.

### **2. PERSONAL INFORMATION:**

POPI defines personal information as information relating to a natural or juristic person, including, but not limited to:

- information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- information relating to the education or the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- the biometric information of the person;
- the personal opinions, views or preferences of the person;
- correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- the views or opinions of another individual about the person; and
- the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

### **3. RESPONSIBLE PARTY:**

For the purposes of POPI, ICICI Bank is the "Responsible Party" of your information. This means that we are responsible for deciding how we hold and use your personal information.

### **4. COLLECTING INFORMATION FROM YOU:**

ICICI Bank Limited, South Africa Branch ("ICICI Bank") will collect and process the personal information you provide to us, through application forms, our website, face-to-face and

electronic communication (including telephone conversations) in order to provide our services to you.

#### **5. THE KIND OF INFORMATION WE HOLD ABOUT YOU:**

- Personal details such as name, date of birth, father's name, mother's name, email address, nationality, marital status, gender and phone numbers
- Other information such as visa, passport, overseas tax-identification number and overseas country-specific unique identifier
- Current overseas residential address and permanent residential address
- Transaction and shareholding details
- Financial Information
- If you are seeking specialized services as permitted under applicable law, then your investment risk appetite and preferences, current investments profile and investment objectives and goals as shared by you
- Information in the nature of your occupation, education and qualifications, annual income and source of income
- Details of nominee, witnesses, guardians which includes their signatures, addresses and relationship with you
- Address proofs like valid passport, visa, PIO card, driving license, voter identification card, job card issued by government agencies, South African ID
- Overseas address proofs such as address on passport, utility bills, bank statements, national ID cards and photographs
- IP addresses
- CCTV footage and other information obtained through electronic means
- Cookies (please see our COOKIES policy below)

#### **6. Advertising and Marketing:**

##### **Links**

There are links in our website leading to other sites. This guidance does not extend to those sites. We therefore would recommend the reading of the data safeguarding policies of these sites.

##### **Security**

All proper and expected technical and organizational security procedures have been taken to shield your personal data and to prevent that no unauthorized persons gain access to the same.

#### **7. LAWFUL GROUNDS FOR USING YOUR INFORMATION:**

We are permitted to process your personal information in compliance with POPI, by relying on one or more of the following lawful grounds:

- You have explicitly agreed to us processing such information for a specific reason.
- The processing is necessary to perform the agreement we have with you or to take steps to enter into an agreement with you.

- The processing is necessary for compliance with a legal obligation we have.
- The processing is necessary for the purposes of a legitimate interest pursued by us, which might be:
  - i. to provide services to you;
  - ii. to ensure that our customer accounts are well-managed;
  - iii. To prevent, detect, investigate and prosecute fraud and alleged fraud, money laundering and other crimes and to verify your identity in order to protect our business and to comply with laws that apply to us and/or where such processing is a contractual requirement of the services or financing you have requested;
  - iv. to protect our business interests;
  - v. to ensure that complaints are investigated;
  - vi. to evaluate, develop or improve our services; or
  - vii. to keep our customers informed about relevant services, unless you have indicated at any time that you do not wish us to do so.

### **8. PURPOSES OF PROCESSING:**

Specifically, we and our other group companies may use your information for the following purposes and

<b>How we use your information</b>	<b>Legal basis</b>
To provide and manage your account(s) and our relationship with you	<ul style="list-style-type: none"> <li>• Where necessary for the performance of our agreement or to take steps to enter into an agreement with you</li> <li>• Where the law requires this</li> <li>• Where it's in our legitimate interests to ensure that our customer accounts are well-managed, so that our customers are provided with a high standard of service, to protect our business interests and the interests of our customers</li> </ul>
To give you statements and other information about your account or our relationship	<ul style="list-style-type: none"> <li>• Where necessary for the performance of our agreement or to take steps to enter into an agreement with you</li> <li>• Where the law requires this</li> </ul>
To handle enquiries and complaints	<ul style="list-style-type: none"> <li>• Where necessary for the performance of our agreement or to take steps to enter into an agreement with you</li> <li>• Where the law requires this</li> <li>• Where it's in our legitimate interests to ensure that complaints are investigated, for example, so that our customers receive a high standard of service and so that we can prevent complaints from occurring in future</li> <li>• In the case of sensitive information, such as medical information, where you have agreed</li> </ul>

