

PRIVACY POLICY

Last Revised: 27/02/2022

This Privacy Policy: (i) identifies how we (Pacaya), which is owned and operated by Pacaya Africa Limited, P.O Box 12199-00400 Nairobi, Kenya use the Personal Data (defined below) you provide us and (ii) informs you of what choices and rights you have with respect to our use of your Personal Data.

Capitalized terms used but not defined within this Privacy Policy adopt the definition ascribed to them in our Terms and Conditions.

1. PERSONAL DATA WE COLLECT

- **Personal Data.** "Personal Data" refers to demographic and any other personally identifiable information (such as your name and email address) that you voluntarily give to us when choosing to participate in various activities related to our app/website, such as chat, posting messages in comment sections or in our forums, liking posts, sending feedback. We collect Personal Data from you when you register or create an account, purchase merchandise, request information from us, sign up for e-mails or otherwise communicate with us or use the services. Similarly, we may collect Personal Data from: individuals interacting with us through social media forums, government entities that make information publicly available, and third-party services and organizations. If you decide on sharing data about yourself (whether such data constitutes Personal Data or otherwise) via online chat, your profile or other public areas of the app, kindly note that all data you disclose in these areas is communal and your data will be accessible to anyone who accesses the Pacaya app or website.
- **Aggregated Data.** We also collect, use and share aggregated data such as statistical or demographic data for any purpose "Aggregated Data". Aggregated Data may be derived from your Personal Data but is not considered Personal Data by law insofar as this data cannot indirectly reveal your identity. For instance, we may aggregate your Usage Data to calculate the percentage of users accessing a specific Service feature. However, if we incorporate Aggregated Data with your Personal Data so that it can directly or indirectly identify you, we treat the combined data as Personal Data.
- **Special Categories.** We collect categories of Personal Data about you which may include details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, and information about your health Special Categories.
- **Data from Social Networks** This includes user information from social networking sites such as Facebook, Instagram, Pinterest, Tiktok, or Twitter which data includes your profile picture, birth date, location, gender, email address, and public data for contacts, if you connect your account to such social networks. This information may also include the contact information of anyone you invite to use and/or join our Service.

- **Geo-Location Information** As part of our services core features, we can request for approval to track location-based information from your device. This can be while you are using the app or continuously to serve location-based services for an optimum customer experience. If you opt to change our access, you may do so in your device's settings.
- **Device Access Sometimes.** Frequently we can seek approvals to certain features from your devices such as mobile device or computer storage. If you wish to change our permissions, you may do so in your device's settings.
- **Device Data** This may include device information such as your device's IP address, model, and manufacturer, operating system version, location, phone number, country, and any other data you choose to provide.
- **Push Notifications** For a better experience with our Services, we can request to send you push notifications regarding your account our app or any other of our Services. If you prefer not receiving these types of communications, you may turn them off in your device's settings.
- **Third-Party Data** Information from third parties, including personal information if you connect your account to the third party and allow the app permission to access this information.

2. HOW WE USE YOUR PERSONAL DATA

We use Personal Data collected from or about you:

- To manage your Account
- To provide you with our Services, including customer services;
- To maintain our Services (such as security, reporting, troubleshooting, testing, system maintenance, support, hosting of data, and blocking users);
- To improve our Services, including your match experience such as mutual match, recommendations, reverse match, etc.;
- To contact you, including sending marketing, advertising, information and updates relating to our Services, responses to questions or requests and/or for the provision of customer services;
- To use data analytics to improve user relationships and experiences; and
- To monitor the use of our Services and prevent blocked users from accessing the Services or the information of other users.

3. CATEGORIES AND PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

a) Data Categories

- Account Data - identifiers including your phone number, username, and password.

