

MoMo Payment Service Bank Supplier/Agent data privacy notice

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1. Supplier/Agent Privacy Notice BACKGROUND

The Supplier/Agent Privacy Notice explains how MoMo Payment Service Bank processes Your Company's Personal Information, as is required by the Nigerian Data Protection Regulations 2019. MoMo Payment Service Bank is committed to protecting Supplier/Agent privacy and to ensure that Your Company Personal Information is processed properly, lawfully and transparently. This Notice incorporates Our Privacy Policy available at <https://www.momopsb.com>

To Whom does This Notice Apply

All prospective, existing and former Suppliers/Agent, third party consultants and their staff members during and after contracting with MoMo Payment Service Bank as prescribed by law.

WHO ARE WE (MoMo)?

- MoMo refers to MoMo Payment Service Bank, with Registration No: 1870676 and principal place of business at Akin Adesola, Victoria Island, Lagos. P.M.B 80147 Adeola Odeku Post Office, Victoria Island, Lagos.

MoMo Payment Service Bank (PSB) is a fully registered limited liability company with Corporate Affairs Commission (CAC) and licensed by the Central Bank of Nigeria (CBN) to offer financial services.

2. Key Definitions

The following key terms should be read in conjunction with this notice:

Term	Definition
Consent	Freely given indication of the Supplier/Agent's wishes or a clear affirmative action signifying Supplier/Agent's agreement to the processing of Personal Information relating to the Supplier/Agent.
Data Subject	The person (natural or juristic) to whom Personal Information relates. In this case, the Supplier/Agent.
Supplier	Any person who works for or provides services to or on behalf of MoMo and receives, or is entitled to receive, remuneration and any other person who assists in carrying out or conducting the business of MoMo. This includes employees, agents, representatives and sub-contractors of Suppliers/Agents.
NITDA	National Information Technology Development Agency

<p>Personal Information</p>	<p>Information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person.</p> <p>This includes, but is not limited to, details such as Your name, phone number, address, age, bio-data, curriculum vitae, marital status, gender, ethnicity, health details, location information, online identifier, the personal opinions, views or preferences of the person; Company's registered name, registration number, Director's names, ID numbers, addresses and other Company details which could include: financial information and banking details and registered or unregistered identification or proprietary marks etc</p>
<p>Processing / Process of Personal Information</p>	<p>Any operation or activity or any set of operations, whether by automatic means, concerning Company Personal Information, including—</p> <p>(a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;</p> <p>(b) dissemination by means of transmission, distribution or making available in any other form; or</p> <p>(c) merging, linking, as well as restriction, degradation, erasure or destruction of Personal Information.</p>
<p>Operator</p>	<p>A third-party who is processing Company Personal Information for MoMo in terms of a contract or mandate, without coming under the direct authority of that party.</p>
<p>Special Personal Information</p>	<ul style="list-style-type: none"> ▪ The religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life / orientation or biometric Personal Information of a data subject, ▪ The criminal behaviour of a Data Subject to the extent that such information relates to: ▪ The alleged commission by a data subject of any offence; or ▪ Any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

"Company", "You", "Your"	<ul style="list-style-type: none"> ▪ Referring to the juristic entity or an individual as a Supplier/ Agent with whom MoMo has entered into a binding arrangement or contract
"Us", "We", "Our"	MoMo Payment Service Bank
MoMo Data	MoMo Personal Information, Personal Information of its affiliates, customers, employees, agents, representatives, contractors and professional advisors.

3. Personal Information Management

3.1 WHAT IS BEING COLLECTED

MoMo collects Personal Information about the Supplier/agent that may be used in the procurement and contracting processes including employee relations.

MoMo also collects information about the usage of MoMo information technology and electronic equipment including, but not limited to, telephone, internet usage and emails as defined in the Acceptable Usage policy.

3.2 WHERE IS IT COLLECTED FROM

MoMo collects Personal Information directly from a Supplier/Agent during the Self-registration process, Pre-qualification process and procurement process where they provide Us with Your Company Personal Information.

Where possible, we will inform You what Personal Information is mandatory and what Personal Information is optional. We also collect Personal information about You from other sources with Your permission such as third parties, background search at relevant agencies, CCTV footage and IT equipment related to Your products or services provided.

