NMG Privacy Policy

Welcome to the Nation Media Group PLC. Privacy Policy.

NMG (trading as 'Nation Media Group PLC.") respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and inform you about your privacy rights and how the law protects you.

Please also use the Glossary to understand the meaning of some of the terms used in this privacy policy.

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1. Important information and who we are

Purpose of this privacy policy

This privacy policy aims to give you information on how NMG collects and processes your personal data through your use of this website, including any data you may provide through this website when you sign up to our newsletter or purchase a product or service.

It is important that you read this privacy policy together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements the other notices and is not intended to override them.

Controller

NMG is the controller and responsible for your personal data (collectively referred to as "we", "us" or "our" in this privacy policy).

We have appointed a ***Data Protection Officer*** who is responsible for overseeing data protection questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the data privacy officer using the details set out below.

Contact details

Our full details are:

Nation Media Group PLC.
Nation Centre
Kimathi Street
P.O. Box 49010 -00100
Nairobi-Kenya

Email address: *dataprotectionofficer@ke.nationmedia.com*

Changes to the privacy policy and your duty to inform us of changes

This version was last updated on March 11th 2020 and historic versions can be obtained by contacting us.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your interaction with us.

Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

2. The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, store, process, use, and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes your username, purchases or orders made by you, your interests, preferences, and feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, and email or otherwise. This includes personal data you provide when you:
- apply for our services;
- request marketing to be sent to you;
- complete our questionnaires;
- make a payment through our website; or
- give us some feedback.
- **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
- Technical Data from the following parties:
    - analytics providers such as Google;
    - advertising networks such as Google and
    - search information providers such as Google.
- Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as mobile money like MPESA or PayPal based outside the East African Community.
- Identity and Contact Data from data brokers or aggregators such as Google.
- Identity and Contact Data from publicly available sources such as the Registrars of Persons and Companies in Kenya and equivalent in other jurisdictions.

4. How we use your personal data

We will only use your personal data within the confines of existing data protection and privacy laws. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

- For further processing to help us make targeted offerings to you

You have the right to withdraw consent to marketing at any time by contacting us.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	**Type of data**	**Lawful basis for processing including basis of legitimate interest**
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact	(a) Performance of a contract with you

	(c) Profile (d) Usage (e) Marketing and Communications	(b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganization or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	Necessary for our legitimate interests (to develop our products/services and grow our business)

Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and, in each case, you have not opted out of receiving that marketing.

Opting out

You can ask us or third parties to stop sending you marketing messages at any time by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, warranty registration, product/service experience or other transactions.

Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- External Third Parties as set out in the *Glossary*.

- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. International transfers

Some of our external third parties are based outside the East African Community Area (EAC) so their processing of your personal data will involve a transfer of data outside the EAC.

7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. Data retention

How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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 unauthorized 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, and the applicable legal requirements.

In some circumstances you can ask us to delete your data: see *Request erasure* below for further information.

In some circumstances we may anonymize your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

If you wish to exercise any of the rights set out below, please contact us.

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw

your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. What's different for kids and teens?

NMG has services that are kid-friendly and for teens. Here's what happens when you use them

a. **Why do we collect data about you in the first place?**
   We keep data about you so that we can:

   - get the right services for you
   - plan and improve our services
   - keep in touch with you

b. **We'll always tell you why we're collecting your personal data**

   We'll explain why and how we use it and for how long. It's called a "privacy notice". And if we need your parent or guardian's permission we'll give you clear details about what's needed at the time.

c. **We can only use your personal data if we have a valid reason**

d. **We share personal data about you with others but we follow some rules**

The main rule is we will never sell your personal data to anyone.

e. We might ask you to tell us your age

To make sure you use the parts of our sites that are suitable for you. For example:

- so that adults don't post comments on kid's message boards
- When you're watching a video, like on NMG's YouTube page and it's unfitting.

f. Sometimes we'll ask to get your parent or guardian's consent

You'll see a notification. We might also ask for some details from them, so that we can contact them. Other times we may contact your parent or guardian:

- so you can get notifications from us
- so we can show you more things we think you'll like, based on what you do
- so you can post comments
- so you can upload your contribution to us

g. Sometimes we'll tell your parents about your activities

For example, if you are under 18 years of age and your parent has asked to see every content you upload, we will share it with them before it goes public.

h. When we can contact you

Sometimes we need to get in touch with you but we'll always follow these rules.

i. It's safe to use us

It is our job to keep your personal data safe and secure. That's why we design our services with your safety in mind. And we are always looking for the best ways to improve this.

