

# Privacy Policy

This is the privacy policy of Elige Communications Limited, a company incorporated under the laws of Kenya, with address P.O. Box 66268 00800, Nairobi, Kenya ("Elige", "Elige Africa", "Ambia", "us", "our" or "we") which describes how we receive, collect and use information from you in connection with our website [www.ambia.io](http://www.ambia.io) (or such other sites that are provided by Elige from time to time) (the "Site"), the Ambia mobile application software (the "App"), and other products and services provided by Ambia from time to time on the Site or in the App (all of the foregoing, collectively, the "Services").

This Policy is incorporated into and subject to the [Ambia Terms of Service](#). Any capitalized term not defined in the Policy shall have the meaning as set forth in the Ambia Terms of Service. By accessing and/or using our Services you consent to us collecting, processing, storing and sharing information about you in the manners set out in this Policy. If you have any concerns about providing the information to us or having it used in any manner permitted in this Policy you should not use our Services. By downloading the App and/or using the Services you acknowledge you are of legal age.

## 1. What information about you is collected and how will we use it?

### Profile Information

When downloading the App or otherwise start using the Services you are requested to register with us, and creating your Ambia account. By registering you give your consent for us to collect, use and store the following information:

- Name
- Phone number
- Email address

By making any card payment within the App or on our Site you also consent for us or our Payment Processor to collect, use and store the following information:

- Address
- Card number (for subsequent or recurring payments)
- Expiry date of card

In addition to using this information to be able to provide you with the Services that you request, we use, store and/or may disclose the above listed information as follows:

- To verify your identity (your phone number will be used as Ambia user ID).

- To notify other Ambia users who have your mobile phone number stored in their mobile address book that you are also a Ambia user.
- To manage your Ambia account, deliver to you any administrative notices, updates, notifications, alerts and communications relevant to your use of the Service.
- To solicit information from you, including through surveys.
- To contact you via email, SMS, telephone call or otherwise for the purpose of informing you about new products, services or promotions offered by Elige (you can opt-out of such emails by clicking on the unsubscribe link, withhold your consent to receive an SMS or reply stop to an SMS in order not to receive future SMSs).
- To contact you via telephone call to inform you about different payment methods and, if applicable, assist with registration of your credit card with our Payment Processor.
- If you live in the European Union, for the purpose of providing correct VAT invoices (we are required to do so by law).
- For internal operations, including troubleshooting problems, data analysis, testing, research, improvements to the Services, detecting and protecting against error, fraud or other illegal activity.
- When we believe it is appropriate to investigate, prevent, or take action regarding illegal or suspected illegal activities.

## Address Book

When you first install the App on your device, you will be asked to allow us access to your address book. If you consent, we will have access to contact information in your address book on the devices you use for the Services (only names and numbers) and we will store it and use it for the following purposes:

- Correctly formatting the phone numbers for international calling.
- Correctly display the name of each contact as it appears in your address book when a call is received through the App.
- Sync your contacts in the address book on your device with the App.
- Notify you when your contacts become a Ambia user.
- Indicate which of your contacts is already a Ambia user.
- For internal operations, including troubleshooting problems, data analysis, testing, research, improvements to the Services, detecting and protecting against error, fraud or other illegal activity.
- To analyze what new products, services or promotions that may be relevant for you.

## Usage Information

In accordance with telecommunications market practice, Ambia collects certain usage statistics, including but not limited to, the phone numbers and/or other identification details of the calling and receiving party, the start time, call duration, call quality, outages (“Call Details”) and maintains a call detail record (“CDR”) for each call that is routed through the system. The Call Details are collected and the CDR maintained for billing purposes and for the purposes of improving the Services and to fulfill our obligations under applicable laws. We may also collect and store information about your usage of, and interaction with, the Services, including calls, messages, posts, information relating thereto, usage of the Service by geographies, device and connection information IP address, device capability, bandwidth, web browser software, referring website, statistics on page views, network type and traffic to and from our Site or App. Furthermore, we may also collect a list of the installed apps on your device (on an anonymous basis). Such information may be collected by using inter alia cookies (if accepted by you), ad identifiers and other applicable tracking tools.

We are collecting such information for the purpose of:

- Improving our Services, for example by helping us fix bugs or by providing Services updates.
- Preventing cheating, crime or fraud (we may also need to pass your information to fraud prevention agencies and other organisations involved in crime and fraud prevention).
- To personalise and optimise our Services, promotional content and advertising to you. For example, we may use the information we collect through cookies, ad identifiers and similar technologies to show you ads you may be interested in.
- To create reports, analysis or similar services for use by us for the purposes of research or business intelligence, for example to track potential problems or trends with our Services.
- As otherwise expressly set out in this Policy or as required by law.

We use Google Analytics or any other such analytics service provider in relation to both the Site and the App in order to collect data, track, create and receive reports of statistics relating to usage thereof.

