

# PRIVACY POLICY

## MEDICAL CREDIT FUND II COÖPERATIEF U.A.

This Privacy Policy will help you understand how we, Medical Credit Fund II Coöperatief U.A., hereafter referred to as “MCF”, use and protect your personal data provided to us. It applies to all our client’s authorized representative(s), director(s), officer(s), guarantor(s), and/or employee(s) (the “Data Subjects”) whose personal data is being processed when applying for-, obtaining- and/or using a loan.

This Privacy Policy only applies to how personal data is handled. Information about how we use (non-personal) financial and business information can be found in our Terms and Conditions and/or Facility Agreement. Please read this Privacy Policy carefully.

### Purpose and scope of this Privacy Policy

MCF is strongly committed to protecting the privacy and personal data of its Data Subjects and processes their personal data in accordance with the European General Data Protection Regulation (the “GDPR”) and the Ghanaian Data Protection Act, 2012 (the “DPAG”).

MCF collects such personal data in the following ways:

- It is provided to us directly or via companies belonging to our corporate group, or to one of our partners, by clients when they apply for a loan, when they sign a loan agreement and throughout the relationship;
- It is submitted to us when clients contact us through one of our (online) channels;
- It is obtained by us from publicly available sources (including third party agencies such as credit reference bureaus, fraud prevention agencies, payment and settlement platforms, law enforcement agencies and public registers);
- It is obtained by us from providers of sanctions checks and background screening.

### Personal Data processed

Personal data is any information that can directly or indirectly identify a natural person. The following personal data regarding Data Subjects could be processed by MCF:

- Contact information ((mobile) phone number, (email) address, residential address, country of residence);
- Personal identification information (tax identification number and copy of identity document, including full name, date of birth, gender, marital status, nationality, identity document number, and national identification number);
- Employment information (place of employment, previous places of employment, function and (specimen) signature)
- Financial, credit and debt information, such as invoices, credit notes, bank or mobile money statements, payment behavior, the value of property or other assets, credit history, credit capacity, loans, registrations with a credit register and payment arrears.
- Information about devices, operating system, IP address of the mobile device or computer used, the operating system and browser version, and cookie settings;
- Any other information that is shared with us.

## **Purpose of Data Processing**

MCF processes the personal data in a fair, reasonable and lawful manner. The collected personal data will only be used for the following purposes:

- To assess loan applications by the client or any related parties;
- To provide loans to our clients;
- To enter into personal guarantee agreements for the benefit of our clients;
- For debt tracing and for fraud prevention;
- In order to comply with legal obligations to which MCF is subject, such as anti-money laundering and combating the financing of terrorism regulations;
- To carry out credit checks of the Data Subject during the life of the loan (as long as there is an outstanding balance) and upon every new loan application. In order to do this, we may share information with and receive information from credit reference agencies.
- In order to establish, exercise and/or defend our legal rights or for the purpose of legal proceedings;
- For financial administration and billing activities;
- For account management;
- To communicate with the Data Subjects directly or to be able to interact with clients.
- For security purposes;
- For marketing, advertising and promotional purposes; to provide clients with information or services that they request from us or from our partner(s), or which we feel may interest them;
- to provide clients with pertinent information, updates and details regarding a loan and other loan products; and
- To fulfil MCF's or its partners' legitimate interests.

## **Lawful basis**

We are only allowed to process personal data if there is a lawful basis for processing. Therefore, we only process your personal data based on one of the following grounds:

- The processing is necessary to comply with and to assess compliance with applicable laws, rules and regulations, and internal policies and procedures.
- The processing is necessary for the performance of a contract to which a Data Subject is a party, for example guarantors acting for our clients.
- The processing is necessary to fulfil MCF's legitimate interest(s). For example, protecting our financial interests when it comes to fraud prevention, for the purpose of legal proceedings or when sending you emails or updates about our products which we feel may interest you.
- The Data Subject has given (explicit) consent to the processing of personal data.

## **Third Parties with whom we exchange personal data**

We do not sell or trade personal data to third parties. We only exchange data with trusted third parties and only if exchanging such data is strictly necessary for the purposes mentioned above. We will not share your personal information with any third parties other than those mentioned in this Privacy Policy unless we have your permission, or a legal obligation to do so.

