Data Protection Policy

FINSERVE AFRICA LIMITED

Last updated	25th May, 2018

Definitions

Finserve	means Finserve Africa Limited, a registered company.
GDPR	means the General Data Protection Regulation.
Responsible Person	means information security department
Register of Systems	means a register of all systems or contexts in which personal data is processed by Finserve.

Who we are

We are Finserve Africa Limited ("Finserve", "we", or "us") - a wholly owned subsidiary of Equity Group Holdings Plc and it's subsidiaries with our registered office at Equity Centre, Hospital Road, Upper Hill, Nairobi, Kenya. If you live in Kenya or any other country, we are the data controller responsible for your personal information when you use our Services through the website and mKey app.

Our Privacy Policy("Privacy Policy") helps explain our information (including message) practices, including the information we process to support our Services. For example, we talk about what information we collect and how this affects you. We also explain the steps we take to protect your privacy - like building Finserve so messages delivered to you aren't stored and giving you control over who you communicate with on our Services.

This Privacy Policy applies to all of our Services unless specified otherwise.

Please also read Terms and Conditions ("Terms"), which describes the terms under which you use our Services.

Information We Collect

We must receive or collect some information to operate, provide, improve, understand, customize, support, and market our Services. This also includes when you install, access, or use our Services. The types of information we receive and collect depend on how you use our Services.

Information You Provide

Your Account Information.

You provide your mobile phone number and basic information (including a profile name) to create an account. You provide us, all in accordance with applicable laws, the phone numbers in your mobile address book on a regular basis, including those of both the users of our Services and your other contacts. You may provide us an email address. You may also add other information to your account, such as a profile picture and about information.

Your Messages.

We do not retain your messages in the ordinary course of providing our Services to you. Once your messages (including your chats, photos, videos, voice messages, files, and share location information) are delivered, they are deleted from our servers. Your messages are stored on your own device. If a message cannot be delivered immediately (for example, if you are offline), we may keep it on our servers for up to 30 days as we try to deliver it. If a message is still undelivered after 30 days, we delete it. To improve performance and deliver media messages more efficiently (such as when many people are sharing a popular photo or video), we may retain that content on our servers for a longer period of time.

We also offer end-to-end encryption for our Services, which is on by default, when you and the people with whom you message use a version of our app released after January 2, 2018.

Your Connections.

To help you organize how you communicate with others, we may help you identify your contacts who also use our services, and you can create, join, or get added to groups and broadcast lists, and such groups and lists get associated with your account information. You give your groups a name and you may choose to further customize it by providing a group profile picture or description.

Your Use Of Our Payments Services.

If you use our payment services available in your country, we process purchase and transaction information as described in the applicable payments Terms and Conditions.

Customer Support.

You may provide us with information related to your use of our Services, including copies of your messages, and how to contact you so we can provide you with customer support. For example, you may send us an email with information relating to our app performance or other issues.

Automatically Collected Information

Usage And Log Information.

We collect information about your activity on our Services, like service-related, diagnostic, and performance information. This includes information about your activity (including how you use our Services, your Services settings, how you interact with others using our Services, as well as the time, frequency, and duration of your activities and interactions while using our Services), log files, and diagnostic, crash, website, and performance logs and reports. This also includes information about

when you registered to use our Services, the features you use like our messaging, calling, Status, or groups features, profile photo, about information..

Device And Connection Information.

We collect device and connection-specific information when you install, access, or use our Services. This includes information like hardware model, operating system information, battery level, signal strength, app version, browser information, and mobile network, connection information including phone number, mobile operator or ISP, language,time zone, IP, device operations information, and identifiers like device identifiers (including identifiers unique to Equity Group and it's Subsidiaries' Products associated with the same device or account).

Location Information.

We collect device location information if you use our location features, like when you choose to share your location with your contacts, view locations nearby or those others have shared with you, and the like, and for diagnostics and troubleshooting purposes such as if you are having trouble with our app's location features. We use various technologies to determine location, including IP, GPS, Bluetooth signals, and information about nearby Wi-Fi access points, beacons, and cell towers.

Cookies.