Google Analytics is a web analytics solution which compiles and analyzes certain information about usage of a website or app. It may add cookies to your computer or device or read existing cookies when you visit our Site or interacting with certain parts of our App. In order to learn more about how Google uses such data [click here](#). By using our Site or the App, you declare your consent to Google’s use of the data collected about you in the manner and for the purposes described above.

Furthermore, when you are using our App, we may also automatically record your Google Advertising ID (if you are using an Android device), for advertising or analytics purposes. The Google Advertising ID is an anonymous identifier, provided by Google Play services. If your device has a Google Advertising ID, we may collect and use it for

advertising and user analytics purposes. If your device does not have Google Advertising ID, we may use other persistent identifiers. If you have a Google Account and/or an Android device, you can opt out of targeted advertising on your device. You can do this by clicking the menu icon to display the apps list, then find and select the Google Settings icon, then find and select "Ads" and check the box "Opt out of interest-based ads". In addition, or as an alternative, you may reset your device's Android advertising ID, which will result in your device being disassociated from ad targeting profiles based on the Android advertising ID in effect prior to reset. You can do this by clicking the menu icon to display the apps list, then find and select the Google Settings icon, then find and select "Ads" and selecting "Reset advertising ID". Note that Android settings menus may vary among device manufacturers and these instructions may not be accurate for your device. You should consult Google's settings and instructions for the most current settings information.

In addition, we may interact with your phone's SMS inbox for the purposes of service activation, placing incoming international messages and reading the contents of the activation SMS sent to you by us.

## Cookies

A cookie, also known as a browser cookie, is a text file containing small amounts of information which a server may download to your computer, mobile or tablet when you visit a website or use an app.

There are different types of cookies which are used to do different things, such as letting you navigate between different pages on a website efficiently, remembering preferences you have given and helping us to identify ways to improve your overall site experience. Others are used to provide you with advertising which is more tailored to your interests or to measure the number of site visits and the most popular pages users visit.

Due to their core role of enhancing and enabling usability or site processes, disabling certain cookies may prevent you from using certain aspects of our website.

Broadly speaking, there are two different types of browser cookie:

- Session cookies – these types of cookies are stored in the computer's memory during a user's browsing session and are automatically deleted from the user's computer when the browser is closed or the session is deemed to have ended. These cookies usually store a session ID that is not personally identifiable to users, allowing the user to move from page to page without having to log-in repeatedly. They are widely used by commercial websites; for example, to keep track of items that a user has added to a shopping basket.
- Persistent cookies – these types of cookies are stored on a user's computer and are not deleted when the browser is closed. Persistent cookies can be used to retain user preferences for a particular website, allowing those preferences to be used in future

browsing sessions. Persistent cookies usually assign a unique ID to the user's browser and they are usually configured to identify a user for a prolonged period of time.

### **How does Elige use cookies?**

We only use browser cookies to measure non-personal information, for example to learn about the behavior of visitors to our website, to remember your preferences and to ensure we serve the correct content to you whilst on our website.

### **What cookies does Elige use on this website?**

The following classification of cookies used on our website is based on the International Chamber of Commerce guide for cookie categories:

- Strictly necessary cookies
  - 'Strictly necessary' cookies let you move around the website and use essential features such as ensuring that you connect to the right service on our website when we make any change to the way our website works. These cookies don't gather any information about you that could be used for marketing or remembering where you've been on the Internet. Accepting these cookies is a condition of using this website as they are required for the proper operation of the website. If you prevent them, we cannot guarantee how our website will perform during your visit.
  
- Performance cookies
  - We use these cookies to collect information about how visitors use our website, which parts of the website you like and what types of content you view. By using our website, you agree that we can place these types of cookies on your device. We use the information to improve our website and enhance our user experience. All information these cookies collect is aggregated and therefore anonymous.
  
- Functionality cookies
  - These cookies remember choices you make to improve your experience. By using the website, you agree that we can place these types of cookies on your device. These cookies allow the website to remember choices you make (such as content preferences, language or the region you are in) and provide enhanced, more personalized features. These cookies can also be used to remember changes you have made to text size, fonts and other parts of web pages that you can customize. They may also be used to provide services you have asked for such as commenting on a blog. The information these cookies collect may be anonymized and they cannot track your browsing activity on other websites.

## How can you control the use of cookies?

Your use of this website constitutes your consent to this website setting cookies on your device.

If you do not want this website to set cookies on your device then you should not use this site and you should delete any cookies which have been placed on your device. Alternatively, the 'Help' menu on the menu bar of most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookies and how to disable cookies altogether. However, because cookies allow you to take advantage of some of our website's essential features, we recommend that you leave them turned on.

