

PRIVACY POLICY

Brichton Limited ("Brichton", "the Lender", "we", "us" or "our") is committed to safeguarding your privacy and protecting your personal data. This Privacy Policy explains how we collect, use, share, retain and protect your personal data when you apply for or use our lending services, whether through our mobile application (the "App"), our website, our systems or any other channel (together, the "Services"). We process personal data in accordance with applicable data protection laws in Kenya, including the Data Protection Act, 2019.

1. DEFINITIONS

- a) Personal Data means any information relating to an identified or identifiable individual, such as your name, contact details, financial records and identification numbers.
- b) Processing means any operation performed on personal data, including collection, storage, use, sharing or deletion.
- c) Data Subject means an individual whose personal data is processed by Brichton.
- d) Data Controller means the person who determines the purposes and means of processing personal data. For this Policy, the Data Controller is Brichton Limited.
- e) Data Processor means a person or business that processes personal data on our behalf.
- f) Sensitive Personal Data means data revealing, for example, health status, biometric data, or other categories that the law treats as requiring special protection.
- g) Consent means your clear, voluntary and informed agreement to the processing of your personal data for a specific purpose.
- h) Data Protection Law means the Data Protection Act, 2019 of Kenya, its regulations, and any other applicable data protection or privacy legislation.
- i) This policy applies to personal data collected and processed by Brichton Limited in the course of providing lending services to clients, partners, and other relevant stakeholders.

2. SCOPE

This Policy applies to personal data that Brichton collects and processes in the course of providing lending services to clients, partners and other relevant stakeholders.

It covers applicants, borrowers, guarantors, referees, service providers and other individuals whose data we process, as well as visitors to our website and users of our App. Brichton Limited is the Data Controller as well as Data Processor of the personal data described in this Policy.

3. CATEGORIES OF PERSONAL DATA WE COLLECT

We may collect and process the following categories of personal data:

Category	Examples	Purpose
Personal Identification Information	Name, address, phone number, email address, national ID number	For identification, customer account creation, and communication purposes.
Financial Information	Bank account details, credit history, loan applications	To assess creditworthiness, manage loans, and process payments.
Transaction Data	Loan repayments, transaction history, payment dates	For monitoring loan repayments and maintaining accurate financial records.
Employment and Income Data	Employment status, income statements	To determine eligibility for loan products and assess financial capacity.
Recorded Communications	Emails, phone call records, correspondence	For dispute resolution, customer service, and compliance with legal and regulatory requirements.
Usage, device and location data	See section 5	Operating, securing and improving the Services

Where applicable, we also collect information about guarantors and referees you name (such as name, contact details and relationship to you), and verification data such as a photograph or selfie used to confirm your identity. We collect Sensitive Personal Data only where the law permits it and it is necessary for a stated purpose.

4. HOW WE COLLECT PERSONAL DATA

We collect personal data from various sources, including but not limited to:

a) **Direct Interaction**

When you provide data by filling out forms, applying for loans, or communicating with us directly.

b) **Third-Party Sources**

Information from credit bureaus, regulatory authorities, and other authorized third parties involved in the loan approval and management process.

c) **Automated Technologies**

Data collected via our online platforms, including cookies, IP addresses, and transaction history.

5. AUTOMATICALLY COLLECTED INFORMATION

a) **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.

b) 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, app version, browser information, 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 Brichton's products associated with the same device or account).

c) 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.

d) 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 Brichton 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.

6. THIRD-PARTY INFORMATION

We may receive information about you from:

- a) Credit reference bureaus, regulators and other authorised parties, to verify your identity, assess your creditworthiness and meet regulatory requirements.
- b) Other individuals and businesses, such as referees, guarantors, employers or contacts who provide information about you. We require them to have a lawful right to share that information with us.
- c) Service providers, such as payment processors, app stores, analytics, infrastructure and customer-support providers, who may give us information (for example, diagnostic reports) to help us operate and fix the Services.
- d) Third-party services you choose to use with our Services, such as mobile carriers or payment platforms. Their own terms and privacy policies govern their use of your information.

