

# GETCASH CAPITAL LIMITED PRIVACY STATEMENT

## 1. Introduction

Getcash Capital Limited ("Getcash," "we," "us," or "our") is a lending company incorporated in Kenya and licensed by the Central Bank of Kenya (CBK). We are committed to protecting the privacy and security of your personal information. This Privacy Statement explains how we collect, use, disclose, and safeguard your information when you visit our website ([www.getcashcapital.co.ke](http://www.getcashcapital.co.ke)), apply for or use our loan products and services (collectively, the "Services").

This statement outlines our practices in compliance with the Kenyan Data Protection Act, 2019, and other relevant regulations. Please read this Privacy Statement carefully. By accessing our website or using our Services, you acknowledge that you have read, understood, and agree to the practices described herein.

## 2. Information We Collect

We may collect various types of personal information about you, including but not limited to:

- **Personal Identification Information:** Full name, national identity card number, passport number, KRA PIN, date of birth, gender, photograph, signature.
- **Contact Information:** Physical address, postal address, email address, telephone number(s).
- **Financial Information:** Bank account details, mobile money statements (e.g., M-Pesa), credit history, income details, employment information, financial transaction history, details of assets and liabilities.
- **Loan Application Information:** Purpose of the loan, loan amount requested, details provided in application forms and supporting documents.
- **Technical Information:** IP address, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform, device information, and other technology on the devices you use to access our website or Services.
- **Usage Data:** Information about how you use our website and Services, including navigation paths, pages viewed, and time spent.
- **Location Data:** We may collect information about your location when you use our Services, if permitted by your device settings.
- **Communication Data:** Records of your communications with us, including emails, chat logs, call recordings (where legally permissible and notified), and survey responses.
- **Information from Third Parties:** We may receive information about you from third parties, such as Credit Reference Bureaus (CRBs), identity verification services, fraud prevention agencies, publicly available sources, and other partners, as permitted by law.

## 3. How We Collect Your Information

We collect information in the following ways:

- **Directly from You:** When you fill out application forms (online or physical), register on our website, communicate with us (email, phone, chat), respond to surveys, or otherwise provide information directly.
- **Automatically:** When you interact with our website or digital Services, we may automatically collect Technical and Usage Data using cookies, server logs, and similar technologies. (Please see our Cookie Policy ).
- **From Third Parties:** As mentioned above, including CRBs (to assess creditworthiness), identity verification providers, fraud prevention agencies, and potentially employers (for verification purposes, with your consent where required).

#### 4. How We Use Your Information

We use your personal information for the following purposes:

- **Providing Services:** To process your loan applications, assess your creditworthiness, disburse loans, manage your account, collect repayments, and provide customer support.
- **Identity Verification and Fraud Prevention:** To verify your identity (Know Your Customer - KYC), prevent fraud, money laundering, and other illegal activities.
- **Compliance:** To comply with legal and regulatory obligations, including reporting requirements to the Central Bank of Kenya, tax authorities, and other relevant bodies.
- **Credit Assessment:** To make informed lending decisions by assessing your credit risk, including sharing and receiving information with licensed Credit Reference Bureaus.
- **Communication:** To communicate with you regarding your application, account status, loan repayments, service updates, promotional offers (where you have consented), and respond to your inquiries.
- **Service Improvement:** To analyze usage patterns, conduct research, and improve our website, products, and Services.
- **Risk Management:** To manage operational, credit, and regulatory risks.
- **Enforcement:** To enforce our terms and conditions and collect outstanding debts.

#### 5. Legal Basis for Processing Your Information

We process your personal information based on the following legal grounds under the Data Protection Act, 2019:

- **Consent:** Where you have given us explicit consent to process your data for a specific purpose (e.g., marketing communications).
- **Contract:** Where processing is necessary for the performance of a contract with you (e.g., your loan agreement) or to take steps at your request before entering into such a contract.
- **Legal Obligation:** Where processing is necessary for compliance with a legal obligation to which we are subject (e.g., KYC requirements, reporting to CBK, CRB reporting).
- **Legitimate Interests:** Where processing is necessary for our legitimate interests or those of a third party, provided these interests do not override your fundamental rights and freedoms (e.g., fraud prevention, risk management, service improvement).