<b>How we use your information</b>	<b>Legal basis</b>
To provide our services to you	<ul style="list-style-type: none"> <li>• Where necessary for the performance of our agreement or to take steps to enter into an agreement with you</li> <li>• Where the law requires this</li> </ul>
For assessment, testing (including systems tests) and analysis (including credit and/ or behaviour scoring), statistical, market and product analysis and market research.	<ul style="list-style-type: none"> <li>• Where the law requires this</li> <li>• Where it's in our legitimate interests to develop, build, implement and run business models and systems which protect our business interests and provide our customers with a high standard of service</li> </ul>
To evaluate, develop and improve our services to you and other customers	<ul style="list-style-type: none"> <li>• Where it's in our legitimate interests continually to evaluate, develop or improve our products as well as the experiences of users of our sites, so that our customers are provided with a high standard of service</li> </ul>
To protect our business interests and to develop our business strategies	<ul style="list-style-type: none"> <li>• Where it's in our legitimate interests to protect our people, business and property and to develop our strategies</li> <li>• Where necessary for the performance of our agreement or to take steps to enter into an agreement with you</li> <li>• Where the law requires this</li> <li>• In the case of sensitive information, such as voice biometric information, where you have agreed</li> </ul>
To contact you, by post, phone, text, email and other digital methods. This may be: to help you manage your accounts to meet our regulatory obligations to keep you informed about products and services you hold with us and to send you information about products or services (including those of other companies) which may be of interest to you.	<ul style="list-style-type: none"> <li>• Where the law requires this</li> <li>• Where we have agreed to contact you in our agreement</li> <li>• Where the law requires this</li> <li>• Where you agree</li> <li>• Where it's in our legitimate interests to share information with our customers about products / services that may be relevant and beneficial to them. Where we send you marketing messages, you can always tell us when you no longer wish to receive them.</li> </ul>
To collect any debts owing to us	<ul style="list-style-type: none"> <li>• Where it's in our legitimate interests to collect any debts owing to us</li> <li>• In the case of sensitive information, such as medical information, where you have agreed</li> </ul>

How we use your information	Legal basis
<p>To meet our regulatory compliance and reporting obligations and to prevent, detect, investigate and prosecute fraud and alleged fraud, money laundering and other crimes. We may record your image on CCTV when you visit our premises.</p>	<ul style="list-style-type: none"> <li>• Where the law or regulation requires this</li> <li>• Where it's in our legitimate interests to prevent and investigate fraud, money laundering and other crimes</li> <li>• Where such processing is a contractual requirement of the services or financing you have requested</li> </ul>
<p>To assess any application you make, including carrying out fraud, money laundering, identity, sanctions screening and any other regulatory checks.</p>	<ul style="list-style-type: none"> <li>• Where you have made data public</li> <li>• Where such actions are in our legitimate interests, for the protection of our business interests</li> <li>• Where the law requires this</li> <li>• In the case of sensitive information, such as medical information, where you have agreed</li> </ul>
<p>To monitor, record and analyse any communications between you and us, including phone calls</p>	<ul style="list-style-type: none"> <li>• Where it's in our legitimate interests, to check your instructions to us, to prevent and detect fraud and other crime, to analyse, assess and improve our services to customers, and for training, for the enhancement of our customer service provision and protection of our business interests</li> <li>• In the case of sensitive information, such as medical information, where you have agreed</li> </ul>
<p>To transfer your information to or share it with any third party to whom your account has been or may be transferred following a restructure, sale or acquisition of any group company</p>	<ul style="list-style-type: none"> <li>• Where necessary for the performance of our agreement with you</li> <li>• Where we have a legitimate interest in restructuring or selling part of our business</li> </ul>
<p>To share your information with South African Reserve Bank, Reserve Bank of India, South African Revenue Services and other government or regulatory authorities, credit reference agencies, fraud prevention agencies, and India and overseas regulators and authorities</p>	<ul style="list-style-type: none"> <li>• Where the law requires this</li> <li>• Where we have a legitimate interest in performing certain credit checks so that we can make responsible business decisions. As a responsible organization, we need to ensure that we only provide certain products to companies and individuals where the products are appropriate, and that we continue to manage the services we provide, for example if we consider that you may have difficulties making a payment to us.</li> </ul>

How we use your information	Legal basis
	<ul style="list-style-type: none"> <li>• Where we have a legitimate interest in assisting with the prevention and detection of fraud and other crime</li> <li>• Where we have a legitimate interest in assisting regulators, who monitor banks to ensure that they comply the law and regulations.</li> <li>• More detail on our data sharing with these organizations is set out below.</li> </ul>
<p>To share your information with our partners and service providers</p> <p>For audit and record keeping purposes</p>	<ul style="list-style-type: none"> <li>• Where necessary for the performance of our agreement</li> <li>• Where we have a legitimate interest in using third parties to provide some services for us or on our behalf</li> </ul> <p>We are obliged to keep record of certain information for audit and regulatory record keeping purposes</p>

The type of information we collect depends on the purpose for which the information needs to be collected, and will be used. We only collect information that we need for that particular purpose and no more than necessary. Where applicable, we may inform you what information you are required to provide to us and what information is optional.