We use cookies to operate and provide our Services, including to provide our Services that are web-based, improve your experiences, understand how our Services are being used, and customize our Services. For example, we use cookies to provide Finserve for web and desktop and other web-based services. We may also use cookies to understand which of our Frequently Asked Questions (FAQs) are most popular and to show you relevant content related to our Services. Additionally, we may use cookies to remember your choices, like your language preferences, to provide a safer experience, and otherwise to customize our Services for you.

Third-Party Information

Information Others Provide About You.

We receive information about you from other users and businesses. For example, when other users or businesses you know use our Services, they may provide your phone number, name, and other information (like information from their mobile address book or in the case of businesses, additional information about you such as unique identifiers), just as you may provide theirs, or they may send you a message, or call you. We require each of these users and businesses to have lawful rights to collect, use, and share your information before providing any information to us.

Businesses On Finserve.

Businesses you interact with using Our Services provide us information about their interactions with you. A service on Finserve may also use another company to authenticate our users, assist it in storing, reading, and responding to your messages on behalf of and in support of that business. Please note that when businesses use third-party services, their own terms and privacy policies will govern your use of those services and their use of your information on those services.

Third-Party Service Providers.

We work with third-party service providers and the "Equity Group & its subsidiaries (Equity Group Holdings Plc and it's subsidiaries) to help us operate, provide, improve, understand, customize, support, and market our Services. For example, we work with companies to distribute our apps, provide our infrastructure, delivery, and other systems, supply location, map, and places information, process payments, help us understand how people use our Services, market our Services, help you connect with businesses using our Services, conduct surveys and research for us, and help with customer service. These companies may provide us information about you in certain circumstances; for example, app stores may provide us reports to help us diagnose and fix service issues.

Third-Party Services.

We allow you to use our Services in connection with third-party services and Equity Group and it's Subsidiaries' Products. If you use our Services with such third-party services or Equity Group and it's Subsidiaries Products, we may receive information about you from them. For example, if you use the share button on a news service to share a news article with groups, or broadcast lists on our Services, or if you choose to access our Services through a mobile carrier's or device provider's promotion of our Services. Please note that when you use third-party services or Equity Group and it's Subsidiaries Products, their own Terms and Privacy Policies will govern those services.

How We Use Information

We use the information we have (subject to choices you make) to operate, provide, improve, understand, customize, support, and market our Services. Here's how:

Our Services.

We use the information we have to operate and provide our Services, including providing customer support, and improving, fixing, and customizing our Services. We understand how people use our Services and analyze and use the information we have to evaluate and improve our Services, research, develop, and test new services and features, and conduct troubleshooting activities. We also use your information to respond to you when you contact us.

Safety And Security.

We verify accounts and activity, and promote safety and security on and off our Services, such as by investigating suspicious activity or violations of our Terms, and to ensure our Services are being used legally.

Communications About Our Services And The Equity Group Holdings Plc and it's subsidairies.

We use the information we have to communicate with you about our Services and features and let you know about our terms and policies and other important updates. We may provide you marketing for our Services and those of the <u>Equity Group Holdings Plc and it's subsidairies</u>.

No Third-Party Banner Ads.

We still do not allow third-party banner ads on Our Services. We have no intention to introduce them, but if we ever do, we will update this policy.

Commercial Messaging.

We will allow you and third parties, like businesses, to communicate with each other using Our Services, such as through order, transaction, and appointment information, delivery and shipping notifications, product and service updates, and marketing. For example, you may receive flight status information for upcoming travel, a receipt for something you purchased, or a notification when a delivery will be made. Messages you may receive containing marketing could include an offer for something that might interest you.

We do not want you to have a spammy experience; as with all of your messages, you can manage these communications, and we will honor the choices you make.

Measurement, Analytics, and Other Business Services.

We help businesses who use Our Finserve measure the effectiveness and distribution of their services and messages, and understand how people interact with them on our Services.

Information You and We Share.

You share your information as you use and communicate through our Services, and we share your information to help us operate, provide, improve, understand, customize, support, and market our Services.

Send Your Information To Those You Choose To Communicate With.

You share your information (including messages) as you use and communicate through our Services.

Account Information.

Your phone number, profile information, and receipts may be available to anyone who is in a group and uses our Services, although you can configure your Services settings to manage certain information available to other users and businesses with whom you communicate.