3.3 WHY IS IT BEING COLLECTED

MoMo collects Your Company Personal Information (including special company information):

- to carry out and manage business operations;
- to fulfil contractual agreement(s);
- to administer the benefits and services to Suppliers;

- for occupational health administration; work management; business travel; corporate security; organisational charts; archiving emails for disaster recovery purposes, legal and regulatory reporting obligations; and any other legitimate business interests.

3.4 MONITORING WITHOUT NOTICE

MoMo will monitor Supplier/agent system activity without notice when there are grounds for suspecting criminal activity or investigations and proceedings as well as regular auditing; when informing the Supplier/agent about the monitoring would make it difficult to prevent or detect such wrongdoing.

3.5 TO WHOM DOES MoMo DISCLOSE SUPPLIER PERSONAL INFORMATION

MoMo may disclose Your Company's Personal Information to the following recipients with Your Company's duly authorized Consent provided that where the MoMo is precluded by law or legal process from procuring such Consent, MoM shall not seek Your prior Consent to so disclose Your Personal Information.

- Internal MoMo processing - Information shared with various business units
- Subject to the directive, related legislation, regulators or judicial commissions of enquiry, any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or discovery in terms of the applicable rules.
- Federal or State Inland Revenue Services, or any other similar Government authority.
- Third parties with whom MoMo has a contractual relationship for the hosting of data and/or provision of relevant business services.

3.6 SAFEGUARD SUPPLIER/AGENT PERSONAL INFORMATION

MoMo takes reasonably practical information security measures to ensure the confidentiality, integrity and availability of Company Personal Information in MoMo's possession against unauthorized disclosure or unlawful processing, loss, destruction or damage. MoMo requires Third Parties to whom MoMo has business relationships to agree to Our privacy principles, associated policies and practices and the law.

3.7 CROSS-BORDER DATA TRANSFERS

- MoMo may require processing Company Personal Information in other countries for business purposes.
- You agree that MoMo shall ensure that the countries have the adequate data protection laws, corporate security policies, procedures, standards to adequately protect Your Personal Information in accordance with the standards prescribed by National Information Technology Development Agency (NITDA).
- Your Personal Information may be stored in The Netherlands or as may be determined from time to time.

- Your Personal Information shall be stored in Oracle Advanced Security Transparent Data Encryption format using Generally Accepted International Security Standards (ISO).
- Your Personal Information shall be subject to the Nigerian Data Protection Regulation 2019 (as may be amended from time to time) and any other applicable Data Protection Regulation.

3.8 INTERNAL MoMo COMMUNICATION

MoMo will use Your Company Personal Information to send You Company news, general communication and internal marketing communications with Your consent. During the tenure of Your contract, MoMo may collect videos and/or photographic pictures about Your resources which may be published internally or externally including but not limited to the MoMo website and MoMo social media pages.

3.9 PERIOD OF RETENTION

MoM will retain and use Your Personal Information in accordance with applicable laws for retention of data, for as long as is necessary with respect to the engagement between MoM and Your Company and to comply with Our legal and business obligations, resolution of disputes and enforcement of this Notice.

4. Supplier/Agent Rights to Privacy

4.1 ACCESS TO PERSONAL INFORMATION

You have the right to request a copy of the Company Personal Information that MoMo holds about Your Company. Please note that any such access request may be subject to a payment of a nominal fee. MoMo will take all reasonable steps to confirm the requester's identity before providing details of Your Company Personal Information.

You can review the information You provided to Us and make any desired changes to the information You have provided. Please be aware that even after Your request for a change is processed, MoMo may, for a time, retain residual information about You in its backup and/or archival copies of its database.

4.2 QUALITY OF PERSONAL INFORMATION

MoMo has established procedures to ensure that Company Personal Information is as accurate and complete as possible. Suppliers/Agents are encouraged to regularly check their records for accuracy and ensure any necessary amendments are made to bring records up to date. Keeping Your Company Personal Information up-to-date and accurate, remains Your responsibility. The necessary updates may be done through Our E-Sourcing portal. Where such service is not available to You, you may notify Procurement, to make the necessary amendments. Some changes will only be made once the necessary supporting documentation has been obtained.