Primarily, information shall be collected directly from you. It is possible that we may also collect information about you from other sources, with or without your consent. We may collect information about you from sources which are publicly available such as global compliance databases.

### **9. AUTOMATED DECISION MAKING:**

If you apply to us for a product, your application may be processed by an automated decision-making process which may carry out credit and affordability assessment checks to determine whether your application will be accepted. Where these automated processes suggest that your application should be rejected, we may manually review your application before making a final decision. We may also use automated processes to decide credit limits.

We may also carry out automated anti-money laundering and sanctions checks. This means that we may automatically decide that you pose a fraud or money laundering risk if the processing reveals your behaviour to be consistent with that of known fraudsters or money launderers, is inconsistent with your previous submissions, or you appear to have deliberately hidden your true identity.

If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk: (i) we may refuse to provide the services you have requested, or we may stop providing



existing services to you; and (ii) 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 or employment to you.

The information so collected or determined may not always be revealed to you, including the algorithm used for complying with applicable Anti Money Laundering /Combating the Financing of Terrorism regulations

## **10. INFORMATION SHARING:**

We keep all your personal information confidential. However, in order to be able to service your needs to the best of our ability, we may share any information you provide to us with our group companies and their agents, counterparties and support service or data providers, wherever located. If you have provided information to other members of our group, those entities may also share that information with us.

To help us provide services, your data will be processed internally and externally by other third parties. We use third parties for administrative, servicing, monitoring of your data. We will outsource some services to third parties whom we consider capable of performing the required processing activities so that there is no reduction in the service standard provided to you by us.

The recipients or categories of recipients, of your information may be:

- Any revenue service or tax authority including South African Revenue Services, Income Tax Department of India, if obliged to do so under applicable regulations.
- Overseas regulators and authorities in connection with their duties (such as crime prevention).
- Anyone to whom we may transfer our rights and/or obligations;
- Any other person or organization after a restructure, sale or acquisition, as long as that person uses your information for the same purposes as it was originally given to us or used by us (or both)
- Credit reference, identity and address verification organizations who may record and use your information and disclose it to other lenders, financial services organizations and insurers. Your information may be used by those third parties to make assessments in relation to your creditworthiness for debt tracing.
- Fraud prevention agencies and law enforcement agencies who will use it to prevent fraud and money-laundering and to verify your identity if false or inaccurate information is provided by you and fraud is identified. We, fraud prevention agencies and law enforcement agencies may access and use your information for example, when:
  - i. Checking details on applications for credit and credit related or other facilities;
  - ii. Managing credit and credit related accounts or facilities;
  - iii. Recovering debt;
  - iv. Checking details on proposals and claims for all types of insurance
- Other product and service providers for products and services which you would have agreed to avail or being referred to
- Service providers as appointed from time to time for operational support to the Bank
- Courier or postal service providers for the purpose of sending of mails to you as a customer

- Social media websites for our marketing campaigns where permitted  
For further information, please refer to our product specific terms and conditions and application form.

We have agreements and security measures in place to ensure that all third parties to whom your personal information is disclosed comply with the terms and provisions of POPI.

### **11. DETAILS OF DATA TRANSFERS OUTSIDE SOUTH AFRICA:**

South African residents or nationals

If your personal information is collected by the Bank in South Africa, such information will only be transferred outside of South Africa, if:

- the third party who is the recipient of the information is subject to a law, binding corporate rules or binding service level agreement which provide an adequate level of information protection; or
- you have consented to the transfer; or
- the transfer is necessary for the performance of a contract between you and ICICI

### **12. RETENTION AND DISPOSAL OF DATA AND OUTPUT:**

We will keep the information we collect about you on our systems or with third parties for as long as required for the purposes set out above or as required to comply with any legal or regulatory obligations to which we are subject.

### **13. STORAGE OF YOUR PERSONAL INFORMATION AND DATA SECURITY:**

All information you provide to us is stored in our secured servers. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know basis. When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is secured. They will only process your personal data on our instructions and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **14. OUR COMMUNICATION WITH YOU:**

We may communicate with you via electronic mail (e-mail). We will never ask you for your password.

When you contact us through any of our communication channels including visiting a local branch or calling the telephone banking service, we will verify your identity by asking you a

number of questions based on information known to us about you and the transactions on your account. We may record your calls for training, quality and security purposes.

### **15. MARKETING INFORMATION:**

We and other members of our group may use your information from time to time to inform you by letter, telephone, text (or similar) messages, email or other electronic means, about similar services which may be of interest to you or them. You may, at any time, request that we cease or do not send such information by one, some or all channels, by contacting us using the contact details set out below.