We may exchange personal data with the third parties named below:

1. Government, supervisory, and judicial authorities, such as public authorities, regulators, supervisory bodies, tax authorities, and judicial and investigative authorities;
2. Financial institutions, such as banks, credit card companies, credit reference bureaus, and payment and settlement platforms, including authorized agents, representatives, lawyers, or debt collection agents;
3. MCF partners, such as the PharmAccess Group Foundation. We have security measures in place to ensure that the personal data concerned is protected and all applicable legal requirements are met;
4. External legal advisors;
5. MCF's agents, such as a collection agent that has been engaged by MCF for the collection of loan repayments or a claims processor;
6. Service providers such as cloud providers, providers of communication services, and marketing and analytics tools; and
7. Researchers affiliated with MCF or the PharmAccess Group Foundation.

Where necessary, MCF has signed Data Processing Agreements with the parties mentioned above to govern such processing and to ensure that the personal data concerned is protected and all applicable legal requirements are met.

Aggregated data might be shared with MCF's funders. All data collected may also, in anonymized form, be used by MCF or its affiliate PharmAccess for publications contributing to PharmAccess' goals and mission.

### **Third party websites**

The MCF website may contain links to other websites, such as news sites, international organizations, other non-governmental organizations or other relevant entities. This Privacy Policy does not apply to any hyperlinks or content of third-party websites shown on or linked to on the MCF website. MCF does not monitor or control the information collection or privacy practices of these or any other third parties' websites and is therefore not responsible for the content, the accuracy, completeness, usefulness of information or the products or services offered by third party websites.

### **Transfers to third countries**

During its lending activities, MCF may have to transfer personal data from Data Subjects to third countries outside of the territory where the Data Subject is located. Particularly data will be transferred to MCF's headquarters in The Netherlands and to other EU countries. MCF only does so if necessary and the personal data is always transferred to secure (cloud) servers located in a country with an appropriate level of security and in accordance with applicable data protection laws.

In case of a transfer of personal data outside the territory where the Data Subject is located, MCF will put in place adequate measures to ensure the security of the transfer of such personal data.

### **Data Security**

MCF and its trusted partners take the security of Data Subjects' personal data very seriously and has taken appropriate technical and organizational measures and procedures to protect the processed personal data from data breaches such as loss, damage, unauthorized destruction, unlawful access, or unauthorized processing, unauthorized disclosure of, or access to personal data. These measures and procedures are periodically reviewed in order to maintain the appropriate safeguards and to ensure that the safeguards are updated, taking into account, reasonably foreseeable internal and external risks. In addition, MCF employees are subject to confidentiality obligations and may not disclose your personal data unlawfully and/or unnecessarily. MCF will notify you and any applicable regulator within the prescribed timeline of a suspected data breach when legally required to do so.

The security measures taken include, but are not limited to:

- Antivirus software;
- Firewalls;
- Periodic security tests;
- Patch management;
- Logical access control;
- Logging;
- Regular backups;
- Encryption.

### **Data Retention**

We do not retain your personal data any longer than necessary for the provision of our loan services or as prescribed by law. When we no longer need your personal information, we will take all reasonable steps to delete it from our systems and records or take steps to properly anonymize it, so that you can no longer be identified.

### **Opt-out**

Clients reserve the right to opt-out of the MCF's or its partner's commercial communication messages by following instructions as provided in the messages.

### **Your Rights**

MCF gladly informs you of your rights regarding your personal data:

- Right to access to your personal data;
- Right to rectification;
- Right to erasure;
- Right to restriction of data processing;
- Right to data portability;
- Right to object to the processing of personal data;
- Right to lodge a complaint with the competent supervisory authority.

These rights can only be invoked if they do not harm the rights and freedoms of other Data Subjects or the interests of MCF or its partners. For example, MCF cannot erase data that it is legally bound to save. In case you would like to invoke any of your rights above, or if you have any questions about any of these rights, please reach out to us through the channels described below. We will respond to your request as soon as possible.

### **Modifications**

This Privacy Policy has been last modified on 1<sup>st</sup> of May 2023. MCF reserves the right to modify this Privacy Policy at any time. Any material changes made to this Privacy Policy will be communicated without undue delay.

## Contact Information

If you have any questions regarding this Privacy Policy or if you want to contact MCF's data protection officer, you may reach out to us via the channels as described below.

Data protection officer	privacyofficer@pharmaccess.org
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