4.3 ACCESS TO THIS NOTICE

This notice is published on the MoMo website and You have the right to request a copy of this Notice.

4.4 ACCESS TO THIS NOTICE (LANGUAGE)

This Notice is documented in English. As required by law this must be in a language understandable to You. Should this not be the case, MoMo may assist with translation and/or assist with reading this notice to You. This may be necessary to overcome any language barriers or to cater for the visually impaired.

4.5 RIGHT TO WITHDRAW CONSENT

You have a right to withdraw Your consent at any time without affecting the lawfulness of Your information that had been received and processed prior to Your withdrawal of consent.

4.6 IN THE EVENT OF A BREACH

MoM takes reasonably practicable security measures to ensure Your privacy. In the event of a privacy breach, a designated MoM official will conduct an internal investigation and provide You with details as to the status of Your Personal Information. You have a right to lodge complaint before an appropriate authority for any breach of Your rights.

5. DATA PROTECTION OBLIGATIONS FOR OPERATORS

- i. The Supplier/Agent shall solely be responsible for complying with the obligations under applicable privacy and protection of Personal Information laws governing data protection and privacy.
- ii. MoMo will not be responsible for investigating the measures that the Supplier/Agent is taking to comply with such laws. MoMo may request from the Supplier/Agent, a copy of its privacy and access to information policy in order to determine the controls in place and measures to ensure compliance with applicable laws relating to data protection and privacy.
- iii. The Supplier/Agent warrants and undertakes that it shall:
 - a. comply with all applicable data protection and privacy laws;
 - b. comply with MoMo's data integrity and security policies and practices;
 - c. not access, use or process MoMo Data except to the extent reasonably necessary in performance of its obligations under any agreement for which MoMo has enlisted its services;
 - d. not do any act that exposes MoMo at risk of MoMo Data being disclosed;
 - e. implement appropriate technical and security measures to preserve the integrity of MoMo Data; and
 - f. prevent any unauthorized or unlawful access, accidental or unauthorized destruction, corruption, loss, alteration or disclosure or other prohibited processing of MoMo Data.

- iv. The Supplier/Agent hereby undertakes to provide MoMo with information that it has regarding MoMo's Data and its processing thereof as may be necessary to enable MoMo to comply with its obligations in terms of this clause and the applicable privacy, protection of Personal Information and access to information laws.
- v. The Supplier/Agent shall ensure that its affiliates, representatives and subcontractors contractually agree in writing to comply with obligations in relation to the processing of data which are equivalent to those agreed by the Supplier/Agent, as set out in this Notice.
- vi. As part of this Notice the Supplier/Agent acknowledges that MoMo's Data is stored separately from data relating to the Supplier/Agent, its affiliates or any third parties.
- vii. The Supplier/Agent shall not transfer MoMo Data across the country borders of Nigeria for any reason, without MoM's prior written Consent. In the event that MoMo consents to any such cross-border transfer, the Supplier/Agent shall ensure that the transfer is conducted in accordance with the standards prescribed by the National Information Technology Development Agency (NITDA) or any applicable law.
- viii. The Supplier/Agent warrants and undertakes to assist MoMo in relation to all access to information requests made by third parties, including data subjects, under any applicable law and such co-operation includes providing all available information to MoM in order for MoMo to respond to the relevant information request.

6. Contact Details

For further information, queries, complaints, objections relating to the processing of Your Personal Information You may contact MoMo at the following details.

Attention: Data Processing Officer

Address: MoMo Payment Service Bank

Email address: dpo@momopsb.com

6.1 CHANGES TO THIS NOTICE

MoMo reserves the right to amend this Notice at any time. All amendments to this Notice will be published on <https://www.momopsb.com>. The current version shall always supersede and replace all previous versions of this Notice.

6.2 WHERE IS THE NOTICE PUBLISHED

An electronic version of this Privacy Notice is stored on <https://www.momopsb.com>

Printed copies may be made available on request.

The Privacy Notice also forms part of the Supplier Registration process on <https://www.momopsb.com>

6.3 APPLICABLE LAWS

This Privacy Notice is governed by the laws of the Federal Republic of Nigeria. Any disputes which may arise out of this Privacy Notice are subject to the jurisdiction of Nigerian Courts.

6.4 DATE OF LAST UPDATE

[August 2022]