

Privacy Policy

1. Introduction

This privacy notice aims to inform you about how we collect and process any personal data that we collect from you, or that you provide to us.

It covers information that could identify you (“personal data”) and information that could not. In the context of the law and this notice, “process” means collect, store, transfer, use or otherwise act on information. It tells you about your privacy rights and how the law protects you.

We are committed to protecting your privacy and the confidentiality of your personal data. We undertake to preserve the confidentiality of all information you provide to us and hope that you reciprocate.

Our policy complies with the Kenya Data Protection Act and the Data Protection Regulations.

The law requires us to tell you about your rights and our obligations to you in regard to the processing and control of your personal data.

2. Definitions

References to “You” means:

- 2.1. customer- the person who subscribes to, uses, or purchases any of our products and services or accesses our websites and includes any person who accesses any of the products and services you have subscribed to.
- 2.2. Any agent, dealer and/or merchant who has signed an agreement with us and is recognized as a merchant or agent in accordance with any applicable laws or Regulations.
- 2.3. “Switchlink Africa Ltd”, “Switchlink”, “we” or “us”, “our” and “ours” means Switchlink Africa.
- 2.4. Any visitor that is a person (including contractors/sub-contractors or any third parties) who gains access to any Switchlink’s premises.
- 2.5. Any supplier who has been contracted by Switchlink and executed a Supplier contract.
- 2.6. The word “includes” means that what follows is not necessarily exhaustive and therefore the examples given are not the only things/situations included in the meaning or explanation of that text.

3. Collection of Information

- 3.1. We collect your personal information with your knowledge and consent when you do any of the following (please note that this list is not exhaustive):
 - 3.1.1. register for a specific product or services;
 - 3.1.2. buy, subscribe to, or use a Switchlink product or service online, on the cloud, on a mobile or other device, in an Switchlink office;
 - 3.1.3. subscribe to Switchlink or third-party premium rates services, Short Message Service (SMS), email or social media platforms;
 - 3.1.4. ask Switchlink for more information about a product or service or contact Switchlink with a query or complaint;
 - 3.1.5. respond to or participate in a survey, marketing promotion, prize competition or special offer;
 - 3.1.6. visit, access or use Switchlink or third-party websites;
 - 3.1.7. We may also collect your information from other organizations including credit- reference bureaus, fraud prevention agencies and business directories;
 - 3.1.8. We may collect your information when you interact with us as a supplier, agent, Service Providers, or dealer as prescribed in this statement;
 - 3.1.9. We also collect information when you visit any of our premises.
- 3.2. We do not onboard minors (any person under 18 years of age) except where you additionally register on their behalf as their parent and/ or legal guardian. If you allow a child to use our services, you should be aware that their personal information could be collected as described in this policy.

4. What Information is collected?

- 4.1. We may collect, use, store and transfer different kinds of personal data about you. We have collated these into groups as follows:
 - 4.1.1. **Your identity** includes information such as first name, last name, title, date of birth, age, images, and other identifiers that you may have provided at some time.
 - 4.1.2. **Your contact information** includes information such as email address, telephone numbers and any other information you have given to us for the purpose of communication or meeting.
 - 4.1.3. **Recruitment data** includes information such as your curriculum vitae, educational background, professional qualifications, reference contact details and every other information you have given us for the purpose of hiring prospective applicants.
 - 4.1.4. **Transaction data** includes information such as your name, your contact details, your payment card details or other payment details and the transaction details. The source of the transaction data comes from you and/or our payment services provider.

- 4.1.5. **Technical data** includes your internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- 4.1.6. **Marketing data** includes your preferences in receiving marketing from us; communication preferences; responses and actions in relation to your use of our services.
- 4.1.7. We use **Closed Circuit Television (CCTV)** surveillance recordings. CCTV devices are installed at strategic locations to provide a safe and secure environment in all Switchlink premises as a part of our commitment to community safety, security and crime prevention.
- 4.1.8. **Accident and incident reporting data** We collect your personal information when you visit us for purposes of accident and incident reporting. We will collect personal data from the injured party or person suffering from ill health, such as, Name, Address, Age, next of kin, details of the incident to include any relevant medical history. We have a legal duty to document workplace accidents and incidents and to report certain types of accidents, injuries and dangerous occurrences arising out of its work activity to the relevant enforcing authority.
- 4.1.9. We may aggregate **anonymous data** such as statistical or demographic data for any purpose. Anonymous data is data that does not identify you as an individual. Aggregated data may be derived from your personal data but is not considered personal information in law because it does not reveal your identity.