- Contact Data – your billing address and identifiers including email address and phone number.
- Payment Data – payment card details, account authentication data and commercial information like transaction data.
- Technical Data - internet protocol (IP) address, login data, device IDs, browser plus plugin type and version, time zone setting and geolocation data, operating system and platform and other technology on the devices you use to access our Service.
- Profile Data - identifiers such as your names, marital status, age, gender, and preferences you decide to add to your profile, blog posts, audio, electronic, or visual information such as photos, videos used in connection with your account, education information, professional or employment-related information, school-issued identification and any other information you provide in relation to specific Services you request, such as certified Pacaya and photograph verification. Profile Data also includes inferences based on the information described above and other information described in this Privacy Policy.

b) Purpose for use

We use your Personal Data for the following business purposes:

PURPOSE	DATA CATEGORY	BASIS FOR PROCESSING
Account and membership management	(a) Account Data (b) Contact Data (c) Payment Data	(a) Performance of the customer agreement (b) Necessary to comply with our legal obligations
Provision of our matching services on our mobile based application web based application, including customer services	All data categories	(a) Performance of the customer agreement (b) Consent for location data (obtained through your device settings)
To maintain our Services	All data categories	Necessary for our legitimate business interests
To improve our services	All data categories	Necessary for our legitimate business interests
To contact you (sending information and updates relating to our services)	(a) Account Data (b) Contact Data	Necessary for our legitimate business interests
To improve user relationships and experiences on the basis of data analytics	(a) Contact Data (b) Technical Data (c) Profile data	Necessary for our legitimate business interests Consent (cookies)

To monitor the use of our Services and prevent blocked users from accessing the Services or the information of other users.	All data categories	Necessary for our legitimate business interests
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- 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.
- Please note that we may process your Personal Data without your knowledge or consent where this is required by law.

4. TRACKING TECHNOLOGIES

a) COOKIES

We may use a variety of technologies such as cookies, web beacons, embedded scripts, or other technologies to collect data about visits to and the users of our Service and interactions with our e-mails and online advertisements in order to allow us to keep track of analytics and specific statistical information. Most browsers are set to accept cookies by default. However, you can disallow cookies but be aware that such action could affect the availability and functionality of our Services. As for web beacons, you may not be able to decline them but they can be rendered ineffective by declining all cookies or by changing your web browser's settings to notify you every time a cookie is tendered, allowing you to accept or decline cookies on an individual basis

Other mobile and web browsers send "do-not-track" signals and because of differences in how web browsers use this feature, it is not always clear whether users intend for these signals to be sent, or whether they even are aware of them. At the moment, do not take action in response to these signals.

For more information see our [Cookie Policy](#).

b) INTERNET BASED ADVERTISING

Additionally, we may use third-party software to serve ads on the app, implement email marketing campaigns, and manage other interactive marketing initiatives. This software may use cookies or other tracking technology to help manage and optimize your online experience with us. For more information about opting-out of interest-based ads, visit google ad opt out tool in your computer/phone settings.

5. WHO WE SHARE YOUR DATA WITH

We share the categories of Personal Data described above as follows:

- **Service Providers.** Third-party service providers for business purposes, such as those that provide business, professional, or technical support functions that make products and our services available to you. We may also share information about you with your financial service provider in order to verify and make transactions, refunds and fraud detection and prevention.
- **Third Parties.** We do not share Personal Data with third-parties for their direct marketing purposes without your permission. Social media services, third-party single-sign on tools, or mobile platforms for in-app purchases through our Services, these third-party services may be able to collect information about you, including your activity on the services, and notify your connections on the third-party services about your use of the services, in accordance with their own privacy policies. Our Service consist of making your profile data available to other users of our Services in order to find matches at your direction.
- **Legal Matters; Safety.** We may access and disclose your information to judicial processes, respond to subpoenas, judicial processes or government requests and investigations, or regarding an investigation on matters related to public safety, as permitted by law, or otherwise as required by law. Similarly, we can disclose your information to protect the security of our Service including our servers, network systems, and databases. In addition, we may disclose your information as necessary, if we believe that there has been a violation of our Agreement, any other legal document or contract related to our Service, or the rights of any third party.
- **Transfer of Business or Assets.** We may transfer assets in connection with a corporate transaction such as a merger or bankruptcy. If another entity acquires us or any of our assets, the information we have collected about you may be transferred to such entity. In addition, if any bankruptcy or reorganization proceeding is brought by or against us, such information may be considered an asset of ours and may be transferred to third parties.
- **Marketing Statistics and Analytics.** We may share Aggregate Data, anonymous, or de-identified data with third parties for their marketing or analytics uses.
- **Our Affiliates.** We may share information with our affiliated dating apps, subject to the limitations set forth in our Service Agreement or on those dating apps.

6. OUR COMMITMENT TO DATA SECURITY

To prevent unauthorized access, maintain data accuracy, and ensure the correct use of information, We use administrative, physical and technical security measures to help protect your personal information we collect online.

