

AgDevCo Investee Privacy Notice

Last updated: July 2024

This Investee Privacy Notice ("**Notice**") applies to all prospective and current investees who provide us with personal data to enable AgDevCo to manage investments including to obtain evidence of their identity for anti-money laundering and "know your customer" checks (collectively, "**KYC checks**"). We have referred to this group as "investees" and refers to individuals whose personal data is processed for the purpose of themselves or the company they are employed with participating in an investment with AgDevCo.

For the avoidance of doubt, (a) designation as an "investee" under this Notice and/or for the purposes of any data protection laws is not, of itself, an indication of the existence of a contract for any other purpose or under any other law; and (b) nothing in this Notice shall be construed as forming part of the contractual relationship between us and you.

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It is important that you read this Notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal data about you, so that you are aware of how and why we are using such information.

1. Introduction

AgDevCo Limited and where relevant its affiliates and subsidiaries ("**AgDevCo**", "**we**" or "**us**") has issued this Notice to describe how we collect and use personal data that we hold about our investees (collectively referred to as "**you**") during and after your relationship with us. This Notice sets out the personal data that we collect and process about you, the purposes of the processing and the rights that

you have in connection with it. We respect the privacy rights of individuals and are committed to handling personal data responsibly and in accordance with applicable law.

The AgDevCo legal entity with whom you are engaged in respect of your investment is your data controller. This means that they are primarily responsible for determining the purposes and means of the processing of your personal data, however, our other group entities may process your data as a controller in line with this Notice. Please see a list of our AgDevCo entities under the “How to contact us” heading below.

If you are in any doubt regarding the applicable standards, or have any comments or questions about this Notice, then please contact us using the contact details under the “How to contact us” heading below.

2. Personal data we collect and process

As a prospective or current investee of AgDevCo, we will process personal data about you and other individuals whose personal data has been provided to us. Personal data means any information about an individual from which that person can be identified. It does not include data such as aggregated data or anonymous data from which an individual cannot be identified.

Sources of personal data

We collect this personal data from the following different sources:

- *Information that you provide directly*

The initial information about you that we process is likely to come from you directly: for example, contact details, proof of residential address and identification to carry out our KYC checks, which will be collected during the course of our due diligence using our ‘AgDevCo New Sponsor Forms’ that will be provided to you.

If you fail to provide certain information when requested or that you are required by statute or contract to give us, we may not be able to perform the contract we intend to enter into, or have entered into, with you or we may be prevented from complying with our legal and/or regulatory obligations and best practices (such as comply with our anti-money laundering and know-your-customer requirements). If you have concerns about this in a particular context, you should speak to AgDevCo’s Group Financial Controller Chris Fuller – cfuller@agdevco.com.

- *Information from third parties*

In the course of your engagement with us, we may receive personal data relating to you from third parties, such as credit check databases, politically exposed persons databases, government denied parties, sanctions and watch lists, your employer, other parties in the real estate sector such as real estate agents, purchasers, vendors, borrowers, lenders, architects, engineers, surveyors, developers, landlords, tenants and financial institutions.

Some of the information you provide or that we obtain from third party sources (where permitted by, and in accordance with, applicable law) in connection with conducting our due diligence may fall under the sub-category of “Sensitive Personal Data” (see the table below). This may include information such as any criminal convictions you have received or details of your political

activities or religious affiliations (e.g., in the context of establishing whether you are a politically exposed person ("PEP")).

- *Information that we collect from publicly available sources*

We may collect information about you from search engine searches, news sources and/or social media platforms, as well as online sources databases and public registries, for example in connection with our KYC checks.

Categories of personal data

The table below describes the categories of personal data we collect from and about you and other individuals as well as the source of that information.

Data Categories	Personal Data Description	Source
Identity Data	Name, title, gender, proof of your residential address, passport number or other government-issued identification number, and other details in and copies of identity documents.	<ul style="list-style-type: none"> • Directly from you
Contact Data	Home and business address, personal and work telephone number, and personal and work email addresses.	<ul style="list-style-type: none"> • Directly from you
Investee Data	Personal data contained within an Investee contract (where one is in place) or obtained during the performance of such contract.	<ul style="list-style-type: none"> • Directly from you
Background Data	Date of birth, PEP status, sanction list information, and information obtained from any media searches.	<ul style="list-style-type: none"> • Directly from you • Third parties
Sensitive Personal Data	Criminal records data including results from risk and compliance check searches of criminal and sanctions lists. In addition this includes information such as your political activities or religious affiliations in the context of establishing your PEP Status.	<ul style="list-style-type: none"> • Directly from you • Third parties
Communication Data	Contact details and content of communications when you communicate with us, for example, to inquire about investment information.	<ul style="list-style-type: none"> • Directly from you

3. How we use your personal data (our purposes) and our lawful basis for processing it

We use the personal data that we collect from and about you for a variety of investment-related purposes described in this Notice or for purposes that we explain to you at the time we collect your information. Depending on our purpose for collecting your information, we rely on one of the lawful bases described in the table below (i.e. legally permitted reasons under GDPR/UK GDPR).

