

Privacy notice

We take your privacy seriously and are committed to safeguarding your personal information. We recognise and value the trust that individuals place in us when providing us with personal data and we are committed to protecting the personal data we may collect from visitors to our websites and/or the clients to whom we provide our services.

We use this privacy notice to disclose the privacy practices of Two Rivers Mall in accordance with Kenya Data Protection Act, 2019 and subsequent regulations.

This Privacy notice aims to help you understand our personal data collection, usage, and disclosure practices by explaining:

1. Who we are and what we do.
2. What personal data we collect about you.
3. How we obtain the personal data about you.
4. How we use your personal data.
5. Who we share your personal data with.
6. Which countries we transfer your personal data to.
7. How long we keep your personal data.
8. How we protect your personal data.
9. What rights you have in relation to your personal data.
10. How we use cookies and similar technologies.
11. How you can contact us.
12. How we will update this Privacy notice.

By providing your personal data to us (whether via one of our websites, by email, in person or over the phone), you agree to the processing set out in this Privacy notice. Further notices highlighting certain uses we wish to make of your personal data together with the ability to opt in or out of selected uses may also be provided to you when we collect personal data from you.

Please note: This Privacy notice does not apply to, and Two Rivers Mall is not responsible for, any third-party websites which may be accessible through links from this website. If you follow a link to any of these third-party websites, they will have their own privacy policies and you will need to check these policies before you submit any personal data to such third-party websites.

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it.

1. Who we are and what we do

Two Rivers Mall is a shopping centre with 67,000 square metres of gross lettable area boasting a diverse range of brands ranging from local to international. The mall is the ultimate one-stop destination offering a variety of services all under one roof, including convenient shopping, diverse dining options, family-friendly entertainment, and a professional environment for work and business.

Please see “Who is the data controller of your personal data” below for more information on the entities that control and process personal data within Two Rivers Mall.

2. What personal data we collect about you

We may collect and process different types of personal data while operating our business and providing our services.

These include:

- Information that you provide by filling in forms: This may include information provided at the time of registering to use our website, subscribing to our services, registering for newsletters, using ‘contact us’ form, using the career portal or reporting a problem with our website or services. The personal information that you provide may include your name, email address, phone number, residential address, credit card details etc.

- Information that you provide when you contact us via social media, web chats, 'WhatsApp' chat or directly call our customer service team for general enquiries, register complaints, request for any assistance. Information may include your name, email address, contact number and call recordings (in case you call our customer service team).
- Information you provide when you transact through our website and for the fulfillment of orders. You may be required to provide financial information before placing an order or making payment through our website.
- Information collected for businesses operating within our centre.
- Information collected when you enter or renew tenancy contract on behalf of the Organization you represent.
- Information that you provide to surveys that trigger feedback to help us improve our services.
- Information obtained through any system operated for the security, safety and access management (CCTV, access right system) when you visit the mall.
- Vehicle registration number and details recorded through Automatic Number Plate Recognition (ANPR) systems at our car parks and any other usage of our Parking Management Systems.
- Information recorded when you sign up for the internet WIFI service when you visit our malls and any usage details of WIFI including information about your device and internet connection, including IP addresses, device ID, operating system, browser type and webpages visited.
- Information recorded during any events, games or contests taking place within the mall.
- Medical and health information of accidents and injuries occurring within the mall as well as accident records and other relevant information.
- Information collected when you utilize any of our services such as gift card purchase.

3. How we obtain the personal data about you

We may collect or receive your personal data in several ways:

- Where you provide it to us directly, for example by corresponding with us by email, or via other direct interactions with us such as completing a form manually or on our website or registering for and using one of our online tools.
- Where we monitor use of, or interactions with, our websites, any marketing we may send to you, or other email communications sent from or received by Two Rivers Mall.
- CCTV surveillance – security footage (image or video) from CCTV cameras placed across the mall.

4. How we use your personal data

We will only use your personal data where we are permitted to do so by applicable law. Under the Kenyan Data Protection Act, the use of personal data must be justified under one of several legal grounds. The principal legal grounds that justify our use of your personal data are:

- **Contract performance:** where your information is necessary to enter or perform our contract with you.
- **Legal obligation:** where we need to use your information to comply with our legal obligations.
- **Legitimate interests:** where we use your information to achieve a legitimate interest and our reasons for using it outweigh any prejudice to your data protection rights.
- **Legal claims:** where your information is necessary for us to defend, prosecute or make a claim against you, us or a third party.
- **Consent:** where you have consented to our use of your information (you will have been presented with a consent form or facility in relation to any such use and may withdraw your consent through an unsubscribe or similar facility).