Your Contacts And Others.

Users and businesses with whom you communicate may store or reshare your information (including your phone number or messages) with others on and off our Services. You can use your Services settings and the block feature in our Services to manage the users of our Services with whom you communicate and certain information you share.

Businesses On Finserve.

We help businesses who use Our Services measure the effectiveness and distribution of their services and messages, and understand how people interact with them on our Services.

Third-Party Service Providers.

We work with third-party service providers and the <u>Equity Group Holdings Plc and it's subsidairies</u> to help us operate, provide, improve, understand, customize, support, and market our Services. When we share information with third-party service providers and the <u>Equity Group Holdings Plc and it's subsidairies</u> in this capacity, we require them to use your information on our behalf in accordance

with our instructions and terms.

Third-Party Services.

When you use third-party services or Equity Group and it's Subsidiaries Products that are integrated with our Services, they may receive information about what you share with them. For example, if you use a data backup service integrated with our Services (like iCloud or Google Drive), they will receive information you share with them. If you interact with a third-party service linked through our Services, you may be providing information directly to such third party. Please note that when you use third-party services or Equity Group and it's Subsidiaries Products, their own terms and privacy policies will govern your use of those services.

How We Work With Other Equity Group Holdings Plc and it's subsidairies

We are part of the Equity Group Holdings Plc and it's subsidiaries. As part of the Equity Group Holdings Plc and it's subsidiaries, Finserve receives information from, and shares information with, the Equity Group Holdings Plc and it's subsidiaries. We may use the information we receive from them, and they may use the information we share with them, to help operate, provide, improve, understand, customize, support, and market our Services and their offerings. This includes helping improve infrastructure and delivery systems, understanding how our Services or theirs are used, helping us provide a way for you to connect with businesses, and securing systems.

We also share information to fight spam, threats, abuse, or infringement activities and promote safety and security across the Equity Group and it's Subsidiaries Products. However, your messages will not be shared onto the Group and its subsidiaries for others to see. In fact, the Group and its subsidiaries will not use your messages for any purpose other than to assist us in operating and providing our Services.

Learn more about how Finserve works with the Equity Group Holdings Plc and it's subsidairies .

Assignment, Change Of Control, And Transfer

All of our rights and obligations under our Privacy Policy are freely assignable by us to any of our affiliates, in connection with a merger, acquisition, restructuring, or sale of assets, or by operation of law or otherwise, and we may transfer your information to any of our affiliates, successor entities, or new owner.

How The General Data Protection Regulation Applies To Our European Region Users

Our Legal Bases For Processing Information

We <u>collect</u>, <u>use</u>, and <u>share</u> the information we have as described above:

- o as necessary to fulfill our <u>Terms</u>;
- o consistent with your consent, which you can revoke at any time;
- as necessary to comply with our legal obligations;
- o occasionally to protect your vital interests, or those of others;
- o as necessary in the public interest; and
- o as necessary for our (or others') legitimate interests, including our interests in providing an innovative, relevant, safe, and profitable service to our users and partners, unless those

interests are overridden by your interests or fundamental rights and freedoms that require protection of personal data.

How You Exercise Your Rights

Under the General Data Protection Regulation or other applicable local laws, you have the right to access, rectify, port, and erase your information, as well as the right to restrict and object to certain processing of your information. This includes the right to object to our processing of your information for direct marketing and the right to object to our processing of your information where we are performing a task in the public interest or pursuing our legitimate interests or those of a third party. You can access or port your information using our in-app Request Account Info feature (available under Settings > Account). You can access tools to rectify, update, and erase your information directly in-app as described in the Managing and Deleting Your Information section. If we process your information based on our legitimate interests or those of a third party, or in the public interest, you can object to this processing, and we will cease processing your information, unless the processing is based on compelling legitimate grounds or is needed for legal reasons. You can also object to our processing of your information and learn more about your options for restricting the way we use your information by visiting http://finserve.africa/privacy. Where we use your information for direct marketing for our own Services, you can always object and opt out of future marketing messages using the unsubscribe link in such communications

Managing and Deleting Your Information

We store information until it is no longer necessary to provide our services, or until your account is deleted, whichever comes first. This is a case-by-case determination that depends on things like the nature of the information, why it is collected and processed, and relevant legal or operational retention needs.