Lawful basis	Description
Contract	We require certain personal data to carry out our contractual duties and exercise our contractual rights as an employer.
Consent	We may ask for your consent, in which case you can voluntarily choose to give or deny your consent without any negative consequences to you.

Legitimate interests	We may use or disclose your personal data for the legitimate interests of either AgDevCo or a third party and these interests will normally be to: operate, manage, administer our respective businesses effectively and properly. If you have any questions about our legitimate interests please contact us.
Legal obligation	There may be instances where we must process and retain your personal data to comply with laws or to fulfil certain legal obligations.
Public interest	Rarely, there may be instances where processing your data is necessary to perform a specific task in the public interest, for example prevention and detection of crime, or for diversity and inclusiveness monitoring purposes.
Legal claims	To establish, make or defend legal claims.

Purposes and lawful basis for processing personal data

The following table provides more details on our purposes for processing your personal data and the related legal bases. The legal basis under which your personal data is processed will depend on the data concerned and the specific context in which we use it. We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Purpose/Activity	Type of personal data	Lawful basis
Carrying out KYC checks, to inform our due diligence of prospective investments and on-going monitoring of existing investments	<i>Identity Data</i> <i>Contact Data</i> <i>Background Data</i> <i>Financial Data</i> <i>Sensitive Personal Data</i> Including name, identification, proof of residential address, PEP status, sanction list information (if applicable), information obtained from media searches, and criminal records data such as results from risk and compliance check searches of criminal and sanctions lists.	<ul style="list-style-type: none"> Legitimate interests necessary to carry out the appropriate checks prior to entering into an investment with you. In relation to Sensitive Personal Data: where necessary for the purposes of complying with, or assisting others to comply with, a regulatory requirement.
Administering your contract including entering it, performing it and changing it	<i>Identity Data</i> <i>Contact Data</i> <i>Investee Data</i> <i>Financial Data</i> <i>Communications Data</i>	<ul style="list-style-type: none"> Performance of a contract with you Legal obligation Legitimate interests necessary to

	Including information on the terms of your engagement with us.	operate, and provide our business
Contacting you or others on your behalf	<i>Identity Data</i> <i>Contact Data</i> <i>Communications Data</i>	<ul style="list-style-type: none"> • Performance of a contract with you • Legitimate interests necessary to communicate with you – where our communications are not necessary to perform or enter into a contract with you
Supporting and managing the investment	<i>Identity Data</i> <i>Communications Data</i> Including information connected with the investment including records of documents and emails created by or relating to you.	<ul style="list-style-type: none"> • Performance of a contract with you • Legal obligation • Legitimate interests necessary to operate our business, and carry out investee administration and management
Changing or ending your investment	<i>Identity Data</i> <i>Contact Data</i> <i>Investee Data</i> Including information connected with anything that may affect your continued engagement or the terms on which you are engaged by us including, any proposal to change your investment arrangements or to end your investment.	<ul style="list-style-type: none"> • Performance of a contract with you • Legitimate interests necessary to operate our business and carry out investee administration and management
Disputes and legal proceedings	<i>Contact Data</i> <i>Investee Data</i> <i>Financial Data</i> <i>Communications Data</i> <i>Sensitive Personal Data</i> Information relating to legal disputes involving you, or other investees, AgDevCo employees, workers and contractors. Any other information relevant or potentially relevant to a dispute or legal proceeding affecting us.	<ul style="list-style-type: none"> • Legitimate interests necessary for defending a potential legal claim • Legal obligation In relation to Sensitive Personal Data: <ul style="list-style-type: none"> • Legal Claims
Maintaining appropriate business records during and after the investment	<i>Investee Data</i> Other information relating to your information connected with the investment and anything you do during such investment.	<ul style="list-style-type: none"> • Contract • Legal obligation

		<ul style="list-style-type: none"> • Legitimate interests necessary to operate our business
Acquisitions, divestitures and integrations; restructuring and relocation	<i>Identity Data</i> <i>Contact Data</i> <i>Investee Data</i> <i>Background Data</i> <i>Financial Data</i> <i>Communications Data</i> <p>Information will be processed and potentially shared with a third party (such as a purchaser of the business) relating to your role - as relevant to the particular context.</p>	<ul style="list-style-type: none"> • Legitimate interests in managing our business.

4. Who we share your personal data with

We share your personal data with the following categories of recipients:

- **our group companies** set out in the table at the end of this notice, who operate in the UK, Europe and around the world for legitimate business purposes such as IT services/security, tax and accounting, and general business management;
- **third party service providers and partners** on a "need to know basis" and in accordance with applicable data privacy law. We may disclose your data if it is necessary for our legitimate interests as an organisation or the interests of a third party (but we will not do this if these interests are overridden by your interests and rights in particular to privacy). We may also disclose your personal data if you consent, where we are legally required to disclose and in connection with criminal or regulatory investigations.