We may use your personal data in the following ways. In each case, we note the grounds that we rely on to use your personal data.

- **To develop, provide and improve our services** – we collect personal information to perform essential business functions operations pursuant to our legitimate business interests, for example to understand usage patterns (such as foot traffic) within the mall.
- **To respond to any queries made by you** - we collect and use the following personal information: name, email address, phone number, and details of your enquiry. Additionally, when you call our customer service centre, we would maintain a record of the communications, including call recordings, in pursuit of our legitimate business interest to monitor and improve the quality of our guest support.
- **To provide you with information about our services and latest offers** - It is in our legitimate business interests to send you information about our services and latest offers. We use your personal information such as email ID and/ or contact number to share information relating to our services and latest offers that may be of interest to you. In the event you prefer not to receive such information, you may opt out.
- **To personalize the information, we send you** - We may combine the information we receive and collect about you to better understand your interests and preferences so that we can provide you with an experience that

is tailored to those interests and preferences. For example, we may do this by notifying you of any events conducted in the mall, or sending you personalized offers, discounts or promotions by our mobile application, or email (where you have agreed to receive our emails), or advertising content that is relevant to your interests. In the event you prefer not to receive such information, you may opt out.

- **To facilitate Advertisements** - We use the personal information you provide us for a commercial purpose to help us tailor and show advertisements to you. We may partner with third parties to help us display relevant advertising and to manage our advertising across multiple channels including social media platforms. Our third-party partners may use cookies and non-cookie-based technologies to help us show you advertising based upon your browsing activities and interests.
- **To request your feedback, and to respond to complaints** - we proactively take necessary steps to ensure you are well satisfied with our services. To help us respond to your feedback or complaints, we would need to collect the following personal information: name, email ID, transaction details (such as service you availed at the mall) and your feedback/ complaints, through a survey conducted within our malls or after the completion of your call with our customer service team.
We collect and use your personal information in pursuit of our legitimate business interests, to address your concerns and to take necessary steps towards continual improvement.
- **To facilitate use of our websites and to ensure content is relevant** – to respond to requests for information or enquiries from visitors to our websites and to ensure that content from our websites is presented in the most effective manner for you and for your device.
- **To establish a working relationship with our Tenants and Business Partners** - we collect the following personal information: name, email ID, contact number, designation, and the company you represent. We use this information for the purposes, listed below, in pursuit of our legitimate business interests:
- **For recruitment purposes** – to enable us to process applications for employment submitted via the Careers section of our website and to assess your suitability for any position for which you may apply at Two Rivers Mall.
- **To fulfil our legal, regulatory, or risk management obligations** – to comply with our legal obligations (performing client due diligence/"know your client ", anti-money laundering, anti-bribery, sanctions or reputational risk screening, identifying conflicts of interests); for the prevention of fraud and/or other relevant background checks as may be required by applicable law and regulation and best practice at any given time (if false or inaccurate information is provided and fraud is identified or suspected, details may be passed to fraud prevention agencies and may be recorded by us or by them); to enforce our legal rights, to comply with our legal or regulatory reporting obligations and/or to protect the rights of third parties.

5. Who we share your personal data with

We may share your personal data with a variety of the following categories of third parties:

- Our insurers and insurance brokers.
- Other third-party external advisors or experts engaged in the course of the services we provide to our clients and with their prior consent, such as technology service providers.

We may process your personal data to comply with our regulatory requirements or in the course of dialogue with our regulators; as applicable, which may include disclosing your personal data to government, regulatory or law enforcement agencies in connection with enquiries, proceedings, or investigations by such parties anywhere in the world or where compelled to do so. Where permitted, or unless to do so would prejudice the prevention or detection of a crime, we will direct any such request to you or notify you before responding.

6. Which countries we transfer your personal data to

Regardless of the location of our processing, we will impose the same data protection safeguards that we deploy within our jurisdiction and implement appropriate measures to ensure that your personal data is protected in accordance with applicable data protection laws.

