

## PRIVACY POLICY

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## BACKGROUND:

SAMAWATI WELLNESS LTD understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of everyone who visits this website: <https://samawati.org> or any web and mobile application developed by Us, (collectively known as “Samawati Platform”) and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

Please read this Privacy Policy carefully and ensure that you understand it and it is subject to change from time to time without notice. It is strongly recommended that you periodically review this policy as posted on Samawati Platform.

Your acceptance of this Privacy Policy is requested when you first register on Samawati Platform.

### 1. Definitions and Interpretation

1.1 In these Privacy Policy, unless the context otherwise requires, the following expressions have the following meanings:

|                     |   |
|---------------------|---|
| “Service Provider”  | Means any an individual or organisation who has been authorised by Us to provide its services on Our website  |
| “We/Us/Our”         | means SAMAWATI WELLNESS LTD of P.O. Box 925-01000 Thika a company registered in Kenya under number PVT-7LU5D2EV whose registered office is at The Foundry, Viking House, Westlands, Nairobi, Kenya. |
| “Samawati Platform” | Means the website <a href="https://samawati.org">https://samawati.org</a> and any web or mobile application developed by Us.  |

### 2. Information About Us

2.1 Samawati Platform is operated by SAMAWATI WELLNESS LTD. We are a limited company registered with P.O. Box 925-01000 Thika, a company registered in Kenya under number PVT-7LU5D2EV whose registered office is at The Foundry, Viking House, Westlands, Nairobi, Kenya.

### 3. What Does This Policy Cover?

This Privacy Policy applies only to your use of Samawati Platform. Samawati Platform may contain links to other websites. Please note that we have no control over how your data is collected, stored, or used by other websites and we advise you to check the privacy policies of any such websites before providing any data to them.

### 4. What Is Personal Data?

Personal data is defined by The Data Protection and Privacy Act 2019 (“the DPA”) ‘as information about a person from which the person can be identified that is recorded’ as provided under section 2 of DPA.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

## 5. What Are My Rights?

Under the Data Protection Legislation, you have the following rights, which we will always work to uphold:

- a) The right to access the personal data we hold about you. Part 11 will tell you how to do this.
- b) The right to restrict (i.e. prevent) the processing of your personal data.
- c) The right to be informed about our collection and use of your personal data. This Privacy Policy should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in Part 12.
- d) The right to have your personal data rectified if any of your personal data held by is inaccurate or incomplete. Please contact us using the details in Part 12 to find out more.
- e) The right to withdraw consent. This means that, if we are relying on your consent as the legal basis for using your personal data, you are free to withdraw that consent at any time. We will not rely on your consent but we will be relying on Legitimate Interests of Our company and Service Provider and any contract between you and the Service Provider to which you are a party and in order to take steps at your request prior to entering into a contract.
- f) Rights relating to automated decision-making and profiling. We do not use your personal data in this way.

For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in Part 12.

It is important that your personal data is kept accurate and up-to-date. If any of the personal data we hold about you changes, please keep us informed as long as we have that data.

## 6. What Data Do We Collect and How?

- a. Depending upon your use of Samawati Platform, we may collect and hold some or all of the personal and non-personal data set out in the table below, using the methods also set out in the table. We do not collect any 'special category' or 'sensitive' personal data AND/OR personal data relating to children AND/OR [data relating to criminal convictions and/or offences.

| Data Collected  | How We Collect the Data                                       |
|---|---|
| Contact information including your name, work email address, telephone number | Each time you book an activity on Samawati Platform           |
| Business/Organisation information including organisation name, email address  | When submitting activity booking details on Samawati Platform |

|   |  |
|---|--|
| Payment information including your name, card details   | When paying for an activity on Samawati Platform. The processing of payments may be subject to the terms, conditions and policies of third-party Payment Processors such as Safaricom, M-Pesa. Safaricom provides additional privacy policy details at <a href="https://www.safaricom.co.ke/dataprivacystatement/">https://www.safaricom.co.ke/dataprivacystatement/</a> |
| Other information collected with your express consent including, but not limited to health, activity, and wellness data | When you opt to participate in a study, or a sponsored program, we will collect information for that study or program, including information you submit and we obtain from third party applications and services as permitted by your privacy settings in the Application  |
| Analytics   | We use analytics providers such as Google Analytics. Google Analytics uses cookies to collect non-identifying information. Google provides some additional privacy options regarding its Analytics cookies at <a href="http://www.google.com/policies/privacy/partners/">http://www.google.com/policies/privacy/partners/</a> .  |

## 7. How Do You Use My Personal Data?

Under the DPA 2019, we must collect personal data for a lawful purpose which is specific, explicitly defined and is related to your Use of our website and for purposes of fulfilling Our contact with you. The following table describes how we will use your personal data:

| Process                       | Data Type   |
|-------------------------------|---|
| Payment and refunds           | Telephone number, M-pesa Till number, bank account number, credit or debit card details |
| Supplying our Service to you. | Your name, telephone number, organisation you work for, email address, number of passes |
| Communicating with you        | Name, email address and telephone number  |

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email AND/OR telephone AND/OR text message AND/OR post with information, news, and offers on our products AND/OR services.

We may use automated systems for carrying out certain kinds of decision-making AND/OR profiling. If at any point you wish to query any action that we take on the basis of this or wish to request 'human intervention' (i.e. have someone review the action themselves, rather than relying only on the automated method), the Data Protection Act gives you the right to do so. Please contact us to find out more using the details in Part 12.

## 8. How Long Will You Keep My Personal Data?

We will not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Your personal data will therefore be kept for the following periods (or, where there is no fixed period, the following factors will be used to determine how long it is kept):

| Type of Data   | How Long We will keep it   |
|--|--|
| Contact information<br><br>Business/Organisation information<br><br>Payment information<br><br>Other 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 unauthorised 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.<br><br>Anonymised information that can no longer be associated with you may be held indefinitely. |

## 9. Store of Personal Data?

We retain your personal data only for the period necessary for the purposes set out in this Policy or in accordance with the provisions of applicable law in the Republic of Kenya.

## 10. Do You Share My Personal Data?

This section explains how and why we share personal data with Service Providers that carry out certain functions on our behalf.

When we share personal data with these companies, we require them to keep it safe.

These include, for example, companies that help us with technology services, storing, combining and analysing data, processing payments, providing us with legal or other professional services as well as delivering orders. We only share personal data that enable our Service Providers to provide their services.

All storage processing is handled by

Contabo GmbH, Amazon Web Services Inc, Netlify Inc via their cloud services in compliance with the Data Protection Regulations in the country of storage.

## 11. Can I Withhold Information?

You may access some parts Samawati Platform without providing any personal data at all. However, to use all features and functions available on Samawati Platform you may be required to submit or allow for the collection of certain data.

## 12. How Can I Access My Personal Data?

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “Subject Access Request”.

There may be a fee or a charge for a subject access request. All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 12.

We will respond to your subject access request within 7 days and, in any case, not more than 30 days of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request.

## 13. How Do I Contact You?

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details of the Marketing Manager

Email address: [hey@samawati.org](mailto:hey@samawati.org)

Telephone number: +254101022595

Postal Address: 925-01000, Thika

## 14. Changes to this Privacy Policy

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be immediately posted on Samawati Platform and you will be deemed to have accepted the terms of the Privacy Policy on your first use of Samawati Platform following the alterations. We recommend that you check this page regularly to keep up-to-date.