



Home Afrika Limited | 5<sup>th</sup> Floor, Morningside Office Park | Ngong Road, P.O. Box 6254 – 00100, Nairobi. Tel: +254 (0) 20 272000  
[info@homeafrika.com](mailto:info@homeafrika.com) | [www.homeafrika.com](http://www.homeafrika.com)

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# PRIVACY POLICY

## AUGUST 2024

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## 1. INTRODUCTION

Home Afrika Limited and its affiliated companies (“Home Afrika Group”) are dedicated to offering real estate products to customers in Kenya including the development of properties and sale of virgin and developed land.

The Home Afrika Group is deliberate in playing its role as a good corporate citizen by conducting its affairs in accordance with applicable law, its values and international best practices.

We take pride in our work and accord a tremendous deal of respect and dignity to our stakeholders, including in how we request, process, use, store and transfer personal data.

This Privacy Policy establishes rules and guidelines for the privacy and protection of personal data of any person that elects to engage with the Home Afrika Group on any of its Platforms.

## 2. DEFINITIONS

- 2.1 We or us, our or ours, or the Home Afrika Group** means Home Afrika Limited and its affiliated entities incorporated and registered in the Republic of Kenya.
- 2.2 You, User** means the natural person accessing a Home Afrika Group Platform and may include but not be limited to: an employee, a potential or existing client (person who signs up to use or purchase any of our products or services), recruitment applicant, donor, investor, any person browsing a Home Afrika Group Platform for any reason.
- 2.3 Home Afrika Group Platform** means website(s), social media (including but not limited to Facebook, Twitter, Instagram, YouTube), digital/software applications and other online and offline media of communication owned, controlled or otherwise operated by the Home Afrika Group.
- 2.4 Personal Data** is information that can be used to identify an individual and may include but not be limited to: name, address, phone number, email address, login information (account number/name and password), IP address, location data, personal identification number (ID/passport number, social security number), photos, video footage with your likeness, audio recordings, educational and professional records, and any form of biometrics, health, racial, ethnic, religion, gender-based, age or any other identifying personal data.
- 2.5 Processing data** means what we can do with Personal Data; this includes collection, storage, use, modification, alteration, encryption, decryption, transfer and removal of Personal Data.



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### **3. ACCEPTANCE OF PRIVACY POLICY TERMS AND CONDITIONS**

By accessing a Home Afrika Group Platform, clicking on the ACCEPT tab, and voluntarily submitting their personal details, all Users acknowledge and expressly and unambiguously agree to this Policy's terms and conditions.

This Policy applies to all Users.

### **4. USER ACCESS**

4.1 In order to qualify as a User, you must meet the following requirements:

4.1.1 Users must be at or over the minimum age of majority in their country of residence or have the written consent of their adult parent or lawful guardian.

4.1.2 Users must agree to and ACCEPT this Policy's terms and conditions.

4.2 If a User provides, upon request by the Home Afrika Group for a specific purpose, any false, inaccurate, or incomplete information or if the Home Afrika Group considers that there are well-founded reasons to doubt the truthfulness, accuracy, or integrity of such information, the Home Afrika Group may deny that User current or future access to and use of a Home Afrika Group Platform, or a section of the Home Afrika Group Platform or any of its contents and/or Home Afrika Group services.

4.3 Users undertake not to disclose the details of their account (where an account is necessary by the Home Afrika Group to access certain unique content or participate in a sensitive process of the Home Afrika Group such as recruitment) or allow access thereto to third parties. Users shall be solely responsible for any use of such details or of the services that may be made by third parties, including the statements and/or contents entered on the Home Afrika Group Platform or part thereof, or for any other action carried out under their personal details, such as the use of their phone number, name or e-mail address.

4.4 Users are the sole owners or authorized licensees of the content entered by them on a Home Afrika Group Platform. By agreeing to the terms and conditions of this Policy, the User grants the Home Afrika Group, in relation to the content that they may provide, a worldwide, irrevocable, and transferable license, free of charge, with the right to sub-license, use, copy, modify, create derivative works, distribute, publicise and exploit it in any way that may be deemed appropriate by the Home Afrika Group, with or without any further communication to the User.



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- 4.5 The Home Afrika Group cannot guarantee the identity of Users, and it will therefore not be liable for the use by third parties of a User’s identity. Users undertake to inform the Home Afrika Group immediately, using the communication channels made available by the Home Afrika Group, if their credentials provided to the Home Afrika Group for any reason are stolen, disclosed, or lost.
- 4.6 We grant you a non-transferable, revocable, and non-exclusive license to access and use a Home Afrika Group Platform, in accordance with this Policy, for such things as: gathering preliminary information regarding our products and making purchases and for obtaining information on the Home Afrika Group’s programs, stakeholders and strategy.
- 4.7 This Policy expressly prohibits actions such as: accessing our servers or internal computer systems, interfering in any way with the functionality of a Home Afrika Group Platform, gathering or altering any underlying software code, infringing any intellectual property rights. This list is non-exhaustive and similar actions are also strictly prohibited.
- 4.8 Any breach of this Policy shall result in the immediate revocation of the access and use license granted to you without prior notice to you. Should we determine at our sole discretion that you are in breach of any of the provisions of this Policy, we reserve the right to deny you access to any Home Afrika Group Platform and its contents and do so without prejudice to any available remedies at law or otherwise.