#### 6. Data Sharing and Disclosure

We may share your personal information with the following parties under controlled and confidential circumstances:

- **Within Getcash Capital Limited:** With employees and departments who need access to perform their duties.
- **Service Providers:** Third-party companies that perform services on our behalf, such as IT support, data hosting, payment processing, communication services, debt collection agencies, and identity verification providers. These providers are contractually obligated to protect your data.
- **Credit Reference Bureaus (CRBs):** As required by law and for credit assessment purposes, we share credit performance data with licensed CRBs in Kenya. We also retrieve credit reports from them.
- **Regulatory Authorities:** The Central Bank of Kenya, Kenya Revenue Authority, Financial Reporting Centre, Office of the Data Protection Commissioner, and other regulatory or government bodies as required by law.
- **Law Enforcement:** If required by a court order, warrant, or other legal process, or to cooperate with law enforcement investigations.
- **Professional Advisors:** Lawyers, auditors, consultants, and insurers, where necessary for professional advice or managing legal/business risks.
- **Fraud Prevention Agencies:** To prevent and detect fraud.
- **Potential Acquirers:** In the event of a merger, acquisition, reorganization, or sale of assets, your information may be transferred as part of the transaction, subject to confidentiality agreements.

We do not sell your personal information to third parties for marketing purposes.

## 7. Data Security

We implement appropriate technical, physical, and administrative security measures designed to protect your personal information from unauthorized access, use, disclosure, alteration, or destruction. These measures include encryption, access controls, firewalls, secure servers, staff training, and confidentiality agreements. However, please note that no method of transmission over the internet or electronic storage is 100% secure.

## 8. Data Retention

We will retain your personal information only for as long as necessary to fulfill the purposes for which it was collected, including for the purposes of satisfying any legal, regulatory, accounting, or reporting requirements. The retention period may extend beyond the life of your loan agreement to comply with regulations (e.g., anti-money laundering laws often require records to be kept for a specific period after the business relationship ends). Once the retention period expires, we will securely delete or anonymize your personal information.

## 9. Your Data Protection Rights

Under the Kenyan Data Protection Act, 2019, you have the following rights regarding your personal information:

- **Right to Access:** You can request a copy of the personal information we hold about you.
- **Right to Rectification:** You can request correction of inaccurate or incomplete personal information.
- **Right to Erasure (Right to be Forgotten):** You can request deletion of your personal information, subject to certain exceptions (e.g., legal obligations).
- **Right to Restrict Processing:** You can request that we limit the processing of your personal information under certain circumstances.
- **Right to Object:** You can object to the processing of your personal information based on legitimate interests or for direct marketing purposes.
- **Right to Data Portability:** You can request to receive your personal information in a structured, commonly used, machine-readable format, and have the right to transmit that data to another controller, where processing is based on consent or contract and carried out by automated means.
- **Right to Withdraw Consent:** Where processing is based on consent, you have the right to withdraw your consent at any time. This will not affect the lawfulness of processing based on consent before its withdrawal.
- **Right to Lodge a Complaint:** You have the right to lodge a complaint with the Office of the Data Protection Commissioner (ODPC) in Kenya if you believe your data protection rights have been violated.

To exercise any of these rights, please contact us using the details provided in Section 13. We may need to request specific information from you to help us confirm your identity before processing your request.

## **10. International Data Transfers**

If we transfer your personal information outside of Kenya (e.g., for data storage or processing by international service providers), we will ensure that appropriate safeguards are in place to protect your data in accordance with the requirements of the Data Protection Act, 2019. This may include ensuring the destination country has adequate data protection laws or implementing contractual clauses approved by the ODPC.

## **11. Cookies and Tracking Technologies**

Our website ([www.getcashcapital.co.ke](http://www.getcashcapital.co.ke)) may use cookies and similar tracking technologies to enhance user experience, analyze website traffic, and personalize content. Cookies are small text files stored on your device. You can manage your cookie preferences through your browser settings.

## **12. Children's Privacy**

Our Services are not intended for individuals under the age of 18. We do not knowingly collect personal information from children under 18. If we become aware that we have inadvertently collected such information, we will take steps to delete it promptly.

### **13. Changes to This Privacy Statement**

We may update this Privacy Statement from time to time to reflect changes in our practices or legal requirements. We will post the updated version on our website ([www.getcashcapital.co.ke](http://www.getcashcapital.co.ke)) and indicate the "Last Updated" date. We encourage you to review this statement periodically. For significant changes, we may also notify you through other means, such as email.

### **14. Contact Us**

If you have any questions, concerns, or requests regarding this Privacy Statement or our data protection practices, please contact our Data Protection Officer at:

Email: [dpo@getcashcapital.co.ke](mailto:dpo@getcashcapital.co.ke)

Website: [www.getcashcapital.co.ke](http://www.getcashcapital.co.ke)