If you would like to manage, change, limit, or delete your information, we allow you to do that through the following tools:

Services Settings.

You can change your Services settings to manage certain information available to other users. You can manage your contacts, groups, and broadcast lists, or use our block feature to manage the users with whom you communicate.

Changing Your Mobile Phone Number, Profile Name and Picture, and About Information.

You can change your mobile phone number using our in-app change number feature and transfer your account to your new mobile phone number. You can also change your profile name, profile picture, and about information at any time.

Deleting Your Finserve Account.

You may delete your account at any time (including if you want to revoke your consent to our use of your information) pursuant to the terms and conditions of any of our products and services When you delete your Finserve account, your undelivered messages are deleted from our servers as well as any of your other information we no longer need to operate and provide our Services. Be mindful that if you only delete our Services from your device without using our in-app delete my account

feature, your information may be stored with us for a longer period. Please remember that when you delete your account, it does not affect the information other users have relating to you, such as their copy of the messages you sent them.

Law and Protection

We collect, use, preserve, and share your information if we have a good-faith belief that it is reasonably necessary to: (a) respond pursuant to applicable law or regulations, to legal process, or to government requests; (b) enforce our Terms and any other applicable terms and policies, including for investigations of potential violations; (c) detect, investigate, prevent, and address fraud and other illegal activity, security, or technical issues; or (d) protect the rights, property, and safety of our users, Finserve, the Equity Group Holdings Plc and it's subsidairies, or others, including to prevent death or imminent bodily harm.

Our Global Operations

Finserve shares information globally, both internally within the Equity Group Holdings Plc and it's subsidairies, and externally with our partners and with those you communicate around the world in accordance with this Privacy Policy. Information controlled by Finserve will be transferred or transmitted to, or stored and processed, in the Republic of Kenya or other countries outside of where you live for the purposes as described in this Privacy Policy. These data transfers are necessary to provide the Services set forth in our Termsand globally to operate and provide our Services to you.

Finserve shares information globally, both internally within the Equity Group Holdings Plc and it's subsidairies, and externally with businesses, service providers, and partners and with those you communicate with around the world. Your information may, for example, be transferred or transmitted to, or stored and processed in the United States or other countries outside of where you live for the purposes as described in this Privacy Policy.

Updates to Our Policy

We will notify you before we make changes to this Privacy Policy and give you the opportunity to review the revised Privacy Policy before you choose to continue using our Services.

Contact Information

If You Are In The European Region

The Data Protection Officer for Finserve can be contacted at support@finserve.africa.

If you have questions about our Privacy Policy, please contact us or write us here:

Finserve Africa Limited

9th Floor, Equity Centre

Hospital Road, Upper Hill

Nairobi, Kenya

You have the right to lodge a complaint with Finserve.

If You Are Outside The European Region

If you have questions about our Privacy Policy, please <u>contact us</u> on <u>support@finserve.africa</u> or write us here:

Finserve Africa Limited

9th Floor, Equity Centre

Hospital Road, Upper Hill

Nairobi, Kenya

P.O. Box 75104-00200

How We Process Your Information

Under European law, companies must have a legal basis to process data. You have particular rights available to you depending on which legal basis we use, and we've explained these below. You should know that no matter what legal basis applies, you always have the right to request access to, rectification of, and erasure of your data under the General Data Protection Regulation (the "GDPR").

For all people who have legal capacity to enter into an enforceable contract, we process data as necessary to perform our contracts with you (the <u>Terms of Service</u>, the "Terms"). We describe the contractual services for which this data processing is necessary in <u>Our Services</u> section of the Terms and in the additional informational resources accessible from our Terms. The core data uses necessary to provide our contractual services are:

To provide, improve, customize, and support our Services as described in "Our Services";

- To promote safety and security;
- o To transfer, transmit, store, or process your data outside the EEA, including to within the United States and other countries; and
- o To communicate with you, for example, on Service-related issues.
- We'll use the data we have to provide these services; if you choose not to provide certain data, the quality of your experience using Finserve may be impacted.
- When we process data you provide to us as necessary to perform our contracts with you, you have the right to port it under the GDPR. To exercise your rights, visit <u>How You Exercise</u> <u>Your Rights</u> section of the Privacy Policy.