5. Use of Information

- 5.1. We may use and analyze your information for the following purposes:
 - 5.1.1. Processing products and services that you have bought from Switchlink or from third parties on our e-commerce platforms;
 - 5.1.2. Billing you for using our or third-party products or services or taking the appropriate amount of credit from you;
 - 5.1.3. Responding to any of your queries or concerns;
 - 5.1.4. Verifying your identity information through publicly available and/or restricted government databases in order to comply with applicable regulatory requirements;
 - 5.1.5. Carrying out credit checks and credit scoring;
 - 5.1.6. Keeping you informed generally about new products and services and contacting you with offers or promotions based on how you use our or third-party products and services unless you opt out of receiving such marketing messages (you may contact Switchlink at any time to opt out of receiving marketing messages);
 - 5.1.7. to comply with any legal, governmental, or regulatory requirement or for use by our lawyers in connection with any legal proceedings;
 - 5.1.8. In business practices including to quality control, training, and ensuring effective systems operations;

- 5.1.9. To understand how you use our products and services for purposes of developing or improving products and services;
- 5.1.10. Preventing and detecting fraud or other crimes and for debt recovery;
- 5.1.11. For research, statistical, survey and other scientific or business purposes;
- 5.1.12. Provide aggregated data (which do not contain any information which may identify you as an individual) to third parties for research and scientific purpose;
- 5.1.13. Administer any of our online platforms/websites.

5.2 We collect biometric facial data through the device camera during the user verification process. This data is processed by our verification partner solely to confirm liveness and prevent identity fraud. We do not store facial recognition data locally or use it for any purpose beyond identity verification. Our app uses Apple's TrueDepth camera system to enable facial tracking features. This data is used exclusively for real-time processing on your device to provide AR experiences such as facial animations or effects (such as liveness). We do not collect, store, or share any data obtained from the TrueDepth camera. This is used solely for facial recognition.

6. Categories of Data

Categories of Personal Data as defined in the Data Protection Act, Laws of Kenya, may be processed depending on the particular types of products and services you have subscribed to or purchased.

7. Lawful Basis for processing your information.

The law requires us to determine defined bases we process different categories of your personal information, and to notify you of the basis for each category.

If the basis on which we process your personal information is no longer relevant, then we shall immediately stop processing your data.

8. We Process your information based on the following:

8.1. Contractual obligation with you.

When you agree to our terms and conditions, a contract is formed between you and us. In order to carry out our obligations under that contract we must process the information you give us. Some of this information may be personal information.

We may use it in order to:

- provide you with our services
- provide you with suggestions and advice on services.

We process this information on the basis that there is a contract between us, or that you have requested we use the information before we enter into a legal contract.

We shall continue to process this information until the contract between us ends or is terminated by either party under the terms of the contract.

8.2. Your consent.

Through certain actions when otherwise there is no contractual relationship between us, such as when you browse our website or ask us to provide you more information about our business, including job opportunities and our services, you provide your consent to us to process your personal information (Name, Email address & Telephone Number).

Wherever possible, we aim to obtain your explicit consent to process this information.

We continue to process your information on this basis until you withdraw your consent or it can be reasonably assumed that your consent no longer exists.

You may withdraw your consent at any time by instructing us at dpo@switchlinkafrica.com

8.3. Legal obligation.

Sometimes, we must process your information in order to comply with a statutory obligation. For example, we may be required to give information to legal authorities if they so request or if they have the proper authorization such as a search warrant or court order. This may include your personal information.

8.4. To protect your vital interest or that of another data subject.

Sometimes, we must process your information in order to protect an interest which is essential for your life or that of another natural person. For example, in emergency medical care, when we need to process your personal data for medical purposes but you are incapable of giving consent to the processing.

