



Solar Panda Canada  
746 Muchai Drive  
PO Box 19400 GPO  
00100 Nairobi, Kenya

## **Solar Panda Kenya Limited Data Protection Policy**

Effective Date: July 2022  
Last Revised: November 2024

## 1. Introduction

Solar Panda Kenya Limited (Solar Panda) is committed to ensuring the privacy and protection of the personal data it collects, processes, stores, and shares.

This Data Protection Policy outlines our approach to personal data management and demonstrates compliance with the Data Protection Act (2019) of Kenya, which governs the collection, processing, storage, and protection of personal data. We are committed to safeguarding the privacy and confidentiality of personal information entrusted to us by field agents, employees, and customers as well as stakeholders.

## 2. Purpose of this Policy

The purpose of this policy is to ensure that Solar Panda adheres to the legal obligations set out under the Data Protection Act, 2019, and to protect individuals' privacy and rights concerning their personal data. This policy also aims to inform employees, partners, and other stakeholders about how personal data is handled.

## 3. Scope

This policy applies to all personal data collected and processed by Solar Panda, whether in physical or digital form. It covers all employees, contractors, customers, third parties, and anyone who handles personal data on behalf of Solar Panda. It also covers all personal data including those held in our website and social media platforms.

## 4. Definitions

- **Personal Data:** Any information relating to an identified or identifiable individual.
- **Data Protection Act (2019):** Means the Act and its attendant Regulations, guidelines, guidance notes and best practice applicable through them.
- **Data Subject:** An individual to whom personal data pertains.
- **Processing:** Any operation performed on personal data, including collection, recording, storage, and transmission.
- **Controller:** The entity that determines the purpose and means of processing personal data.
- **Processor:** The entity that processes personal data on behalf of the controller.

## 5. Data Collection and Processing Principles

Solar Panda will ensure that all personal data is handled in compliance with the principles outlined in the Data Protection Act. These principles include:

- a) **Lawfulness, Fairness, and Transparency:** Personal data will be processed lawfully, fairly, and transparently in relation to the data subject.
- b) **Purpose Limitation:** Personal data will only be collected for specified, legitimate purposes and not processed further in a way that is incompatible with those purposes.
- c) **Data Minimization:** We will collect only the personal data that is necessary for the purposes for which it is processed.
- d) **Accuracy:** Personal data will be accurate and, where necessary, kept up to date.
- e) **Storage Limitation:** Personal data will not be kept for longer than necessary for the purposes for which it was collected.
- f) **Integrity and Confidentiality:** Personal data will be processed in a manner that ensures its security, including protection against unauthorized access, loss, or destruction.
- g) **Accountability:** Our company is accountable for its data protection practices and will comply with the Act, demonstrating integrity and upholding legal obligations.
- h) **Respect to privacy:** Our company shall process all personal data in accordance with the right to privacy of the data subject.

## 6. Lawful Basis for Processing

Solar Panda will process personal data based on one or more of the following lawful bases, as required by the Data Protection Act (2019) and its attendant Regulations and guidelines:

- **Consent:** The data subject has provided explicit consent for processing.
- **Contractual Necessity:** The processing is necessary to perform a contract with the data subject.
- **Legal Obligation:** The processing is necessary for compliance with a legal obligation.
- **Legitimate Interests:** Processing is necessary for the legitimate interests pursued by Solar Panda, provided such interests are not overridden by the data subject's rights.

## 7. Collection of Personal Data

The Company shall collect personal data only for specified and lawful purposes related to our business operations including:

- a) Gathering personal data to provide better customer service, manage interactions, and resolve issues more effectively.
- b) Segmenting customers and delivering targeted advertising campaigns.
- c) Hiring, payroll management, benefits administration, and performance evaluations.
- d) Collecting and storing personal data to comply with laws and regulations, such as tax reporting, health records, and employee benefits.
- e) Collecting personal data for subscription services, including billing, invoicing, and payment processing.
- f) Identifying fraudulent activity, assess risks, and prevent scams.

Our Company will only collect personal data that is necessary for the intended purpose and will not use the data for any other purpose without the consent of the data subject, demonstrating integrity and respecting individual privacy.