7. LAWFUL BASIS FOR PROCESSING

We process your personal data only where the law allows, relying on one or more of the following grounds:

- a) to assess your application, enter into your loan agreement and perform it.
- b) to comply with laws and regulations, including anti-money laundering, tax and credit-reporting requirements.
- c) where you have given it, for example for certain marketing communications or optional features such as location sharing.
- d) to prevent fraud, secure our systems, recover amounts owed and improve the Services, where these interests are not overridden by your rights.
- e) to establish, exercise or defend legal claims.

8. HOW WE USE YOUR DATA

We use your personal data to:

- a) Evaluate loan applications and assess creditworthiness.
- b) Manage your loan account, disbursements, repayments and transactions.
- c) Comply with legal and regulatory obligations, including anti-money laundering (AML) and know-your-customer requirements.
- d) Prevent, detect and investigate fraud, suspicious activity and misuse of the Services, and protect the interests of both the Lender and the borrower.
- e) Communicate with you about your loan, our Services, and changes to our terms and policies.
- f) Provide customer support and respond to your enquiries and complaints.
- g) Operate, maintain, troubleshoot, test and improve the Services, including analysing how they are used.
- h) Send you information about our products and services, where permitted by law. You may opt out of marketing at any time.

9. CONSENT WITHDRAWAL

Where we rely on your consent, we will ask for it clearly and separately from other terms. You may withdraw consent at any time by contacting us. Withdrawal does not affect processing that took place before you withdrew, nor processing that we are required or permitted by law to continue. If you withdraw consent that is necessary to provide a loan, we may be unable to continue providing it.

10. AUTOMATED DECISION-MAKING AND CREDIT SCORING

We may use automated tools, including credit scoring models, to help assess loan applications and detect fraud. Where a decision based solely on automated processing significantly affects you, you may ask us to review it with human involvement, express your point of view, and contest the decision, as provided by Data Protection Law.

11. HOW WE SHARE YOUR PERSONAL DATA

We do not sell your personal data. We may share it with:

- a) Credit reference bureaus, regulatory bodies and financial institutions, where required for loan assessment, reporting and compliance.
- b) Service providers, agents, business partners and sub-contractors who help us deliver the Services or perform our contracts with you. They may use your data only on our behalf and under our instructions, and are bound by confidentiality and data protection obligations.
- c) Credit and payment card companies and screening companies, for payment processing and verification.
- d) Law enforcement, tax authorities, courts and other government or regulatory bodies, where required by law or to protect our legal rights.
- e) Third-party services you choose to connect, such as a data backup service. These parties receive only the information you share with them, and their own privacy policies apply.

We may also use or share aggregated or anonymised information that does not identify you, for analytics and business measurement.

12. . CREDIT REFERENCE BUREAUS AND CREDIT INFORMATION SHARING

We share information about your loan and repayment performance with licensed credit reference bureaus, and may obtain your credit information from them, in line with applicable credit information sharing regulations. Defaults and late payments may affect your credit record and your ability to obtain credit in future. You may request a copy of your credit report from the bureau, and ask us to correct any inaccurate information we have reported.

13. DATA RETENTION

We keep your personal data only for as long as necessary to fulfil the purposes for which it was collected, including to satisfy legal, regulatory and reporting requirements. Loan-related data is typically retained for seven (7) years after the agreement ends or the business relationship is closed. After that period, we securely delete or anonymise it.

We may keep certain data for longer where the law requires it, where it is needed to establish, exercise or defend legal claims, or where an investigation or regulatory request is ongoing.

14. DATA SECURITY

We use appropriate technical and organisational measures, including encryption, secure storage and access controls, to protect your personal data against unauthorised access, alteration, disclosure or destruction. No system is completely secure, so please also protect your login credentials and devices.

