



Privacy Policy

Introduction

We are Excel Tech Essential (“Excel Tech”), a business registered in the Republic of Kenya and having its principal office at Karondi Business Center, Ruiru Kimbo, along Matangi Rd., and of Postal Address of P.O. Box 901-01000, Thika. You may contact Excel Tech at privacy@essentialapp.site in relation to any access request, questions, or inquiries about how Excel Tech uses your Personal Information (defined below).

At Excel Tech Essentials, we take privacy of the information that you share with us very seriously. Excel Tech is committed to safeguarding the privacy of our Users (defined below). This Privacy Policy explains the Personal Information (defined below) which we collect from you, the reasons why we collect it, and how we handle it and what we do with it.

Objective

Excel Tech offers an online business management platform that makes it easier for businesses/merchants to make and receive electronic payments, plus many other business management features.

The objective of this Privacy Policy is to describe your privacy rights in relation to how we collect, when we collect, how we use, how we store, how we handle, how we share and how we protect your Personal Information shared with Excel Tech across our Website and all related sites, Platforms, APIs, Apps, email notifications and tools regardless of how you use or access them. This Privacy Policy is applicable to all of the Website, Apps and Platforms offered by Excel Tech (“Services”).

“We” “us” or “our” in this Privacy Policy means the Excel Tech entity that is responsible for processing your personal information.

Definition

“Account” means a Platform Account;

“Affiliates” means with respect to a Person, any other person directly or indirectly controlling, controlled by, or under common control with, the respective Person;

“Platforms” means Excel Tech Software Platforms;

“Apps” means software applications, including but not limited to, the Excel Tech Website (accessed at www.essentialtech.site), the Excel Tech Web Application (access at *.essentialapp.site), and any other affiliated sites;

“Cookies” means a small data file that is transferred to your computer or mobile device to enables us to remember your Account log-in information, IP addresses, web traffic number of times you visit, browser type and version, device details, date and time of visits;

“Person” includes any legal or natural person, partnership, association, trust, company, joint venture, agency, governmental authority or other body, entity or organization (whether corporate or unincorporated) and that person's personal representatives, heirs or successors (as the case may be) or permitted assigns;

“Merchant” includes small and medium enterprises and any other Person who is trading and uses the Website;

“Personal Information” means any information that can be used to identify a living person or a business entity including but not limited to mobile phone number, email address, company name, business name, certificate of incorporation, business permit, CR12, CR8, CR1, password, Personal Identification Number (PIN), payment card, financial information such as bank account numbers, Government-issued Identity card, Bank Verification Number (BVN) and/or taxpayer identification. It may also include anonymous information that is linked to you, for example, your internet protocol (IP), log-in information, address, location, device or transaction data;

“Sites” means any platform including but not limited to mobile applications, websites and social media platforms;

“Services” means all of the Websites, Apps, APIs, Interfaces and Platforms offered by Excel Tech.

“User” means any Person, including a Merchant, who uses the Services or accesses the Website and has agreed to use the end services of Excel Tech;

“Excel Tech” means Excel Tech Essentials, its subsidiaries or Affiliates;

“Essentialapp” means Excel Tech Essentials web application system, its Affiliated sites;

“Special Personal Information” means details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data; and

“Website” means the website of Excel Tech entity and related sites.

Objective

This Privacy Policy is inExcel Techd to provide all persons and organizations whose personal information we hold with description of the types of Personal Information we collect, the purposes for which we collect that Personal Information, the other parties with whom we may share it and the measures we take to protect the security of the data. The intention is to inform you, for you to understand how we collect, use, communicate, disclose and otherwise make use of personal information.

Our Privacy Principles

In line with the data protection laws, Excel Tech is guided by the following Privacy Principles:

(a) You are in control of your information

All Personal Information is processed in accordance with your right to privacy. It will be processed lawfully, fairly and in a transparent manner.

(b) We only collect information that we need

All Personal Information is collected for an explicit, specific and legitimate purpose and not further processed in a manner incompatible with the purpose. All the Personal Information that we collect is adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed. We keep Personal Information in a form which identifies the data subjects for no longer than is necessary for the purpose which it was collected.