Specific examples of such third parties and the circumstances in which your personal data may be disclosed to them include the following:

- any **competent law enforcement body, regulatory, government agency, court or other third party** (such as our professional advisers) where we believe disclosure is necessary (i) as a matter of applicable law or regulation (e.g. to provide certain salary information to tax authorities), (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person;
- a **buyer** (and its agents and advisers) in connection with any actual or proposed purchase, merger or acquisition of any part of our business as permitted by law and/or contract, provided that we inform the buyer it must use your personal data only for the purposes disclosed in this Notice;
- any **other person with your consent** to the disclosure (obtained separately from any contract between us);
- our **service providers** include but are not limited to risk and compliance check service providers; providers of IT and communications services; and advisory services providers. If you require further information about our service providers, you can request it from AgDevCo's Group Financial Controller Chris Fuller – cfuller@agdevco.com.

5. How we keep your personal data secure

We use appropriate technical and organisational measures to protect the personal data that we collect and process about you and to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality. The measures are designed to provide a level of security appropriate to the risk of processing. Details of these measures may be obtained from AgDevCo's Group Financial Controller Chris Fuller – cfuller@agdevco.com. 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. Furthermore, all our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal data in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions. Third parties will only process your personal data on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

6. International data transfers

As we operate internationally, in some cases, where your personal data is transferred to another AgDevCo company or third party, it may be processed in countries other than the country in which you are resident. These countries may have data protection laws that are different to the laws of your country (and, in some cases, may not be as protective).

Specifically, our group companies are based in the UK, Ghana, Kenya, Malawi, Mozambique, Tanzania and South Africa. Our third party service providers and partners operate around the world and in particular, Côte d'Ivoire, Ghana, Kenya, Malawi, Mauritius, Mozambique, Rwanda, Senegal, Sierra Leone, South Africa, Tanzania, Uganda, Zambia and Zimbabwe. This means that when we collect your personal data, we may process it in any of these countries.

There is not an adequacy decision by the European Commission or UK Secretary of State in respect of these countries. This means that the countries to which we transfer your data are not deemed to provide an adequate level of protection for your personal data. Where the transfer is not subject to an adequacy decision or regulations, we have taken appropriate safeguards to ensure that your personal data is treated by those third parties in a way that is consistent with and which respects applicable laws, and will remain protected in accordance with this Privacy Notice and applicable laws. The safeguards we use to transfer personal data are in case of both our group companies and third party service providers and partners, the [European Commission's Standard Contractual Clauses](#) as issued on 4 June 2021 under Article 46(2) and the UK Addendum.

If you require further information about the Standard Contractual Clauses entered into by our group companies you can request it from AgDevCo's Group Financial Controller Chris Fuller – cfuller@agdevco.com. Please note that some sensitive commercial information may be redacted from the Standard Contractual Clauses.

7. Data retention

We retain the personal data we collect from you where we have an ongoing legitimate business need to do so (for example, to comply with applicable legal, tax or accounting requirements). We will only

retain your personal data for as long as necessary to fulfil the purposes we collected it for. Generally this means your personal data will be retained until the end of your engagement with us plus a reasonable period of time thereafter to respond to inquiries or to deal with any legal matters (e.g. judicial actions), or document the proper termination of your investment relationship (e.g. to tax authorities).

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you. Once you are no longer an employee, worker or contractor of AgDevCo we will retain and securely destroy your personal data in accordance with our data retention policy.

Details of retention periods for different aspects of your personal data are available in our [AgDevCo Data Protection Policy](#).

8. Automated decision-making

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

9. Your data protection rights

Individuals located in the UK and EEA have the following data protection rights. To exercise any of them see specific instructions below or contact us using the contact details provided under the “How to contact us” heading below.

- You may **access, correct, update or request deletion** of your personal data.
- You can **object** to processing of your personal data, ask us to **restrict processing** of your personal data or **request portability** of your personal data, (i.e. your data to be transferred in a readable and standardised format).
- If we have collected and processed your personal data with your consent, then you can **withdraw your consent** at any time by using the contact details provided under the “How to contact us” heading below [link]. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal data conducted in reliance on lawful processing grounds other than consent.
- You have the **right to complain to a supervisory authority** about our collection and use of your personal data. For more information, please contact your local supervisory authority. Contact details for supervisory authorities in Europe are available [here](#) and for the UK [here](#). Certain supervisory authorities may require that you exhaust our own internal complaints process before looking into your complaint.

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws. You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. 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.

10. Updates to this Privacy Notice

We may update this Notice from time to time in response to changing legal, regulatory, technical or business developments. When we update our Notice, we will inform you. We encourage you to check back at this website periodically in order to be aware of the most recent version of this Notice.

You can see when this Notice was last updated by checking the “last updated” date displayed at the top of this Notice.

11. How to contact us

If you have any questions or concerns about our use of your personal data, please contact us using the following details: AgDevCo’s Group Financial Controller Chris Fuller – cfuller@agdevco.com.

List of AgDevCo entities

AgDevCo Limited
AgDevCo Ghana Limited
AgDevCo Kenya Limited
AgDevCo South Africa (PTY) Limited
AgDevCo Malawi Limited
Africa Agricultural Mocambique Limitada
AgDevCo Tanzania Limited