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# PRIVACY POLICY NOTICE

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## **1.0 PRIVACY STATEMENT.**

This privacy policy explains how PLANET CODE SOLUTIONS LIMITED handles the processing of your personal information. We are dedicated to prioritizing and protecting your privacy and ensuring that your personal data is handled with utmost care and security, which continues to be our top priority.

PLANET CODE SOLUTIONS LIMITED referred to as (“we”, “us” or “our”) in this Privacy Notice is the Data Controller (registration number PVT-MKUMP763) responsible for your personal data.

By providing your personal data to us (whether via our website, by email, in person or over the phone), you agree to the processing set out in this Privacy Notice.

## **1.1 DEFINITIONS.**

**Data Protection Officer** is a person designated or appointed by PLANET CODE SOLUTIONS LIMITED to monitor compliance with the Data Protection Act, No. 24 of 2019 and the Regulations made under the Act.

**Data Collection** means gathering of information that relates to you.

**Personal data** means Information that directly or indirectly identifies or says something about you is referred to as personal data. Examples include your name and address, and information such as your income.

**Data Processing** means any operation or sets of operations which is performed on your personal data whether or not by automated means, such as: collection, recording, organization or structuring; Storage, adaptation or alteration; Retrieval, consultation or use; Disclosure by transmission, dissemination, or otherwise making available; Alignment or combination, restriction, erasure or destruction.

**Third Party** - means a natural or legal person, public authority, agency or body other than PLANET CODE SOLUTIONS LIMITED and, who under the direct authority of PLANET CODE SOLUTIONS LIMITED are authorized to process your personal data.

**Website** means the website of PLANET CODE SOLUTIONS LIMITED which is accessible through [[www.planetcode.co.ke](http://www.planetcode.co.ke)]

In addition to the definitions above, unless the context requires otherwise:

- Definitions of terms in our general terms and conditions shall be applicable to this Policy;
- The singular shall include the plural and vice versa; and
- A reference to any one gender, whether masculine, feminine or neuter, includes the other; and
- All the headings and sub-headings in this policy are for convenience only and are not to be taken into account for the purposes of interpreting it.

## **2.0 PERSONAL DATA WE COLLECT FROM YOU**

We shall collect your personal data with your knowledge and consent when you do any of the following:

- Sales administration – purchase of a product or service, including but not limited to purchase of website or web-based applications;
- Subscribe to our newsletters or other marketing communications
- Complete an online contact form;
- Visit our website;
- Contact PLANET CODE SOLUTIONS LIMITED with a query or complaint;
- Respond to or participate in a survey, marketing promotion, or special offer;
- You apply for a job with us for recruitment purposes – either directly to us and/or sometimes from an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies and/or other background credit agencies;
- We may collect your information when you interact with us as a supplier, agent, merchant or dealer;
- We also collect information when you visit any of our premises;
- Call us or interact with us through social media, our email (we may record your conversations for quality assurance purposes);
- We do not collect data for minors (any person under 18 years of age) except where you additionally consent and/or register on their behalf as their parent and/ or legal guardian. We shall have appropriate mechanisms in place for age verification and consent in order to process personal data of a child.
- Provide us feedback.

Your access and/or use of any of the above constitutes your consent to collection and processing of your data and acceptance of the terms and conditions in this Notice.

## **2.1 WHAT INFORMATION WE COLLECT?**

PLANET CODE SOLUTIONS LIMITED will collect, utilize, retain, and transmit a variety of Personal Data related to you, which can be categorized as follows:

1. Identity data - your name, username, ID/passport number, photograph, nationality, age, title, date of birth, gender, and other related information.
2. Contact data - email address, and telephone number(s).
3. Demographic data - address, preferences or interests.
4. Financial data – your credit or debit-card information – information about your bank account numbers and SWIFT codes or other banking information for billing purposes.
5. Images, quotes and/or videos from which you may be identified – during marketing events or interviews
6. Identification and other background verification data such as a copy of passports or utility bills or evidence of beneficial ownership or the source of funds to comply with client due diligence/"know your client"/anti-money laundering laws and collected as part of our client acceptance and ongoing monitoring procedures.
7. Recruitment related data such as your curriculum vitae, your education and employment history, details of professional memberships and other information relevant to potential recruitment with us.
8. Engagement data – which includes your views during and after the marketing activations & events, posts on social media and any feedback or comments submitted to us.
9. Technical data: This encompasses details such as your internet protocol (IP) address, login identity data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology associated with the devices you use to access our systems;
10. Profile Data – this includes feedback and survey responses.
11. Any personal data about you included in free text boxes when you complete our web forms; including in relation to enquiries or comments submitted to us.
12. If you visit our premises, for security reasons we might also record your data through video or other electronic, digital or wireless surveillance system or device (e.g. CCTV).

It is important the personal data we hold about you is accurate and up-to date. Please keep us informed of any changes to your personal data.

### **3.0 PURPOSES FOR COLLECTION, USE, DISCLOSURE AND PROCESSING OF PERSONAL DATA.**

We may collect, use, disclose, and process your personal data for various purposes, including providing services to you and fulfilling our legal and regulatory obligations. The specific purposes for processing your personal data may include, but are not limited to, the following:

- a. Processing your inquiries and requests for products and services.
- b. Providing you with products and/or services, facilitating transactions, and ensuring their proper execution.
- c. Carrying out your instructions and responding to your inquiries.
- d. Handling matters related to the products and/or services provided under our agreement(s) with you, including printing and mailing correspondence, statements, invoices, confirmations, advices, information, reports, or notices, which may require the disclosure of certain personal data for delivery purposes.
- e. Publishing your feedback at internal and external events, feedback exercises, and as part of marketing and promotional activities.
- f. Processing and/or storing information related to your relationship with us.
- g. Complying with applicable laws, regulations, guidelines, and notices in administering and managing your relationship with us.
- h. Informing you of any other purposes at the time of obtaining your consent.

Please note that the specific purposes for processing your personal data may not be limited to the ones mentioned above. We will inform you of any additional purposes at the time of obtaining your consent, unless processing your personal data without consent is permitted by the PDPA (Personal Data Protection Act) or by law.

#### **4.0 DISCLOSURE/SHARING OF YOUR PERSONAL INFORMATION**

When necessary, we may share your personal data with:

- Tax, Government, and any relevant regulatory authorities if PLANET CODE SOLUTIONS LIMITED becomes aware of a violation of law or regulation;
- Prosecuting authorities and courts, and/or other relevant third parties connected with legal proceedings or claims to which PLANET CODE SOLUTIONS LIMITED is a party;
- Law-enforcement agencies with notification to you where possible;
- Fraud prevention and Anti money laundering agencies, credit reference agencies;
- Publicly available and/or restricted government databases to verify your identity information in order to comply with regulatory requirements;
- Debt collection agencies or other debt-recovery organizations;
- Survey agencies that conduct surveys on behalf of PLANET CODE SOLUTIONS LIMITED;
- Some of your data may be passed on to third parties that host our mobile money payment platforms;
- Any other person that we deem legitimately necessary to share the data with.

#### **5.0 DURATION FOR HOLDING PERSONAL INFORMATION.**

We will only retain your personal information for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

#### **6.0 SAFEGUARDING AND PROTECTION OF INFORMATION**

PLANET CODE SOLUTIONS LIMITED has put in place technical and operational measures to ensure integrity, confidentiality and to protect your data from unauthorized access, accidental loss or destruction.

## **7.0 YOUR DATA PRIVACY RIGHTS AND HOW TO EXERCISE THEM**

Subject to legal and contractual exceptions, you have rights under data protection laws in relation to your personal data and we encourage you to exercise them as listed below:

- Right to be informed: We are obliged to provide clear and transparent information about our processing activities of your personal data;
- Right to access to your personal data: You have the right to understand what personal data we hold about you and why;
- Right to request rectification of your personal data: If you believe that we hold inaccurate or incomplete personal data, you have the right to request us to rectify your personal data.
- Right to request that we erase your personal data: You may ask us to delete or remove personal data where there is no good reason for us to continue to process it. Please note however that we may continue to retain it if obligated by the law or entitled to do so;
- Right to request restriction of processing of your personal data: You may ask us to stop processing your personal data. We will still hold the data, but we will not process it any further. You may exercise the right to restrict processing when one of the following conditions applies:
  - The accuracy of the personal data is contested
  - Processing of the personal data is unlawful
  - We no longer need the personal data for processing, but the personal data is required as part of a legal process
  - The right to object has been exercised and processing is restricted pending a decision on the status of the processing
- Right to data portability: You may request to receive your personal data or transfer to another data controller or processor, provided the data is in a structured, commonly used and machine-readable format.
- Right to withdraw your consent: You may withdraw your consent at any time. However, your withdrawal won't affect any processing already carried out before you withdraw your consent or processing under other grounds that mandate us by law to process your data.



- Right to object: You have the right to object to our processing of your personal data where:
- Processing is based on legitimate interest, unless the data controller or data processor demonstrates compelling legitimate interest for the processing which overrides the data subject's interests
- Processing is for the purpose of direct marketing

We may 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.

We try to respond to all legitimate requests within 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.

## **8.0 DIRECT MARKETING**

You may be required to opt in or give any other form of explicit consent before receiving marketing messages from us. You can ask us to stop sending you marketing messages at any time by writing to us or logging onto our website, [www.planetcodesolutions.co.ke](http://www.planetcodesolutions.co.ke) and checking or unchecking relevant boxes to adjust your marketing preferences or by following the opt out links on any marketing message sent to you or by attending to us or contacting us at any time through the provided contacts.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of [a product, service already taken up, warranty registration, product or service experience or other transactions].

## **9.0 THE USE OF COOKIES**

We may store some information (using "cookies") on your computer when you visit our websites to help you personalize your online experience. This enables us to recognize 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 customized 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 interactive features of the website not to be accessible.

## **10. THE USE OF HYPERLINKS**

Our website 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 may have been included in our website to enhance your user experience and are presented for information purposes only.

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.

By clicking on the hyperlink, you will leave the PLANET CODE SOLUTIONS LIMITED webpage and accordingly you shall be subject to the terms of use, privacy and cookie policies of the other website that you choose to visit.

## **11. RIGHT TO LODGE A COMPLAINT**

If you have any concerns about the use of your personal data or the way we handle your requests relating to your rights, you can raise a complaint directly with us by using the contact details provided in this notice.

If not satisfied with the way we handle your complaint, you are entitled to lodge a complaint directly with the Data Commissioner's Office via the details provided on their website: [www.odpc.go.ke](http://www.odpc.go.ke)

## **12. APPLICABLE & GOVERNING LAW**

Your data will be controlled and processed as per this Notice within the Republic of KENYA and therefore KENYAN law governs the operation and enforceability of this Notice.

### **13. NON-COMPLIANCE WITH THE PRIVACY POLICY**

PLANET CODE SOLUTIONS LIMITED reserves the right to discontinue any agreement in case of compliance failure for the provisions in this Privacy Policy and decline any application for information that contradicts this Privacy Policy.

### **14. AMENDMENTS TO THIS NOTICE**

PLANET CODE SOLUTIONS LIMITED reserves the right to amend or modify this Privacy Notice at any time to reflect changes in the law, our company, our Services, our data processing practices, customer/user feedback or advances in technology. The updated policy can be found at <https://www.planetcodesolutions.co.ke/PLANET-CODE-SOLUTIONS-PRIVACY-STATEMENT.pdf>

### **15. HOW TO CONTACT US**

In case you would like to contact us with reference to the terms of this privacy policy, or in order to exercise any of your rights in relation to your Personal Data, you can reach us through the below contacts.

P.O Box 30301-00100, Nairobi

Tel: +254 719 814163 / +254 715 080638

Email: [info@planetcodesolutions.co.ke](mailto:info@planetcodesolutions.co.ke)

Website: <https://www.planetcodesolutions.co.ke>

Polycarp O. Odhiambo



Chief Executive Officer

Planet Code Solutions Limited

Statement Updated: 1<sup>ST</sup> September 2023