8.5. Public interest or exercise of official public mandate vested in us.

Sometimes we must process your information for the performance of a task carried out in the public interest or in the exercise of official authority vested in us, such as when we are carrying out a specific task in the public interest which is laid down by law.

9. Retention of Information

Information held about you shall be retained for as long as the purpose for which the information was collected continues.

The information shall then be destroyed unless its retention is required to satisfy legal, regulatory, or accounting requirements or to protect Switchlink's interests.

Except as otherwise mentioned in this privacy notice, we keep your personal information only for as long as required by us:

- to provide you with the services you have requested;
- to comply with other law, including for the period demanded by our authorities;
- to support a claim or defense in court.

10. Disclosure of Information

10.1. Any disclosure of your information shall be in accordance with applicable laws and regulations. Switchlink shall assess and review each application for information and may decline to grant such information to the requesting party.

10.2. We may disclose your information to:

10.2.1 law-enforcement agencies, regulatory authorities, courts, or other statutory authorities in response to a demand issued with the appropriate lawful mandate and where the form and scope of the demand is compliant with the law.

10.2.2 Any regulatory, supervisory, governmental, or quasi-governmental authority with jurisdiction over Switchlink;

- 10.2.3 Any agent, contractor or third-party service provider, professional adviser or any other person under a duty of confidentiality to Switchlink;
 - 10.2.4 In the event of default, debt collection agencies and/or auctioneers;
 - 10.2.5 Any financial institution with which Switchlink has or proposes to have dealings.
 - 10.2.6 our subsidiaries, associates, partners, software developers or agents who are involved in delivering Switchlink products and services you order or use;
 - 10.2.7 Fraud prevention and Anti-money laundering agencies, credit reference bureaus;
 - 10.2.8 publicly available and/or restricted government databases to verify your identity information in order to comply with regulatory requirements;
 - 10.2.9 Survey agencies that conduct surveys on behalf of Switchlink;
 - 10.2.10 Emergency service providers when you make an emergency call (or where such disclosure to emergency service providers is necessary for your rescue, health and safety) including your approximate location;
- 10.3. We shall not release any information to any individual or entity that is acting beyond its legal mandate.
 - 10.4. We will get your express consent before we share your personal data with any third party for direct marketing purposes.

11. Direct Marketing

We may share promotional messages with you from time to time. You can request to opt out at any given time, by following the necessary prompts or contacting us through 0709650000.

12. The Use of Hyperlinks

- 12.1. Our websites may provide hyperlinks to other locations or websites on the Internet. These hyperlinks lead to websites published or operated by third parties who are not affiliated with or in any way related to us and have been included in our website to enhance your user experience and are presented for information purposes only.
- 12.2. We do not endorse, recommend, approve or guarantee any third-party products and services by providing hyperlinks to an external website or webpage and do not have any co-operation with such third parties unless otherwise disclosed. We are not in any way responsible for the content of any externally linked website or webpage.
- 12.3. By clicking on a hyperlink, you will leave the Switchlink webpage and accordingly you shall be subject to the terms of use and privacy policy of the other website that you choose to visit.

13. The Use Of Cookies

We may store some information (using "**cookies**") on your computer when you visit our websites. This enables us to recognise you during subsequent visits. The type of information gathered is non-personal (such as: the Internet Protocol (IP) address of your computer, the date and time of your visit, which pages you browsed and whether the pages have been delivered successfully).

We may also use this data in aggregate form to develop customised services - tailored to your individual interests and needs. Should you choose to do so, it is possible (depending on the browser you are using), to be prompted before accepting any cookies, or to prevent your browser from accepting any cookies at all. This will however cause certain features of the web site not to be accessible.

14. Access to and updating your Information.

- 14.1. If you believe that our records contain inaccurate or incomplete information about you, please visit any of our branch outlets to make the necessary amendments.
- 14.2. Some changes will only be made once the necessary supporting documentation has been obtained.
- 14.3. We will take reasonable steps to investigate your concerns and correct inaccurate information in a timely manner.

