

Privacy Notice for AgDevCo investees

July 2018

Background

AgDevCo (which in this note refers to AgDevCo Limited and each of its subsidiaries in which it holds legal and beneficial ownership of more than 95% of the voting interest in such subsidiaries) is committed to protecting the privacy and security of your personal information.

This notice describes how we collect and use personal information about you during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

AgDevCo is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

This notice applies to those individuals who provide us with personal data to enable AgDevCo to obtain evidence of the identity of all prospective and current investees and to keep such information updated from time to time. We may update this notice at any time.

It is important that you read this notice so that you are aware of how and why we are using such information.

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

1. Your information

1.1 The kind of information we hold about you

Personal data, or personal information, 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.

We will collect, store, and use the following categories of personal information about you (which you will provide):

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.

- Passport/photo ID.
- Proof of your residential address.
- Gender.

1.2 How is your personal information collected?

We collect personal information about you during the course of our due diligence using our 'AgDevCo New Sponsor Forms' which will be provided to you.

1.3 How we will use information about you

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest.

1.4 Situations in which we will use your personal information

We need all the categories of information in the list above primarily to allow us to use your personal information to pursue legitimate interests of our own, provided your interests and fundamental rights do not override those interests. We will process your personal information to complete our anti-money laundering and "know your customer" checks, and to inform our due diligence of prospective investments and on-going monitoring of existing investments.

1.5 If you fail to provide personal information

If you fail to provide certain information when requested we will not be able to complete our anti-money laundering and "know your customer" checks and proceed with our due diligence.

1.6 Change of purpose

We will only use your personal information 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 information 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 information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

1.7 How we use particularly sensitive personal information

“Special categories” of particularly sensitive personal information require higher levels of protection. This sensitive personal data will be generated by us carrying out checks of relevant risk and compliance databases, including but not limited to Dow Jones Risk and Compliance (<https://www.dowjones.com/products/risk-compliance/>). Our justification for this is necessary for the purpose of legitimate interests, to enable AgDevCo to complete the necessary anti-money laundering and “know your customer” checks as part of its due diligence in relation to prospective and current investments.

1.8 Our obligations

We will use your particularly sensitive personal information as part of our due diligence of prospective investments and as part of our on-going monitoring of existing investments.

2. Do we need your consent?

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations to undertake anti-money laundering and “know your customer” checks.

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.

3. Data sharing

3.1 Transferring information outside the EU

We may transfer the personal information we collect about you to our AgDevCo Group subsidiaries in the following countries outside the EU (Ghana, Malawi, Mauritius, Mozambique, Rwanda, Senegal, Sierra Leone, Tanzania, Uganda, Zambia and Zimbabwe) in order to complete our due diligence. To ensure that your personal information does receive an adequate level of protection we have put in place the following appropriate measures to ensure that your personal information is treated by those third parties in a way that is consistent with and which respects the EU and UK laws on data protection: typically, AgDevCo relies on the European Commission approved Model Clauses for transfers made to entities outside of the EU. If you require further information about these protective measures, you can request it from AgDevCo’s General Counsel (Melissa Manzo, mmanzo@agdevco.com).

4. Data security

- 4.1 We have put in place measures to protect the security of your information. Details of these measures are available upon request.
- 4.2 We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from AgDevCo's Group Financial Controller Chris Fuller – cfuller@agdevco.com.
- 4.3 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.

5. Data retention

- 5.1 How long will you use my information for?

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is included in the AgDevCo Data Protection Policy (a copy of which is available [here](#)). 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.

6. Rights of access, correction, erasure, and restriction

- 6.1 Your duty to inform us of changes.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

- 6.2 Your rights in connection with personal information

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

- Request access to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact AgDevCo's Financial Controller (cfuller – hsenior@agdevco.com) in writing.

6.3 No fee usually required

You will not have to pay a fee to access your personal information (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.

6.4 What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

6.5 Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact AgDevCo's Group Financial Controller Chris Fuller – cfuller@agdevco.com. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

7. Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a link to the new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.