(c) Transparency and accountability

We provide a valid explanation for Personal Information that we collect. All Personal Information is accurate and where necessary kept up to date, with every reasonable step being taken to ensure that any inaccurate Personal Information is erased or rectified without delay.

Personal Information We May Collect About You

We may collect, use, process, store or transfer Personal Information such as:

(a) Identity Data

This includes information such as your full name (s), your mobile phone number, government-issued identity number, KRA PIN, and your date of birth. This data is to enable us to verify your identity in order to offer the Services to you.

(b) Your contact

This is data that is needed to reach out to you. It includes your contact address, email address, telephone number, mobile phone number, your social media accounts i.e. Twitter, IG, LinkedIn, Facebook, TikTok, details of the device you use and billing details.

(c) Eligibility data

These include your passport or any government-issued identity card, a photograph (if applicable), business documents (certificate of incorporation, CR12, CR8, CR1) and any other registration information you may provide to prove you and your business are eligible to use our Services.

(d) Business/Merchant Details

This includes business name, business contact details, business location, business documents including Certificate of Incorporation, Certificate of Business Registration, CR12, CR1, CR8, KRA Pin certificate, email address, names and contact information of Directors and Shareholders, Physical and postal address, business paybill, till, shortcode and bank account number.

(e) Technical information

Upon accessing the Services, our servers automatically record information that your browser/ Phone sends, links/ app pages you have clicked on/ opened, length of visit on certain pages, unique device identifier, log-in information, location, phone model, phone type and other device information

(f) Financial information

This is information such as bank account number, business name and location, business account number, business paybill, business till, the date, the total amount of transaction and other information that you provide or that is provided by financial institutions or businesses when we act on their behalf.

(g) Transactional information

This is information relating to a payment when you as a merchant/ business (in using one or more of our Services, Apps and Websites) or as a customer, are using our products or services. This includes transactions, account balances, volume and value of transactions, disbursement recipient details.

(h) Marketing and Communications Data

This data includes both a record of your decision to subscribe or to withdraw from receiving marketing materials from us or from our third parties.

(i) Records of your discussions with us, if we contact you and if you contact us

We may also collect, store, use and transfer non-personal information or anonymized data such as statistical or demographic data. Excel Tech does not collect any Special Personal Information. In the event that we do collect Special Personal Information, we will ensure compliance with applicable law.

This Privacy Policy applies to our Services only. Excel Tech does not have control over the sites displayed or linked from within our Services. These other sites may place their own cookies, plug-ins or other files on your computer, collect data or solicit personal information from you. Excel Tech does not control these third-party websites and we are not responsible for their privacy statements. Please consult such third parties' privacy statements to understand how your personal information is protected.

HOW and WHY we get your Personal Information

The Personal Information we have about you is directly made available to us when you sign up for a Essentialapp Account; use any of our Services; contact our customer support team; fill our online forms; and contact us.

The lawful basis we rely on for processing your Personal Information are:

(a) Your Consent

Where you agree to us collecting your Personal Information by using our Services.

(b) We have a contractual obligation

Without your Personal Information, we cannot provide our Services to you.

(c) We have a legal obligation

To ensure we are fully compliant with all applicable Laws, we must collect and store your Personal Information. We protect against fraud by checking your identity with your Personal Information.

How We May Use Your Personal Information

We may use your Personal Information we collect to:

- (a) Create and manage any accounts you may have with us, verify your identity, provide our services, and respond to your inquiries;
- (b) Process your payment transactions (including authorization, clearing, chargebacks and other related dispute resolution activities);
- (c) Bill you for using our services on the platform;
- (d) Protect against and prevent fraud, unauthorized transactions, claims and other liabilities;
- (e) Provide, administer and communicate with you about products, services, offers, programs and promotions of Excel Tech, financial institutions, merchants and partners. You may opt out of this communication;
- (f) Evaluate and improve our business, including developing new products and services;
- (g) To target advertisements, newsletter and service updates;
- (h) As necessary to establish, exercise and defend legal rights;
- (i) Verify your identity through publicly available and/or restricted government databases in order to comply with applicable regulatory requirements

- (j) As may be required by applicable laws and regulations, including for compliance with Know Your Customers (KYC) and risk assessment, Anti-Money Laundering (AML), anti-corruption and sanctions screening requirements, or as requested by any judicial process, law enforcement or governmental agency having or claiming jurisdiction over Excel Tech.
- (k) To use data analytics to improve our Website, App, products or services, and user experiences;
- (l) For other purposes for which we provide specific notice at the time of collection.