15. Safeguarding and Protection of Information

Switchlink has put in place technical and operational measures to ensure integrity and confidentiality of your data via controls around: information classification, access control, cryptography, physical and environmental security and monitoring and compliance.

16. Your Rights

- 16.1. Subject to legal and contractual exceptions, you have rights under Data Protection Laws in relation to your personal data. These are listed below: -
 - 16.1.1 Right to be informed that we are collecting your personal data;
 - 16.1.2 . Right to access personal data and request for information on how we process it;
 - 16.1.3 .Right to request that we correct your personal data where it is inaccurate or incomplete;
 - 16.1.4 Right to request that we erase your personal data noting that we may continue to retain your information if obligated by the law or entitled to do so;
 - 16.1.5 Right to object and withdraw your consent to processing of your personal data. We may continue to process if we have a legitimate or legal reason to do so;
 - 16.1.6 Right to request restricted processing of your personal data noting that we may be entitled or legally obligated to continue processing your data and refuse your request;
 - 16.1.7 Right to request transfer of your personal data in [an electronic format].
- 16.2. If you wish to exercise any of the rights set out above, please contact us on 0709 525 000 or dpo@anvishieldgroup.com
- 16.3. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights).

This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

- 16.4. We try to respond to all legitimate requests within a reasonable time. Occasionally it could take us longer if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

17. Communication

- 17.1. If you would like to contact us regarding this privacy policy you can email us on dpc@switchlinkafrica.com
- 17.2. In providing your telephone, postal and e-mail address, or similar details, you agree that we may contact you by these methods to keep you informed about our products and services or for any other reason. If you prefer not to be kept informed of our products and services, please unsubscribe from the service by following the necessary prompts.
- 17.3. In order to maintain the security of our systems, protect our staff, record transactions, and, in certain circumstances, to prevent and detect crime or unauthorized activities, Switchlink reserves the right to monitor all internet communications including web and email traffic into and out of its domains.

18. Right to Lodge Complaint

You have the right to lodge a complaint with the relevant supervisory authority that is tasked with personal data protection within the Republic of Kenya

19. Non-Compliance With This Policy

Switchlink have the right to terminate any agreement with you for failure to comply with the provisions of **this policy** and reject any application for information contrary to **this policy**.

20. Amendments to This Policy

- 20.1. We reserve the right to amend its prevailing Data Protection and Privacy Policy at any time and will place any such amendments on this Website. This Data Protection and Policy is not intended to, nor does it, create any contractual rights whatsoever or any other legal rights, nor does it create any obligations on us in respect of any other party or on behalf of any party.
- 20.2. Your continued access or use of the Website after any modifications have become effective shall be deemed your conclusive acceptance of the modified data.

21. Job Applicants

- 21.1. Personal information provided on our data collection modes in connection with an application for employment will be used to determine your suitability for a position applied for. Your information may also be used to monitor our recruitment initiatives and equal opportunities policies.
- 21.2. Applicant details may be disclosed to third parties to verify or obtain additional information including education institutions, current/previous employers, and credit reference bureaus. Credit reference bureaus record these searches, and you can contact us to find out which bureaus we used.

- 21.3. Unsuccessful applications may be retained to match your skills to future job opportunities. These are usually retained for up to 24 months but please let us know if you do not wish us to retain your information for this purpose.
- 21.4. If you are providing your details in connection with an application for employment, please refer to our “Data Protection and Privacy Policy – Job Applicants” which will be displayed when you apply (see our ‘Careers’ page). This Policy will not alter or affect any information otherwise provided by you to Switchlink.

22. Social Media

We operate and communicate through our designated channels, pages and accounts on some social media sites to inform, help and engage with our customers.

We monitor and record comments and posts made about us on these channels so as to improve our services.

We are not responsible for any information posted on those sites other than the information posted by our designated officials. We do not endorse the social media sites themselves, or any information posted on them by third parties or other users.

We do not give investment, tax, or other professional advice on social media sites.

When you engage with us through social media your Personal Data may be processed by the site owner. The said procession is outside our control and may be in a country outside Kenya that may have different privacy principles.