Two Rivers Mall has a data sharing agreement in place signed by all its related entities with standard contractual clauses. Similarly, where a third-party service provider processes the personal data of Kenyan residents on our behalf, we will ensure that appropriate measures are in place to ensure an adequate level of protection for your personal data, usually by including standard contractual clauses in our agreements with such third-party service providers (alongside other supplementary technical or contractual measures where necessary).

Please contact us as directed below if you would like to see a copy of the specific safeguards applied to the export of your personal data.

7. How long we keep your personal data

We will retain your personal data for as long as is necessary to fulfil the purpose for which this data was collected and any other permitted linked purpose.

If your personal data is used for two purposes, we will retain it until the purpose with the latest period expires; but we will stop using it for the purpose with a shorter period once that period expires. Our retention periods are also based on our business needs and good practice.

8. How we protect your personal data

We recognise that information security is an integral element of data privacy. While no data transmission (including over the Internet or any website) can be guaranteed to be secure from intrusion, we implement a range of commercially reasonable physical, technical, and procedural measures to help protect personal data from unauthorised access, use, disclosure, alteration, or destruction in accordance with data protection law requirements.

Information that you provide to us is stored on our or our service providers' secure servers and accessed and used subject to our security policies and standards, or those agreed with our service providers.

Everyone at Two Rivers Mall and any third-party service providers we may engage that process personal data on our behalf (for the purposes listed above) are also contractually obligated to respect the confidentiality of personal data.

Alongside our role, please also note that where we have given you (or where you have chosen) a password which enables you to access certain parts of our online services, you are responsible for keeping this password confidential and for complying with any other security procedures that we notify you of. We ask you not to share a password with anyone.

9. What rights you have in relation to your personal data

If you have any questions about our use of your personal data, you should first contact us via the details provided in section 12 below.

Under certain circumstances and in accordance with Kenya Data Protection Act, 2019 or other applicable data protection laws, you may have the right to require us to:

- provide you with further details on the use we make of your information.
- provide you with a copy of information that we hold about you.
- update any inaccuracies in the personal data we hold.
- delete any personal data that we no longer have a lawful ground to use.
- where processing is based on consent, to withdraw your consent so that we stop that processing.
- object to any processing based on the legitimate interests ground unless our reasons for undertaking that processing outweigh any prejudice to your data protection rights.
- restrict how we use your information whilst a complaint is being investigated.

You may also ask us not to process your personal data for marketing purposes. We will inform you if we intend to disclose your information to any third-party service provider for this purpose. As indicated in section 4 above, you can exercise your right to prevent such processing at any time by using an unsubscribe facility or contacting us at dpo@centum.co.ke

We are also required to take reasonable steps to ensure that your personal data remains accurate. To assist us with this, please let us know of any changes to the personal data that you have provided to us by contacting us at dpo@centum.co.ke or by using any relevant facilities that we provide.

While it is our policy to respect the rights of individuals, please be aware that your exercise of these rights is subject to certain exemptions to safeguard the public interest (e.g., the prevention or detection of crime), our interests (e.g., the maintenance of legal privilege) and some of these rights may be limited (for example the right to withdraw consent) where we are required or permitted by law to continue processing your personal data to defend our legal rights or meet our legal and regulatory obligations.

If you contact us to exercise any of these rights, we will check your entitlement and respond in most cases within a month.

10. How we use cookies and similar technologies

When you visit our websites, we may send a cookie to your computer. This is a small data file stored by your computer to help improve functionality or tailor information to provide visitors with more relevant pages. For details of the cookies employed by us, please see our [Cookie Policy](#), which forms part of this Privacy notice. We may also analyse website traffic to identify what visitors find most interesting so we can tailor our websites accordingly.

11. How you can contact us

If you have any questions about this Privacy notice or how we process your personal data, please contact us by sending an email to:

dpo@centum.co.ke or by writing to:

Data Protection Officer

Centum Investment Company

7th Floor, South Tower, Two Rivers, Nairobi Kenya.

10518 – 0100 Nairobi

12. How we may update this Privacy notice

We may change the content of our websites and how we use cookies without notice and consequently our Privacy notice and Cookie Policy may change from time to time in the future. We therefore encourage you to review them when you visit the website to stay informed of how we are using personal data.