Data Security and Retention

The security of your Personal Information is important to Excel Tech. We are committed to protecting the information we collect. We maintain administrative, technical and physical controls designed to protect the Personal Information you provide, or we collect against loss or theft, as well as against any unauthorized access, risk of loss, disclosure, copying, misuse or modification.

Other security measures include but not limited to, secure servers, firewall, data encryption, data minimization, data anonymization and granting access only to authorized employees in order to fulfil their job responsibilities.

Where you use a password or One Time PIN (OTP) for any of your Accounts, please ensure you do not share this with anyone, and the password or OTP is kept confidential at all times.

We are committed to conducting our business in accordance with these principles in order to ensure that the confidentiality of your Personal Information is protected and maintained. Transmitting information online is not entirely secure. As such, we cannot guarantee that all information provided online is secure. We would take all reasonable steps to ensure that your Personal Information is secured and well protected.

We will only retain personal information on our servers for as long as is reasonably necessary as long as we are providing Services to you. Where you close your Account, your information is stored on our servers to the extent necessary to comply with regulatory obligations and for the purpose of fraud monitoring, detection and prevention. Where we retain your Personal Information, we do so in compliance with limitation periods under the applicable law.

Disclosing Your Personal Information

We may disclose or share your Personal Information with:

(a) Internal Third Parties

Excel Tech may disclose your Personal Information to third parties in the course of legitimate activities relating to the Services with appropriate safeguards. They include our Affiliates, employees, officers, agents, suppliers, subcontractors as may be reasonably necessary for the purposes set out in this Privacy Policy.

Excel Tech may engage the services of third party service providers in order to process the Personal Information of the Users collected by Excel Tech. The processing by such service

providers shall be governed by a written contract with Excel Tech to ensure adequate protection and security measures are put in place by the service provider for the protection of Personal Information in accordance with the terms of this Privacy Policy.

(b) External Third Parties

Excel Tech only shares Personal Information with external third parties in the following limited circumstances:

- (i) we have your consent to share the Personal Information;
- (ii) the sharing relates to Personal Information data which you have manifestly made public;
- (iii) sharing is necessary for the establishment, exercise or defence of a legal claim;
- (iv) sharing the Personal Information is necessary for the purpose of carrying out Excel Tech's obligations or exercising its specific rights;
- (v) sharing is necessary to satisfy any applicable law, regulation, legal process or enforceable governmental request
- (vi) sharing the Personal Information is necessary for enforcing applicable Terms of Service, including investigation of potential violations thereof
- (vii) sharing the Personal Information is necessary to detect, prevent, or otherwise address fraud, security or technical issues
- (viii) sharing the Personal Information is necessary to protect against imminent harm to the rights, property or safety of Excel Tech, its users or the public as required or permitted by Law.
- (ix) sharing the Personal Information is necessary for the purpose of carrying out your obligations or exercising your specific rights; and
- (x) sharing is necessary for protecting your vital interests or those of another person where you are physically or legally incapable of giving consent.

If Excel Tech becomes involved in a merger, acquisition, or any form of sale of some or all of its assets, we will provide notice before personal information is transferred and becomes subject to a different Privacy Policy.

Marketing

Excel Tech may process your Personal Information in order to contact you or send you marketing content and communication about our Services, products or surveys. You may exercise your right to object to such contact from us or opt out from the marketing content. Please note however that if you opt-out of marketing content, we may still send you messages relating to transactions and our Services related to our ongoing business relationship.

With your consent or where authorized under any written law (having informed you of such use), Excel Tech may use your Personal Information for commercial purposes such as direct marketing. When using your Personal Information for such purposes, Excel Tech shall to the extent possible anonymise the Personal Information in such a way as to ensure that you are no longer identifiable.

We may ask you for permission to send notifications to you. Our Services will still work if you do not grant us consent to send you notifications.