There are also things that you can do to keep safe, like thinking about what information you share and how to keep your devices secure.

j. Human beings and not robots will make the big decisions that affect you

k. You are in control of how we use cookies and tracking

Cookies are bits of data that are stored on your device. Some things on our websites wouldn't be able to work without these cookies. So they're always on when you visit us.

We use cookies and tracking to make things easier for you, like remembering where you got to in a game or what emoji you selected.

You can switch off some cookies and similar tracking technologies. Or your parent or guardian can do this if you're under 18.

l. What we do when you post, upload or share a creation

When you share your creation with us we'll try to tell you exactly what we're going to do with it.

m. You've got privacy rights, the same as adults, so get to know what they are

You can:

- ask us what personal data we hold about you
- ask us to correct or delete your personal data
- tell us to stop using your personal data

If you are 18 or older, you can do this yourself, but not always. Sometimes we'll be asking for your parent or guardian to do that.

If you are under 18 your parent or guardian has to do it for you.

11. Can I delete my personal data?

This depends on what data.

a. If you're talking about NMG account

You can delete your account. Your account information is immediately deleted. Keep in mind:

- We keep a record of how you've used our services, but this information can't be linked back to you
- we also keep anything you've uploaded or commented on

b. What about other data I've shared with you?

We might have collected other personal data that you might ask to be deleted that has nothing to do with NMG account.

12. What are my rights?

Remember, you are in control of your personal data. You have the right to:

- request a copy of your personal data
- to ask us to correct data that's wrong, to delete it or to request that we only use it for certain purposes
- to change your mind, and ask us to stop using your data. For example, unsubscribing from any marketing emails

Bear in mind, sometimes we might not be able to help. Like if the law tells us we can't or it forms part of our journalistic output.

13. How does NMG use cookies and similar tracking?

a. What are cookies and tracking technologies?

Cookies are bits of data which are stored in your computer or mobile when you visit a website or app.

There are also similar pieces of tracking data we collect.

b. Why do we use cookies and other tracking?

To do a few different things:

- to remember information about you, so you don't have to give it to us again and again.
- to keep you signed in, even on different devices
- to help us understand how people are using our services, so we can make them better
- to deliver advertising
- to help us personalize the site to you by remembering your preferences and settings. And your progress, so you can pause and pick up where you left off watching a video, even on a different device.
- to find out if our emails have been read and if you find them useful

A few things on our websites wouldn't work without some cookies. Tech people call these "strictly necessary cookies". They're always on when you visit us.

But we want to use others like functional, performance and advertising cookies to make your experience more enjoyable. We'll only use them if you've agreed. You can always change your mind.

Bear in mind there are some other cookies out there from other companies. These "third-party cookies" might track how you use different websites, including ours. For example, you might get a social media company's cookie when you see the option to share something. You can turn them off, but not throughus.

c. How long do cookies last?

Some are erased when you close the browser on your website or app. Others stay longer, sometimes forever, and are saved onto your device so that they're there when you come back.

d. How do I control my cookies and tracking?

When you first visit us, we'll tell you about our cookies and ask you to agree if we can use them. You can always change your mind by going to your settings.

Stopping all cookies might mean you can't access some NMG services, or that some of them might not work properly for you.

Another way to control some tracking is in the settings on your device.

14. How will I find out about changes to this policy?

We update this policy sometimes. If we make important changes, like how we use your personal information, we'll let you know. It might be a notice, an email or a message in your app.

If you don't agree to the changes, then you can always stop using our services, delete your account and stop giving us anymore personal information. We'd be sorry to see you go.

15. How can I contact NMG?

Find out more and contact us about your rights.

For any other questions or comments about this policy speak to our Data Protection Officer:

by email : dataprotectionofficer@ke.nationmedia.com

By post:
Nation Media Group PLC.
Nation Centre
Kimathi Street
P. O. Box 49010 - 00100
Nairobi –Kenya

16. Glossary

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

THIRD PARTIES

External Third Parties

- Service providers including Google Analytics acting as processors based outside Kenya who use data analytics to improve our website, products/services, marketing, customer relationships and experiences.
- Mobile payment service providers including Safaricom acting as processors based in the Kenya which facilitate payment transactions.
- Online payment service providers including PayPal acting as processors based within or outside Kenya which facilitate payment transactions.