## 5. DATA TO BE PROCESSED

### 5.1 Information supplied directly by you:

- 5.1.1 *Registration Data*: the information provided by you when you create an account on our online/offline Platforms – (such as name, location, e-mail and phone number) to place an order for a product or service, to apply for a job vacancy or to donate to or invest in the Home Afrika Group or for any other legitimate purpose.
- 5.1.2 *Additional information that you wish to share*: any information that you could supply to the Home Afrika Group for other purposes.
- 5.1.3 *Information about previous communications with the Home Afrika Group*: We will have access to the information you supplied in the past for the resolution of any queries or complaints about the use of a Home Afrika Group Platform through the communication channels provided on any of the Home Afrika Group Platforms.



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5.1.4 *Transcription and recording of conversations* held between you and the Home Afrika Group for the processing of incidents, queries or any other consultations that may be made.

## 5.2 Information supplied indirectly by you:

5.2.1 *Data arising from the use of a Home Afrika Group Platform:* The Home Afrika Group collects the data generated from the use of a Home Afrika Group Platform every time you interact with it.

5.2.2 *Data on the Home Afrika Group application and the device:* The Home Afrika Group stores data on the device and the Application you use to access our services. This data is:

- a) The IP address used to connect to the Internet using your computer or mobile phone.
- b) Information about your computer or mobile phone, such as your Internet connection, browser type, version and operating system, and type of device.
- c) The full uniform resource locator (URL) Clickstream, including date and time.
- d) *Data from the User's specially created account:* information on the orders made by each User, as well as feedback and/or comments made by such User.
- e) The User's browsing history and preferences.

5.2.3 *Data arising from the User's origin:* if a User accesses a Home Afrika Group Platform through an external source (such as a link from another website or a social network), the Home Afrika Group collects data on the source of such access.

5.2.4 *Data resulting from the management of incidents:* The Home Afrika Group will collect the messages received in the format used by the User and may use and store them to manage current or future incidents.

5.2.5 *Data arising from "cookies":* The Home Afrika Group uses its own and third-party cookies to facilitate browsing by its Users and for statistical purposes.

5.2.6 *Data resulting from external third parties:* The Home Afrika Group may collect personal data or information from external third parties only if the User authorizes



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such third parties to share that information with the Home Afrika Group. For example, if a User creates an account through their Facebook account, Facebook could disclose to us the personal data of that User that can be found on their Facebook profile (such as name, gender or age). Similarly, if a User accesses the Home Afrika Group through products and services offered by Google, Google may share the User's browsing data with the Home Afrika Group. The information provided by the external third party may be controlled by the User in accordance with the third party's own privacy policy.

5.2.7 *Geolocation Data*: provided that this has been authorized by Users, the Home Afrika Group will collect data relating to their location, including the real-time geographic location of their computer or mobile device.

## 6. PURPOSE

The Home Afrika Group collects, accesses, uses, processes and stores Personal Data from Users for the following legitimate purposes:

### 6.1 To use the Home Afrika Group Platforms

The Home Afrika Group uses the Personal Data collected from Users to enable Users to access and communicate through the Home Afrika Group Platforms with the Home Afrika Group and to facilitate the supply of products and services by the Home Afrika Group to them.

### 6.2 To Communicate

6.2.1 The Home Afrika Group uses your Personal Data to communicate with you messages relating to the Home Afrika Group Platforms, services and products.

6.2.2 The Home Afrika Group may send messages to the User's device with information relating to the status of any online order placed, job application, incident reported or any other type of engagement with a User.

### 6.3 For statistical and service analysis

6.3.1 The Home Afrika Group uses the User information for statistical purposes to analyses User behavior and trends and understands how Users use the Home Afrika Group Platforms.



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6.3.2 The Home Afrika Group also uses the User information to research and analyses how to improve the services it provides to Users, including the possibility of adding new, different services or products.

6.3.3 The Home Afrika Group also processes User statistics based on the User's Personal Data in order to assist Users in their decisions and use of the service, including the possibility to quickly reorder products ordered in the past or suggest products based on their past orders or "popularity" among new users. Additionally, The Home Afrika Group could assist Users in their decisions through automatically determined filters by the past historical orders Users have placed.

#### 6.4 **To comply with legislation and bring and defend legal actions**

The Home Afrika Group may maintain records of conversations, chats, and messages with Users for the purpose of filing and/or defending any claims and/or legal actions that may be necessary, as well as to manage any incidents arising in connection with their interaction with the Home Afrika Group Platforms.