### **16. RIGHTS OVER YOUR PERSONAL DATA:**

Under certain circumstances, by law you have the right to:

- a) Be informed about the processing of your personal data (i.e. for what purposes, what types, to what recipients it is disclosed, storage periods, any third party sources from which it was obtained, confirmation of whether we undertake automated decision-making, including profiling, and the logic, significance and envisaged consequences).
- b) Object to your personal data being processed for a particular purpose or to request that we stop using your information.
- c) Request not to be subject to a decision based on automated processing and to have safeguards put in place if you are being profiled based on your personal data.
- d) Ask us to transfer a copy of your personal data to you or to another service provider or third party where technically feasible and otherwise required by applicable regulations.
- e) Withdraw, at any time, any consent that you have previously given to us for our use of your personal data.
- f) Ask us to stop or start sending you marketing messages at any time.
- g) Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- h) Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.
- i) Request the erasure of your personal data. This enables you to ask us to delete or remove personal data where you think that we do not have the right to process it.

Any request for access to or a copy of your personal data must be in writing and we will endeavour to respond within a reasonable period and in any event within one month in compliance with POPI. We will provide this information free of charge unless the request is manifestly unfounded or excessive. We will comply with our legal obligations as regards any individual's rights as a data subject.

If you would like to contact us in relation to any of the rights set out above, you may visit our Branch or contact us using the following contact details:

<b>Information Officer</b>	
Contact Name	Mr. Nikhil Parekh
E-Mail ID	dataofficer@icicibank.com
Physical Address	ICICI Bank Limited South Africa Branch, 3rd Floor, West Building, Sandown Mews, 88 Stella Street, Sandton 2196
Postal Address	PO Box No. 78261, Sandton 2146, Johannesburg, South Africa
Website	www.icicibank.co.za

<b>Deputy Information Officer</b>	
Contact Name	Mr. Williams Vampu
E-Mail ID	dataofficer@icicibank.com
Physical Address	ICICI Bank Limited South Africa Branch, 3rd Floor, West Building, Sandown Mews, 88 Stella Street, Sandton 2196
Postal Address	PO Box No. 78261, Sandton 2146, Johannesburg, South Africa
Website	www.icicibank.co.za

To protect your privacy and security, we may take reasonable steps to verify your identity before providing you with the details.

### **17. RIGHT TO COMPLAIN TO THE INFORMATION REGULATOR:**

You have the right to address any complaints you may have regarding your personal information through our normal Complaints channels, as per detail below:

Address: ICICI Bank Ltd, 3rd Floor, West Building,  
Sandown Mews, 88, Stella Street, Sandton,  
2196 Johannesburg, South Africa  
Telephone: +27 - 11 6767800  
Email: complaints-sa@icicibank.com

Alternatively, you may contact the Personal Information Regulator:

The Information Regulator (South Africa)

JD House, 27 Stiemens Street  
Braamfontein, Johannesburg, 2001  
P.O Box 31533, Braamfontein, Johannesburg, 2017  
Tel no. +27 (0)10 023 5200  
Website: <https://justice.gov.za/inforeg/>  
Complaints email: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)  
General enquiries email: [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)

### **18. THIS PRIVACY NOTICE:**

The content or services mentioned on our website may be changed in future and consequently this Privacy Notice may also change. Any changes we may make to this Privacy Notice in the future will be posted on this page and where appropriate, notified to you by

email. We recommend that you re-visit this page regularly and inform us if you do not agree to any term mentioned here.

### **19. Cookie Guidance:**

Safeguarding your right to privacy is imperative to us. Hence, we request you to peruse through our Cookie Guidance.

#### **Cookies**

Website usage information is collected using "cookies" which allows us to collect standard internet visitor usage information, which we then store and process. Cookies help us improve our website and deliver a more customised service. ICICI Bank currently uses the following cookies on its website:

Cookie	Current Use
_utmb __utmc	These cookies work toward establishing a visitor session. utmb takes a timestamp of the precise moment when someone visits the site, while utmc takes a timestamp of the precise moment a visitor leaves the site.
__utma	This cookie keeps tabs on the number of times a visitor has viewed the website, when was their first visit and when did their last visit happen.
__utmz	To identify the traffic sources as well as to determine the visitor navigation to the website. For example, this cookie defines what search engine was used, what link was clicked on, what keyword was used and where in the world the user accessed our website from.

You may refuse to accept cookies by activating the setter on your browser, which allows you to refuse the setting of cookies. However, this may cause certain parts of our website to remain inaccessible to you. Until you have set your browser setting to refuse cookies, our system will continue to issue cookies when you log onto our site. Please take note of the fact that our advertisers may also use cookies and we have no control over this. For more information on how to control and/or disable cookies please visit <https://www.aboutcookies.org/>.

