

PRIVACY POLICY: FIXED ASSET MANAGEMENT PLATFORM

1. Introduction

GS1 Kenya ("we", "us", "our") provides a digital fixed Asset Management platform designed to enable organizations to efficiently create, track, manage, and report on physical and digital assets, including equipment, tools, inventory and related operational records.

We are committed to safeguarding the privacy and personal data of all users in accordance with the Kenya Data Protection Act, 2019 (KDPA) and applicable regulations issued by the Office of the Data Protection Commissioner (ODPC).

This Privacy Policy explains how we collect, use, store, disclose, and protect personal data when you access or use the Fixed Asset Management Platform ("the Service").

By using the Service, you acknowledge that you have read and understood this Privacy Policy and consent to the processing of your personal data in accordance with applicable law.

2. Legal Basis for Processing Personal Data

We process personal data under one or more of the following lawful bases:

- Performance of a contract (provision of the Fixed Asset Management Platform)
- Compliance with a legal obligation
- Consent (where required and explicitly obtained)
- Legitimate interests (such as service improvement, security, and system analytics), provided these do not override your fundamental rights and freedoms

3. Information We Collect

3.1 Information You Provide

We collect personal data that you voluntarily provide when you:

- Register or create an account
- Use asset management features
- Submit support requests or communications

This may include:

- Full name
- Email address
- Telephone number
- Organization details
- Job title
- Login credentials
- Asset-related records linked to user identity

3.2 Automatically Collected Information

When you use the Service, we automatically collect:

- Access times and log data
- System activity and usage patterns
- Referring and exit pages

This data is used for system security, analytics, and service optimization.

3.3 Asset and Usage Data

The Service may process asset related operational data such as:

- Asset identifiers and tags (e.g., GS1 standards-based identifiers)
- Location or assignment of assets
- Maintenance and lifecycle records
- User interaction history within the system

This data is processed strictly for asset management functionality.

4. Purpose of Processing

We process personal data to:

- Provide and operate the Asset Management Solution
- Enable asset tracking, reporting, and lifecycle management
- Authenticate users and manage accounts
- Provide customer support and service communications
- Ensure system security and prevent fraud or misuse
- Generate aggregated analytics for service improvement
- Comply with legal and regulatory obligations

5. Sharing and Disclosure of Data

We do not sell personal data. We may share data only under the following conditions:

5.1 Service Providers (Data Processors)

We may engage third party service providers for hosting, analytics, maintenance, and support. These providers are contractually bound to:

- Process data only on our instructions
- Maintain confidentiality and security
- Comply with applicable data protection laws

5.2 Legal and Regulatory Requirements

We may disclose personal data where required with notice to where there is need to:

- Comply with Kenyan law or lawful requests from authorities
- Respond to court orders or legal proceedings
- Protect rights, safety, and security of users or GS1 Kenya

5.3 Business Transfers

In the event of a merger, acquisition, restructuring, or asset transfer, personal data may be transferred as part of the transaction, subject to confidentiality safeguards and applicable law.

5.4 Aggregated Data

We may share anonymized and aggregated analytics that cannot identify individuals.

6. Data Subject Rights (Under Kenya Data Protection Act)

As a data subject, you have the right to:

- Access your personal data
- Request correction of inaccurate data
- Request deletion of personal data (subject to legal obligations)
- Object to processing of your data
- Restrict processing in certain circumstances
- Withdraw consent where processing is based on consent
- Request data portability where applicable

Requests can be submitted to the contact provided in Section 12.

7. Data Retention

We retain personal data only for as long as necessary to:

- Fulfil the purposes outlined in this policy
- Comply with legal, regulatory, and contractual obligations
- Resolve disputes and enforce agreements

Retention periods are defined based on data type, usage purpose, and legal requirements.

8. Data Security

We implement appropriate technical and organizational measures including:

- Encryption of data in transit and at rest
- Role-based access controls
- Secure authentication mechanisms
- Regular security monitoring and audits
- Staff confidentiality obligations and training

Despite these measures, no digital system is completely secure. Users acknowledge inherent risks in electronic data transmission.

9. International Data Transfers

Where personal data is transferred outside Kenya, we ensure compliance with the Kenya Data Protection Act by implementing appropriate safeguards such as:

- Data transfer agreements with adequate protection clauses
- Transfers to jurisdictions with adequate data protection standards
- Explicit consent where required
- Approval from the ODPC where applicable

10. Data Breach Notification

In the event of a personal data breach that poses risk to data subjects, we will:

- Take immediate containment and mitigation measures

- Notify the Office of the Data Protection Commissioner (ODPC) without undue delay and where feasible within 72 hours
- Notify affected data subjects where required by law

11. Children's Data

The Service is intended for users aged 18 years and above. We do not knowingly collect personal data from minors. If such data is identified, it will be deleted promptly.

12. Data Protection Governance and Contact

GS1 Kenya has appointed a Data Protection Officer (DPO) responsible for overseeing compliance with the Kenya Data Protection Act.

For questions, requests, or complaints regarding this Privacy Policy or your personal data, contact:

Data Protection Officer

GS1 Kenya

Email: info@gs1kenya.org

13. Changes to This Privacy Policy

We may update this Privacy Policy periodically to reflect changes in legal, technical, or operational requirements. Updates will be posted within the Service and take effect upon publication unless otherwise stated.

14. Governing Law and Dispute Resolution

This Privacy Policy is governed by the laws of the Republic of Kenya. Any disputes arising from or relating to this Policy shall be resolved through:

- Good faith negotiation
- Mediation or arbitration in Kenya where applicable
- Courts of competent jurisdiction in Kenya as a last resort

15. Terms of Service

Use of the Fixed Asset Management Platform is also subject to the applicable Terms of Service, which should be read in conjunction with this Privacy Policy