Your Data Protection Rights and Choices

Subject to your location and applicable laws, below are the rights you have as a user in relation to your Personal Information:

- (a) the right to be informed - to be informed of the use to which your Personal Information is to be put;
- (b) the right to access your Personal Information in custody of Excel Tech;
- (c) the right to object to the processing of your Personal Information for marketing purposes, by opting out via the unsubscribe options we provide, or by contacting us using the contact information provided in the Inquiries segment below.
- (d) the right to object to the processing of all or part of your Personal Information by Excel Tech. Please note that where you object to us processing your Personal information, we might be unable to provide the services to you.
- (e) the right to correction of false or misleading data – you may request that any Personal Information that you provide which may be false/misleading/inaccurate be corrected; and
- (f) the right to deletion of your personal information– you may request Excel Tech to erase any or all of your Personal Information. This right is limited to where the data is no longer required or processing the data has no legal justification. The exceptions include where the applicable law requires Excel Tech to retain any Personal Information or the Personal Information is retained for purposes of ensuring that Excel Tech does not inadvertently contact you in future where you have requested that it stops contacting you;

Excel Tech may only process your personal information with your consent. You have the choice at any time to withdraw your consent. You have a choice to deactivate your Account at any time. You may contact us should you wish to de-activate your Account at any time via the Inquiries segment below.

If you wish to exercise any of the rights set above, please contact us using the contact information provided in the Inquiries segment below. Where we are unsure of your identity, we might ask you for proof of your identity for security reasons before dealing your request.

Hyperlinks

Our Services and Website may provide hyperlinks/ App links to other locations or websites on the internet. These hyperlinks/ app links 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.

We do not endorse, recommend, approve or guarantee any third- party products and services by providing hyperlinks/ app links to an external app, website or webpage, we 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 app, website or webpage.

By clicking on a hyperlink/ app link, you will leave the Excel Tech platform and/or website and accordingly you shall be subject to the terms of service, privacy and cookie policies of the other App, website or webpage that you choose to visit.

Cookies

As is common practice, we use cookies to:

- (a) identify you as a User and make your user experience easier, customise our services, content and advertising;
- (b) help you ensure that your account security is not compromised, mitigate risk and prevent fraud; and
- (c) promote trust and safety on our Platform and/or Website.

Cookies allow our servers to remember IP addresses, date and time of visits, monitor web traffic and prevent fraudulent activities.

Our cookies never store personal or sensitive information. They simply hold a unique random reference to you so that once you visit our App/ website/ platform, we can recognize who you are and provide certain content to you.

If your browser or browser add-on permits, you have the choice to disable cookies on our Website, however this may impact your experience using our Website.

Age Restriction

Our Websites, Apps, Platforms and Services are not directed at persons under the age of eighteen (18) years. We do not collect any Personal Information knowingly or directly from children under the age of eighteen (18).

Where you have any belief that Excel Tech has mistakenly or unknowingly collected information from a child, please contact us using the information provided under the Inquiries section to enable Excel Tech to investigate and restrict such data.

Global Transfers

Subject to the applicable data protection laws, Personal Information may be stored and processed in other countries.

In providing you with our services, we may also rely on third-party servers located in foreign jurisdictions from time to time, which as a result, may require the transfer or maintenance of your personal information on computers or servers in foreign jurisdictions. Whenever we transfer or transmit your Personal Information internationally, we will ensure or take reasonable steps to ensure your Personal Information is handled securely in line with the applicable data protection laws and standard contractual clauses.

Updates to this Privacy Policy

Excel Tech may from time to time change, amend or review this Privacy Policy to reflect new legislation, Services or changes in the Privacy Policy. Excel Tech will place any such updates on the Sites. All changes made will be posted on the Sites and where changes will materially affect you, we will notify you of this change by placing a notice online or via mail. If you keep using our Services, you consent to all amendments of this Privacy Policy.

Inquiries

For any communication, access requests, questions, comments, complaints and other requests regarding this Privacy Policy, please send an email to privacy@essentialapp.site.

We may request additional details from you regarding your complaints and keep records of your requests and resolution.

***** END *****

EXCEL TECH ESSENTIALS

I N N O V A T I O N A N D E X C E L L E N C E