We maintain strong organizational and technical measures intended to protect the secure any information we process. However, while we have taken reasonable steps to secure the personal information you provide to us, kindly note that despite our efforts no security measures are perfect or impassable and no method of data transmission can be guaranteed 100% against any interception or other type of misuse. Any personal information disclosed online is vulnerable to interception and misuse by unauthorized parties.

7. YOUR CHOICES

You have the following choices regarding your Personal Data. To protect your privacy and security, we may take reasonable steps to verify your identity before any request for access or alteration of your Personal Data.

- a) **How You Can Access or Correct Your Information.** You can access a variety of your Personal Data that we collect online and maintain it either online, or by contacting our customer service representatives via the e-mail address in the Contact Us section below. We use this procedure to better safeguard your information. You can correct factual errors in your Personal Data by sending us a request that credibly shows the error.
- b) **How You Can Disable Your Account.** You can disable your account at any time using the "disable account" feature on the settings page, or ask us to disable your account by contacting us on When you disable your account or ask us to disable your account, your account will be removed from our Service and it will no longer be viewable by other users or the public. According to our account disable rule, you will be able to reactivate your account at any time by logging into the site with your current email and password.
- c) **How You Can Request for Your Information To Be Deleted.** You can delete your account using the "delete account" feature on the settings page. You may also place a request by contacting our privacy team via e-mail at the e-mail address in the Contact Us section below. If you request your personal data be deleted, any outstanding order or transaction will be irrevocably terminated and you will not be able to restore your account or retrieve your personal data upon deletion after 6 months. Within 6 months, you can contact us to revoke your delete request.

Opting out

- a) **E-mail.** Any subscription to various marketing e-mails can be cancelled by clicking the "unsubscribe" links in the e-mails, changing preferences in the "Your Account" area online, or sending a request to the e-mail address in the Contact Us section
- b) **Geolocation data.** You can disable our collection of geolocation data by changing the settings on your device.
- c) **Cookies.** You may disable or delete cookies as explained in our [Cookie Policy](#).

8. DATA RETENTION

We will only retain your Personal Data for as long as necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, accounting, audit, reporting and/or corporate compliance requirements.

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 unauthorized 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.

9. ADDITIONAL INFORMATION ON PRIVACY RIGHTS

Once we receive your request, we may verify it by requesting information sufficient to confirm your identity. If you would like to use an authorized agent registered with the authorized legal officers to exercise your rights, we may request evidence that you have provided such agent with power of attorney or that the agent otherwise has valid written authority to exercise rights on your behalf.

We do not sell your Personal Data to third parties. We do disclose Personal Data for business purposes, including but not limited to services performed on our behalf, to provide advertising on our Service and elsewhere based on users' online activities over time and across different sites, services, and devices to protect against fraud and malicious activity. In addition, your information may be accessible to third parties with whom you interact or direct us to share your information through our Services. The information practices of these third parties are not covered by this Privacy Policy.

10. OTHER SITES LINKED TO SERVICES

Our Service may contain links to other sites that are not operated by us. If you click on a third-party link, you will be directed to that third party's site. We strongly advise you to review the privacy policy of every site you visit. We have no control over and assume no responsibility for the content, privacy policies or practices of any third-party sites or services.

11. QUESTIONS OR CONCERNS

Any questions or concerns regarding the use or disclosure of Personal Data should first be directed to us via the email address provided in the Contact Us section. We will promptly investigate and attempt to resolve all complaints regarding our use of Personal Data. In the event we are unable to mutually resolve a complaint; we will work with you and agree to refer your complaint to an independent dispute resolution mechanism. You may also work with the Data Protection Authority in your country to assist with this process as well.

12. UPDATES

This Privacy Policy was last updated on the date identified above and we accordingly reserve the right to change or modify this policy at any time without prior notice, and we may apply any change in the Privacy Policy to information previously collected, as permitted by law. Please review our Privacy Policy before you provide any Personal Data and periodically on an ongoing basis. When we make material changes to this Privacy Policy, we will notify you by posting the updated Privacy Policy on our Service noting the "Last Revised" date at the top of the Privacy Policy. Your continued use of our Service after any changes or revisions to this Privacy Policy become effective shall indicate your consent to the then-current Privacy Policy.

13. CONTACT US

If there are any questions regarding this Privacy Policy, you may contact us via e-mail at inquiries@pacaya.com.