## 8. Data Subject Rights

In accordance with the Data Protection Act, individuals whose personal data is collected and processed by Solar Panda have the following rights:

1. **Right to Access:** Data subjects can request access to their personal data and obtain information on how their data is being processed.
2. **Right to Rectification:** Data subjects can request the correction of inaccurate or incomplete personal data.
3. **Right to Erasure:** Data subjects can request the deletion of their personal data when it is no longer necessary for processing or where consent has been withdrawn.
4. **Right to Restrict Processing:** Data subjects can request the restriction of processing under certain conditions.
5. **Right to Data Portability:** Data subjects have the right to receive their personal data in a structured, commonly used, and machine-readable format.
6. **Right to Object:** Data subjects can object to the processing of their personal data, including direct marketing
7. **Right to be Informed:** Data subjects have the right to be informed about the processing of their personal data.

If you wish to exercise any one or more of the rights under this provision, please contact Solar Panda, using the following contact details:

Name: Samuel Leung

Email: [inconfidence@solarpanda.com](mailto:inconfidence@solarpanda.com)

We shall endeavor to respond to your requests as per the timelines and in the manner required under the applicable Data Protection Regulations. For employees and contractors who wish to exercise their rights, they are to additionally adhere to the grievance mechanism contemplated under Clause 14 of the Human Resources Manual as may be revised from time to time.

## **9. Complaints Handling**

Our Company commits to resolve all data protection complaints which we receive in fair, just manner and without unreasonable delay.

A data subject with a complaint regarding a decision of any person at our Company made while implementing section or sections of this policy may lodge a complaint with the Company using the email contact provided at Clause 8 above.

Regarding employees and contractors, the complaints should first be raised with the immediate supervisors before resorting to lodging a complaint with the Company using the email contact provided at Clause 8 above. The Company Organigram and Human Resources Manual shall be reference points for immediate supervisors who should be contacted first in case of a complaint regarding implementation of provisions of this policy or the Data Protection Act (2019) as a whole.

## **10. Data Retention**

Personal data will be retained only for as long as necessary to fulfill the purposes for which it was collected. Data retention periods will be based on legal, contractual, or business requirements. Once the retention period expires, personal data will be securely deleted or anonymized.

## **11. Data Security**

Solar Panda will take appropriate technical and organizational measures to ensure the security of personal data. This includes protecting data from unauthorized access, disclosure, alteration, and destruction. We will also regularly review and update security measures to address new risks.

## **12. Data Breach Notification**

In the event of a data breach that results in the unauthorized disclosure, access, or loss of personal data, Solar Panda will:

- Notify the relevant authorities (e.g., the Office of the Data Protection Commissioner) within 72 hours of becoming aware of the breach, in accordance with the Data Protection Act (2019).
- Notify affected individuals where the breach is likely to result in a high risk to their rights and freedoms.

## **13. Third-Party Processors**

We may share your personal data with third providers. The providers may include external parties such as regulatory authorities, government agencies and advisers, potential or future employers, governmental or quasi-governmental organizations, service providers, and potential purchasers and customers of the Company.

If personal data is shared with third-party service providers (processors), Solar Panda will ensure that appropriate data protection agreements are in place. These agreements will outline the third party's obligations concerning data security, privacy, and compliance with the Data Protection Act (2019).

In case the sharing of your information amounts to transfer of personal data outside Kenya, we shall ensure that the transfer is based on satisfaction of appropriate safeguards, an adequacy decision, necessity and or consent, as the case may be depending on, the nature of personal data that we shall be processing and the jurisdiction of the recipient entity.

## **14. Training and Awareness**

Solar Panda will provide regular training to employees and other relevant stakeholders on data protection principles and practices. This training will ensure that everyone understands their responsibilities in handling personal data and complying with this policy.

## **15. Monitoring and Compliance**

The Data Protection Officer (DPO) or a designated person is responsible for overseeing compliance with this policy. The DPO will regularly monitor the company's data processing activities and ensure compliance with the Data Protection Act (2019). Any deviations from this policy will be addressed promptly.

## **16. Changes to the Policy**

Solar Panda reserves the right to amend this Data Protection Policy at any time. Any changes will be communicated to employees, customers, contractors, and stakeholders, and an updated version will be made available on the company's intranet or website.

## **17. Contact Information**

For questions, concerns, or requests regarding data protection, please contact:

Samuel Leung  
inconfidence@solarpanda.com

---

**Solar Panda** is committed to upholding the highest standards of data protection and privacy in accordance with the Data Protection Act (2019) and other relevant legislation.

---

This policy should be reviewed periodically to ensure that it remains up-to-date with changes in legislation, technology, or the company's operations.