The other legal bases we rely on in certain instances when processing your data are:

Your Consent:

For collecting and using information you allow us to receive through the device-based settings when you enable them (such as access to your GPS location, camera, or photos), so we can provide the features and services described when you enable the settings. When we process data you provide to us based on your consent, you have the right to withdraw your consent at any time and to port that data you provide to us, under the GDPR. To exercise your rights, visit your device-based settings, your in app-based settings like your in-app location control, and the How You Exercise Your Rights section of the Privacy Policy.

Our legitimate interests or the legitimate interests of a third party, where not outweighed by your interests or fundamental rights and freedoms ("legitimate interests"):

For people under the age of majority (under 18, in most EU countries) who have a limited ability to enter into an enforceable contract only, we may be unable to process personal data on the grounds of contractual necessity. Nevertheless, when such a person uses our Services, it is in our legitimate interests:

- To provide, improve, customize, and support our Services as described in Our Services;
- To promote safety and security; and
- o To communicate with you, for example, on Service-related issues.

The legitimate interests we rely on for this processing are:

- To create, provide, support, and maintain innovative Services and features that enable people under the age of majority to express themselves, communicate, discover, and engage with information and businesses relevant to their interests, build community, and utilize tools and features that promote their well-being;
- To secure our platform and network, verify accounts and activity, combat harmful conduct, detect and prevent spam and other bad experiences, and keep our Services and all of the Equity Group and it's Subsidiaries Products free of harmful or inappropriate content, and investigate suspicious activity or violations of our terms or policies and to protect the safety of people under the age of majority, including to prevent exploitation or other harms to which such individuals may be particularly vulnerable.

For all people, including those under the age of majority:

For providing measurement, analytics, and other business services where we are processing data as a controller. The legitimate interests we rely on for this processing are:

- To provide accurate and reliable reporting to businesses and other partners, to ensure accurate pricing and statistics on performance, and to demonstrate the value our partners realise using our Services; and
- In the interests of businesses and other partners to help them understand their customers and improve their businesses, validate our pricing models, and evaluate the effectiveness and distribution of their services and messages, and understand how people interact with them on our Services.

For providing marketing communications to you. The legitimate interests we rely on for this processing are:

To promote Equity Group and it's Subsidiaries Products and issue direct marketing.

To share information with others including law enforcement and to respond to legal requests. See our Privacy Policy under <u>Law and Protection</u> for more information. The legitimate interests we rely on for this processing are:

To prevent and address fraud, unauthorised use of the <u>Equity Group and it's Subsidiaries Products</u>, violations of our terms and policies, or other harmful or illegal activity; to protect ourselves (including our rights, property or Products), our users or others, including as part of investigations or regulatory inquiries; or to prevent death or imminent bodily harm.

To share information with the Equity Group Holdings Plc and it's subsidairies to promote safety and security. See our Privacy Policy under <u>"How We Work with Other Equity Group Holdings Plc and it's subsidairies"</u> for more information. The legitimate interests we rely on for this processing are:

To secure systems and fight spam, threats, abuse, or infringement activities and promote safety and security across the Equity Group and it's Subsidiaries You have the right to object to, and seek restriction of, such processing; to exercise your rights, visit <u>How You Exercise Your Rights</u> section of the We will consider several factors when assessing an objection including: our users' reasonable expectations; the benefits and risks to you, us, other users, or third parties; and other available means to achieve the same purpose that may be less invasive and do not require disproportional effort. Your objection will be upheld, and we will cease processing your information, unless the processing is based on compelling legitimate grounds or is needed for legal reasons. If you are under the age of majority in your country and have a limited ability to enter an enforceable contract, we will take particular account of the fact that you are below the age of majority and adjust our assessment of our legitimate interests and the balancing of your interests and rights accordingly.

Compliance with a legal obligation:

For processing data when the law requires it, including, for example, if there is a valid legal request for certain data.

Protection of your vital interests or those of another person:

The vital interests we rely on for this processing include protection of your life or physical integrity or that of others, and we rely on it to combat harmful conduct and promote safety and security, for example, when we are investigating reports of harmful conduct or when someone needs help.