Useful information about cookies can be found at: <http://www.allaboutcookies.org>

## Linked Internet Websites

Our websites may provide hyper-text links to other websites over which we have no control and which may contain privacy provisions that are difference from those provided herein. We are not responsible for and expressly disclaim any and all liability for the privacy policies or practices of other websites to which you choose to link from our websites. We encourage you to review the privacy policies of those other websites so you can understand how they collect, use and share your information. Security We have implemented reasonable technical and organizational measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration or disclosure our websites have security measures in place to protect against the loss, misuse and alteration of information under our control. However, the Internet is an open system and we cannot guarantee that unauthorized third parties will never be able to defeat those measures or use your personal information for improper purposes. Certain information may be transmitted to you by electronic mail. Although it may be illegal to intercept or disclose these messages, these transmissions are not secured.

## 2. Sharing Information

We will only share your data with third parties (for example, our group companies or suppliers):

With your consent (including as set out in this Policy).

- As reasonably necessary in order to provide the Services to you (for example, by providing information to suppliers we may use to fulfil the Services or to communicate with you).

- Where it is necessary to carry out your instructions (for example, to process a payment instruction we must provide your information to our Payment Processors).
- Where such third party's assistance is deemed necessary to enable us to inform you about new products, services, promotions or different payment methods and, if applicable, assist with registration of your credit card.
- Where your data is on an anonymous and aggregated basis, meaning you could not be personally identified from it.
- When you submit information by interacting with our social media channels (for example, by providing a testimonial about one of our Services) we may publish the information you submitted, alongside your name and home country on the Site and social media channels.
- As we reasonably believe is permitted by law or regulation.
- In order to comply with any legal obligation, or in order to enforce or apply the Elige Terms of Service and/or any other agreement with you; or to protect the rights, property, or safety of Elige, our users, or others.
- In the event that there is a sale of the assets of Elige or corporate restructuring, or as a result of a change of control of Elige or one of its group companies, or in preparation of any of these events. Any third party to which the assets of Elige (or any group company) is transferred to will have the right to continue to use the information that you provide to us in the manner set out in this Policy.

In addition, we may use external advertising companies to serve ads when you have visited the Site and/or downloaded the App. These companies may use information (but not information that includes your name, address, email address or telephone number) about your visits to the Site and other websites in order to provide advertisements about goods and services of interest to you.

Your details may be stored and processed in Kenya or any other country in which Elige or its affiliates, subsidiaries or agents maintain facilities. By using the Services, you consent to any such transfer of the information outside your country.

### **3. Transfer of information outside your country**

We may, for the purposes set forth herein, transfer, process and store your information in Kenya or any other country in which Elige or its affiliates, subsidiaries, suppliers or agents maintain facilities. Information collected within the European Economic Area (“EEA”) may, for example, be transferred to and processed in a country outside of the EEA, which may not provide the same level of protection for personal data as within the EEA. By using the Services, you consent to any such transfer of the information outside your country.

#### **4. Communications, notifications etc.**

We may send you messages about updates, faults, alerts and other types of issues relating to technical aspects and/or the usability of the App and other parts of the Services.

We may occasionally ask you to provide information on your experiences of using the App or other parts of the Services which will be used to improve the quality and provision of the Services. You are under no obligations to provide any such information. Any and all information which is voluntarily submitted by you in relation to any survey that you take part in is used for the purposes of reviewing this feedback and improving the Services.

Elige may from time to time contact you by phone, SMS or through any other appropriate information channel to keep you up to date with news about Elige and the Services, including new products, campaigns, promotions and payment methods.

You can stop the delivery of promotional messages from Elige by following the specific instructions in promotional messages or by our customer support at [support@ambia.io](mailto:support@ambia.io). These communication choices do not apply to mandatory service communications that are considered part of the Services, which you may receive periodically unless you delete the App.

#### **5. Third Party Sites**

Our Site or App may contain links that will let you leave our Site or App and access a website of a third party. Please note that such linked websites are not under the control of Elige and that such websites have their own privacy policy governing such third party's treatment of personal data. Our Privacy Policy applies solely to personal information that we acquire from you through our Site, our App, your use of our Services and/or your relationship with Elige.

#### **6. Security**

Protecting user privacy and personally identifiable information is a top priority for Elige. We make substantial efforts to ensure the privacy of all personally identifiable information collected by us in relation to the provision of the Services to our customers. Although we cannot guarantee that the information will not be subject to unauthorized access, loss or misuse we have physical, electronic, and procedural safeguards in place to protect the information.

#### **7. Changes to the Policy**



We are constantly innovating and looking for new ways to improve our Services. We therefore reserve the right to update or modify this Policy at any time with or without notice to reflect such improvements or any other changes to our business. We will post the revised Policy on [www.ambia.io/privacy-policy](http://www.ambia.io/privacy-policy), so that users can always be aware of what information we collect, how the information is used and under what circumstances such information may be disclosed. You agree to review the Policy periodically so that you are aware of any modifications. You agree that your continued use of the Services after we publish a revised Policy constitutes your acceptance of the revised Policy. If you do not agree with the terms of the Policy, you should not use the Services.

## **8. 8. Accessing Your Personal Information**

If you would like to view, correct, complete or remove your personal information or if you have any other questions in connection with this Policy, please contact us at [support@ambia.io](mailto:support@ambia.io).

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