

What is Data Protection Act 2017 about?

The Data Protection Act 2017 (DPA) was adopted by Parliament in December 2017, and came into force on 15 January 2018.

The Act is designed to strengthen the control and personal autonomy of individuals over their personal data, in line with current relevant international standards.

Who are we?

The Mauritius Commercial Bank Limited (“MCB Ltd” or the “Bank”) is part of the MCB Group, a public Limited Company whose shares are quoted on the Stock Exchange of Mauritius.

You can find out more about us at www.mcb.mu.

How does MCB Ltd process your personal data?

The present document explains how we process your data. This information sheet has been designed to keep you informed of how MCB Ltd uses your personal data. This includes what you tell us about yourself, what we learn by having you as a customer, and the choices you give us about the type of marketing you wish to receive from us.

How are you protected by the law?

MCB Ltd collects your personal data for a legitimate purpose with a view to fulfil its duties and responsibilities as your banker. Your personal data will be used only if we have a proper reason to do so. Examples are, amongst others:

- to fulfil any contractual obligation we have with you, or
- it is our legal duty, or
- you consent to it.

What is personal data?

Personal data refers to all information that has been provided by an individual in the context of his personal needs.

Your right to access your personal data

You have the right to request access to the personal data submitted by you to MCB Ltd and to review the personal data we keep about you.

With whom is your personal data being shared?

Your personal data may be shared with certain organisations, for purposes necessary to MCB Ltd in the performance of its duties:

- Regulatory authorities and/or any other official authorities;
- Credit reference agencies;
- Any party linked with you or your business’ products or services;
- Companies with which we have a joint venture or an agreement;
- Business introducers;
- Independent financial advisors;
- Postal services;
- Companies you ask us to share your data with;
- Lenders - if you have a secured loan or mortgage with us, your personal data may be shared with other lenders who also hold a charge on the property;
- Service-providers - if you have a debit, credit card with us, the transaction details will be shared with companies which help us to provide these services (such as Visa and Mastercard); and
- And any other third parties to whom your personal data is shared upon your request or consent.

How do we use your information to make automated decisions?

MCB Ltd may have recourse to various Information and Technology systems to obtain automated decisions based on personal information held about you and/or your business to promote accuracy, fairness and efficiency. These automated decisions may affect the products, services or features we may offer you now or in the future.

Approval of credit facilities

We use a system of credit scoring to decide whether to lend money to you or your business, when you apply for a credit facility (consumer loan, credit card, etc.).

Credit scoring uses data from three sources:

- Your application form,
- Credit reference agencies,
- Data we may already hold.

Based on these criteria, we obtain an overall assessment and are able to make lending decisions.

You may note that such decisions are not based solely on the automated score but also on the recommendations/intervention from other internal stakeholders.

Marketing

We may use your personal data to inform you about relevant products and offers.

The personal data we have for you is made up of what you tell us and data we collect when you use our services, or from third parties we work with.

We analyse your personal data to form a view on what we think you may want or need, or what may be of interest to you. We can use your personal data to send you marketing messages (including customer surveys) if we have your consent. You may request us to stop sending you marketing correspondences by notifying the Bank in writing at any time.

We may ask you to confirm or update your choices (e.g. your preferred channel of communication), if you subscribe to any new products or services with us in the future and whenever there are changes in the law, regulation, or the structure of our business.

For how long your personal data is being kept?

We will keep your data after the completion of the relevant transactions, closure of the account(s) or cessation of the business relationship, namely for legal and regulatory purposes, or any other reason. We may also keep it for research or statistical purposes.

What happens if you want us to stop using your personal data?

You have the right to object to our use of your personal data, or to ask us to erase, remove, or stop using your personal data, thereby entailing the termination of your relationship with the Bank.

However we may have to keep or use your personal data in the performance of our duties and/ or legal obligations.

Your consent

Your consent will be required by MCB Ltd prior to the lawful processing of your personal data during the usual course of business operations.

All bank application forms and agreements will include a specific clause as regards your consent which shall be a clear and unambiguous indication or an affirmative action whereby you authorise the Bank to process your personal data.

How to withdraw your consent?

You may withdraw your consent to MCB Ltd as regards the disclosure and processing of your personal data for any particular purpose(s) at any time. Should you avail yourself of this right, you will need to notify the Bank in writing.

If you withdraw your consent, we will not be able to provide you certain products or services and you will be informed accordingly.

However, notwithstanding the withdrawal of your consent, your personal data may still be processed by the Bank in the performance of its statutory duties.

You have the right to complain

You have the right to lodge a complaint with the Data Commissioner through the Data Protection Office.

For more information about your rights under the new Data Protection legislation, please consult the Data Protection Office website: dataprotection.govmu.org/