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PWANI OIL PRODUCTS LIMITED DATA PRIVACY STATEMENT

1.0 INTRODUCTION

Your privacy is important to us. This privacy statement explains the personal data Pwani Oil Products Ltd ("POPL") collects, how POPL processes it and for what purposes.

This statement should be read together with the Terms and Conditions of the supplier and customer portal. Where there is a conflict, this statement will prevail.

This statement applies to all customers, suppliers, agents, merchants, dealers and all visitors frequenting any of POPL's premises.

2.0 DEFINITIONS

2.1 "You" means:

- i) 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.
- ii) Any agent, dealer and/or merchants who has signed an agreement with us and is recognized as a merchant or agent in accordance with any applicable laws or regulations.
- iii) Any supplier who has been contracted by POPL and executed a supplier contract.

2.2 "POPL", "we" or "us", "our" and "ours" means Pwani Oil Products Limited:

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.

3.0 STATEMENT DETAILS

3.1 Collection of Information

3.1.1 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) :

- a) register for a specific product or service;
- b) We may collect your information when you interact with us as a supplier, agent, merchant or dealer as prescribed in this statement;

3.2 What information is collected?

The information we collect and store about you includes but is not limited to the following:

3.2.1 Your identity, including your name, photograph, address, location, phone number, identity, document type and number, date of birth, email address and

3.2.2 Your credit or debit-card information, information about your bank account numbers and SWIFT codes or other banking information.

3.2.3 Your transaction information when you use MPESA service.

3.2.4 Your contact with us, such as when you: call us or interact with us through our chatbot, email, social media or other interactions with us.

3.3 Use of Information

We may use and analyse your information for the following purposes:

3.3.1 Processing products and services that you may have bought from us;

3.3.2 Responding to any of your queries or concerns;

3.3.3 Verify your identity information through publicly available and/or restricted government databases in order to comply with applicable regulatory requirements;

3.3.5 To comply with any legal, governmental or regulatory requirements or for use by our lawyers in connection with any legal proceedings.

3.4 Categories of Data

Categories of Personal Data as defined in the Data Protection Act of Kenya may be processed depending on the particular type of portal you have chosen to engage in on the portal i.e Customer portal or Supplier portal.

3.5 Lawful basis for processing your information.

We will process your personal information based on any of the lawful basis provided for under the Data Protection Law:

3.5.1 The performance of the Agreement with you.

3.5.2 Compliance with a mandatory legal obligation.

3.5.3 Consent you provide.

3.5.4 Your vital interest.

3.6 Retention of Information

We will only retain your personal data 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.

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, the need to comply with our internal policy and the applicable legal, regulatory, tax, accounting or other requirements.

Anonymized information that can no longer be associated with you may be held indefinitely.

4.0 DISCLOSURE OF INFORMATION

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

4.2 We may disclose your information to:

- a) 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.
- b) our subsidiaries, associates, partners, software developers or agents who are involved in delivering POPL products and services you order or use;
- c) publicly available and/or restricted government databases to verify your identity information in order to comply with regulatory requirements;
- d) debt-collection agencies or other debt-recovery organizations;
- e) Survey agencies that conduct surveys on behalf of POPL;
- f) Any other person that we deem legitimately necessary to share the data with.

4.3 We shall not release any information to any individual or entity that is acting beyond its legal mandate.

4.5 We will get your express consent before we share your personal data with any third party for direct marketing purposes.

5.0 THE USE OF COOKIES

5.1 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).

5.2 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.

6.0 The Use of Hyperlinks

6.1 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.

6.2 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.

6.3 By clicking on a hyperlink, you will leave the POPL 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.

7.0 SAFEGUARDING AND PROTECTION OF INFORMATION

POPL 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.

9.0 INTERNATIONAL DATA TRANSFERS

From time to time we may need to transfer your personal information outside the Republic of Kenya.

Where we send your information outside Kenya, we will make sure that your information is properly protected in accordance with the applicable Data Protection Laws.

10.0 YOUR RIGHTS

Subject to legal and contractual exceptions, you have rights under data protection laws in relation to your personal data. These are listed below: -

- a) Right to be informed that we are collecting personal data about you;
- b) Right to access personal data that we hold about you and request for information about how we process it;
- c) Right to request that we correct your personal data where it is inaccurate or incomplete;
- d) 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;
- e) 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;
- f) 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;
- g) Right to request transfer of your personal data in [an electronic format].

If you wish to exercise any of the rights set out above, please contact us on info@pwani.net

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.

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.

11.0 NON-COMPLIANCE WITH THIS STATEMENT

POPL shall have the right to terminate any agreement with you for failure to comply with the provisions of this statement and reject any application for information contrary to this statement.

12.0 AMENDMENTS TO THIS STATEMENT

POPL reserves the right to amend or modify this statement at any time. If

POPL amends this statement, you can access the most current version of

the privacy statement by clicking this link [About Us - Pwani Oil](#) so that you will always know how your personal information is being used or shared. Any amendment or modification to this statement will take effect from the date of notification on the POPL website.

13.0 STATEMENT EFFECTIVE DATE

1ST MARCH 2023