#### 6.5 **Promotions and commercial offers**

The Home Afrika Group uses third-party technology integrated in its Platforms to collect user data and preferences and use this with Customer Relationship Management ("CRM") or equivalent systems and advanced technology for the benefit of Users. The following processing may thus be carried out on their Personal Data through the information collected:

6.5.1 The Home Afrika Group may send promotional messages and/or offers relating to its services that may be of interest to Users. The Home Afrika Group may gauge and personalize such advertising in accordance with its User preferences. If a Home Afrika Group User does not wish to receive this information and/or commercial communications, he/she may at any time opt to "Unsubscribe" or opt-out, and the Home Afrika Group will immediately stop sending the aforementioned information.

6.5.2 The Home Afrika Group and/or the third parties associated with the Home Afrika Group may use the User's location or address data to carry out promotional activities for the demonstration of services that may be of interest to the User.

6.5.3 Users may use their Home Afrika Group Platform privacy settings to unsubscribe from online marketing services or to close their account if they do not wish to receive such unsolicited information.

### 7. **USER SUBMISSIONS**

Any Personal Data (for example, your name, location, and telephone number) you transmit to any of the Home Afrika Group Platforms electronically or otherwise will be used by the



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Home Afrika Group in accordance with this Policy. By using a Home Afrika Group Platform, you consent to such processing. Any other communication or material you transmit to the Home Afrika Group through a Home Afrika Group Platform, such as questions, comments, suggestions or the like, will be treated as non-confidential and non-proprietary.

Anything else that you submit to a Home Afrika Group Platform and/or provide to the Home Afrika Group, including but not limited to, questions, reviews, comments, and suggestions (collectively, "Submissions") will be treated as non-confidential and non-proprietary and shall not be returned to you.

In addition to the rights applicable to any Submission, when you post comments or reviews to a Home Afrika Group Platform, you also grant us the right to use the name that you submit in connection with such review, comment, or other content.

You shall not pretend to be someone other than yourself or otherwise mislead us or third parties as to the origin of any Submissions. We may, but shall not be obligated to, remove or edit any Submissions.

## **8. RETENTION OF INFORMATION**

We shall retain your Personal Data for the period that it is necessary to fulfil the purpose we collected it for or for as long as it is required by law. The retention period will be determined by the length of time we have an ongoing relationship with you, an existing legal obligation and whether the retention is necessary for a legal process.

## **9. DISCLOSURE OF YOUR PERSONAL DATA**

9.1 Any disclosure of your Personal Data shall be in accordance with applicable law. We shall assess requests to disclose and we may decline to share your Personal Data with the requesting third parties.

9.2 The Home Afrika Group User data will not be disclosed to any third parties unless:

9.2.1 This is necessary in order to provide the services requested if the Home Afrika Group is collaborating with third parties;

9.2.2 If the Home Afrika Group has the User's express and unambiguous authorization;

9.2.3 Where this has been requested by a competent authority pursuant to its functions (in order to investigate, prevent or take action in relation to illegal actions); or

9.2.4 Finally, where required by law.





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## **10. INTERNATIONAL TRANSFER OF DATA**

The Home Afrika Group may occasionally need to transfer your Personal Data outside your country of residence. In such cases, the Home Afrika Group will ensure before sending the data that it will be processed in accordance with its instructions and that your Personal Data is only transferred in accordance with any applicable data protection laws and regulations and this Policy.

## **11. YOUR RIGHTS**

11.1 You may exercise your rights free of charge at any time using the communication channels available on a Home Afrika Group Platform. Your written communication must specify which right you wish to exercise, as well as, where applicable, the identifying data registered on a Home Afrika Group Platform. We will contact you if we need additional data in order to verify your identity.

11.2 You may exercise the following rights of a data subject:

11.2.1 Right to be informed why we are collecting data about you.

11.2.2 Right to access personal data we collect about you and request for information about how we process it.

11.2.3 Right to request that we correct your data where it is inaccurate or incomplete

11.2.4 Right to request that we erase your Personal Data except for when we have to retain your data if required by law.

11.2.5 Right to withdraw your consent for processing Personal Data except for when we have to continue processing for legitimate or legal reasons.

11.2.6 Right to request transfer of your Personal Data.

## **12. REASONABLE SECURITY MEASURES**

The Home Afrika Group has taken the necessary steps to maintain the required security level, according to the nature of the Personal Data processed and the circumstances of the processing, in order to avoid, to the extent possible and always in accordance with applicable law, its alteration, loss or unauthorized access or processing. As outlined in this Policy, Personal Data supplied by Users will not be disclosed to third parties without the User's prior authorization.



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**18. SEVERABILITY**

If any section of this Privacy Policy is held by any court or tribunal to be invalid or unenforceable, either in whole or in part, then that section shall be severed from the Policy and shall not affect the validity or enforceability of any other sections of the Policy.


**19. ACCEPTANCE OF ELECTRONIC DOCUMENTS**

You agree that all agreements, notices, disclosures, and other communications that we provide to you electronically satisfy any legal requirement that such communications be in writing.

**20. GOVERNING LAW**

This Policy is governed by the laws of the Republic of Kenya.

Approved by the Board of Directors on the 31<sup>st</sup> Day of AUGUST 2024


  
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Chairman of the Board

31<sup>st</sup> AUGUST 2024  
.....

Date

Seconded by;

  
.....

Director

31<sup>st</sup> AUGUST 2024  
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Date