Tasks carried out in the public interest:

For undertaking research and to promote safety and security, as described in more detail in our Privacy Policy under <u>How We Use Information</u>, where this is necessary in the public interest as laid down by European Union law or Member State law to which we are subject.

When we process your data as necessary for a task carried out in the public interest, you have the right to object to, and seek restriction of, our processing. In evaluating an objection, we'll evaluate several factors, including: reasonable user expectations; the benefits and risks to you and third

parties; and other available means to achieve the same purpose that may be less invasive and do not require disproportional effort.

Your objection will be upheld, and we will cease processing your information, unless the processing is based on compelling legitimate grounds or is needed for legal reasons.

Intellectual Property Policy: Your Copyrights and Trademarks

Finserve ("Finserve," "our," "we," or "us") is committed to helping people and organizations protect their intellectual property rights. Our users agree to our Terms of Service ("Terms") by installing, accessing, or using our apps, services, features, software, or website (together, "Services"). Our Terms do not allow our users to violate someone else's intellectual property rights when using our Services, including their copyrights and trademarks.

As explained in more detail in our Privacy Policy, we do not retain our users' messages in the ordinary course of providing our Services. We do, however, host our users' account information, including our users' profile picture, profile name, or status message, if they decide to include them as part of their account information.

Copyright

To report copyright infringement and request that Finserve remove any infringing content it is hosting (such as a F user's profile picture, profile name, or status message on our Service), please email a completed copyright infringement claim to support@finserve.africa (including all of the information listed below). You can also mail a complete copyright infringement claim to Finserve's:

Finserve Africa Limited

Attn: Legal Counsel

9th Floor, Equity Centre

Hospital Road, Upper Hill

Nairobi, Kenya

P.O. Box 75104 - 00200

Before you report a claim of copyright infringement, you may want to send a message to the relevant Finserve user you believe may be infringing your copyright. You may be able to resolve the issue without contacting Finserve.

Trademark

To report trademark infringement and request that Finserve remove any infringing content it is hosting, please email a complete trademark infringement claim to support@finserve.africa (including all of the information listed below).

Before you report a claim of trademark infringement, you may want to send a message to the relevant Finserve user you believe may be infringing your trademark. You may be able to resolve the

issue without contacting Finserve.

What to include in your copyright or trademark infringement claim to Finserve

Please include all of the following information when reporting a copyright or trademark infringement claim to Finserve:

Your complete contact information (full name, mailing address, and phone number). Note that we regularly provide your contact information, including your name and email address (if provided), the name of your organization or client who owns the rights in question, and the content of your report to the person whose content you are reporting. You may wish to provide a professional or business email address where you can be reached.

A description of the copyrighted work or trademark that you claim has been infringed.

A description of the content hosted on our Services that you claim infringes your copyright or trademark.

Information reasonably sufficient to permit us to locate the material on our Services. The easiest way to do this is by providing us the phone number/user name of the individual who has submitted the infringing content on our Services.

A declaration that:

You have a good faith belief that use of the copyrighted or trademarked content described above, in the manner you have complained of, is not authorized by the copyright or trademark owner, its agent, or the law;

The information in your claim is accurate; and

You declare, under penalty of perjury, that you are the owner or authorized to act on behalf of the owner of an exclusive copyright or trademark that is allegedly infringed.

Your electronic signature or physical signature.

Cookies

About cookies

A cookie is a small text file that a website you visit asks your browser to store on your computer or mobile device.

How we use cookies

We use cookies to understand, secure, operate, and provide our Services. For example, we use cookies:

- o to provide Finserve for web and desktop and other Services that are web-based, improve your experiences, understand how our Services are being used, and customize our Services;
- o to understand which of our FAQs are most popular and to show you relevant content related to our Services;

- o to remember your choices, such as your language preferences, and otherwise to customize our Services for you; and
- to rank the FAQs on our website based on popularity, understand mobile versus desktop users of our web-based Services, or understand popularity and effectiveness of certain of our web pages.

How to control cookies

You can follow the instructions provided by your browser or device (usually located under "Settings" or "Preferences") to modify your cookie settings. Please note that if you set your browser or device to disable cookies, certain of our Services may not function properly.