Our measures include:

- a) encryption of data in transit and at rest where appropriate;
- b) role-based access controls, so only authorised staff can access personal data;
- c) secure storage and regular backups;
- d) confidentiality obligations and data protection training for staff;
- e) vetting of service providers and written data protection terms with them; and
- f) monitoring and periodic review of our systems and security practices.

15. DATA BREACHES

If a personal data breach is likely to put your rights and freedoms at risk, we will notify the Office of the Data Protection Commissioner within the period required by law (currently 72 hours of becoming aware of it) and will inform affected individuals without unreasonable delay, explaining what happened, the likely impact and the steps we are taking.

16. INTERNATIONAL DATA TRANSFERS

Where necessary, we may transfer your personal data to third parties outside Kenya. In those cases we ensure that appropriate safeguards are in place, as required by applicable law.

Safeguards may include transferring data only to countries with adequate data protection, using contractual protections with the recipient, or obtaining your consent where required.

17. YOUR RIGHTS AS A DATA SUBJECT

As a data subject, you have the following rights regarding your personal data:

a) Right to Access

You may request a copy of the personal data we hold about you.

b) Right to Rectification

You can request correction of any inaccuracies in your personal data.

c) Right to Erasure

In certain circumstances, you may request the deletion of your personal data.

d) Right to Restrict Processing

You may request the restriction of processing where applicable.

e) Right to Object

You can object to the processing of your personal data for specific purposes, such as direct marketing.

f) Right to Data Portability

You may request to receive your data in a structured, machine-readable format or request its transfer to another entity.

To exercise any of these rights, complete our Data Subject Rights Form or write to us at info@brichton.com. We may need to verify your identity first, and some rights are subject to our legal and regulatory retention obligations. If you are unsatisfied with our response, you may lodge a complaint with the Office of the Data Protection Commissioner.

You also have the right to withdraw your consent at any time and not to be subject to certain solely automated decisions. We will respond to your request within the time required by law. We do not charge a fee for making a request unless it is clearly unfounded or excessive, in which case the law may allow us to charge a reasonable fee or decline it.

18. INTERNATIONAL DATA TRANSFERS

Where applicable, the Lender may transfer your personal data to third parties outside of Kenya. In such cases, we ensure that appropriate safeguards are in place to protect your data, as required by applicable laws.

19. CHILDREN'S PRIVACY

Our Services are intended for adults aged 18 and above. We do not knowingly collect personal data from children. If we learn that we have done so without valid authorisation, we will delete it promptly. If you believe a child has provided us with personal data, please contact us.

20. YOUR RESPONSIBILITIES

Please give us accurate, complete and current information, and tell us promptly if your details change. If you give us personal data about another person, such as a guarantor or referee, you must have their permission to do so. Keep your login credentials and devices secure, and tell us immediately if you suspect unauthorised access to your account.

21. ACCEPTANCE AND CHANGES TO THIS POLICY

By downloading the App, or accessing our system or website and clicking "Accept" on our Terms and Conditions, you are deemed to have accepted this Privacy Policy.

We may update this Policy from time to time. We will notify you of significant changes, and the latest version will always be available on our website. By continuing to use the Services after an update, you agree to the revised Policy.

22. COOKIES

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

a) How we use cookies

We use cookies to operate, secure and provide our Services, including to:

- provide web-based services and improve your experience;
- understand how the Services are used, including the popularity and effectiveness of our web pages and the split between mobile and desktop users;
- rank and display the most relevant Frequently Asked Questions (FAQs) and content; and
- remember your choices, such as language preferences, and customise the Services for you.

b) How to control cookies

You can change your cookie settings through your browser or device settings (usually under "Settings" or "Preferences"). If you disable cookies, some parts of the Services may not work properly.

23. Third-Party Links

Our site may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

24. CONTACT INFORMATION

If you have questions or concerns about this Privacy Policy or the processing of your personal data, please contact:

Brichton Limited

Post Office Box 27774-00100

Nairobi, Kenya

Email: info@brichton.com

Please address privacy requests and complaints to our Data Protection Officer at the details above, marking your message "Data Protection".