



Privacy Notice

RMM Advocates LLP is committed to respecting and protecting your privacy.

This privacy statement explains how we collect, store, and use your personal data in compliance with applicable data protection law, including, where relevant, the Data Protection Act No. 24 of 2019 (“Kenyan DPA”) and any regulations issued under it. Additional supplemental provisions relating to specific offices are set out at the end of this statement.

About us

We are a full-service boutique law firm with our office in Nairobi, Kenya. RMM Advocates controls the collection and processing of any personal data that you provide to us in relation to this website. Where services are provided to you by other entities we work with, including other law firms jointly/separately instructed, the entity providing the service will be the data controller. This notice applies to all such entities.

Terms used in this privacy statement have the meanings given to them in the Data Protection Act No. 24 of 2019 (“Kenyan DPA”) unless otherwise stated. Any reference to:

- “we”, “us” or “our” should be understood as a reference to RMM Advocates LLP or the other entities as outlined above; and
- “you” or “your” should be understood as a reference to a data subject whose personal data we process for the purposes described in this privacy statement.

For the avoidance of doubt, this privacy statement is not a contract and does not itself create any legal rights or obligations.

If you have any questions about us processing your personal data, please contact us.

How we collect personal data

We may collect personal data:

- directly from you when you engage with us
- indirectly from third-party sources including your organisation, your representatives, publicly available sources, and our service providers;
- our clients, when we handle personal data for the purpose of providing our services;
- regulatory bodies; and
- and other entities providing services to us.

When we collect personal data directly from you it is your decision whether to provide data. If you do not provide data, it may hinder your use of, or make it not possible to use, our services or products, not allow you to remain in contact with us, to enter into contracts/agreements with us, to participate in our programmes, or to exercise your rights. If you provide information to us about another person, you must ensure that you comply

with any legal obligations that may apply to your provision of the information to us, and allow us, where necessary, to share that information with our service providers.

How we use your personal data

How we use your personal data depends on the nature of your relationship with us. How we use your personal data and our legal basis for doing so, including where applicable our legitimate interest, is explained below.

We will only use your personal data when applicable law allows us to. Depending on the nature and purposes of processing being carried out, our basis for processing may include:

- Pursuing our legitimate interest or those of a third party. Under the Kenyan Data Protection Act No. 24 of 2019 (“Kenyan DPA”), the lawful basis of such processing is Section 30 (1)(f) of the Kenyan DPA (i.e., the processing is necessary for the purposes of our legitimate interests or those of a third party, except where such interests are overridden by your interests, fundamental rights, and freedoms which require protection of personal data);
- Complying with legal obligations. Under the Kenyan DPA, the lawful basis of such processing is Section 30 (1)(c) of the Kenyan DPA (i.e., the processing is necessary to discharge a relevant legal or regulatory obligation to which we are subject); and
- Performance of a contract. Under the Kenyan DPA, the lawful basis of such processing is Section 30 (1)(b) of the Kenyan DPA (i.e., the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract).

Generally, we do not rely on consent as a legal basis for processing your personal data, although we will obtain your consent before sending third-party direct marketing communications to you, or where your consent is otherwise required under applicable law. You have the right to withdraw your consent at any time by contacting us using the details set out on our website or otherwise provided to you.

We do not sell your personal information. We do not envisage your personal data will undergo any automated decision-making.

Sharing and transferring your personal data

We treat your personal data with respect and do not share it with third parties except as follows:

- We may share personal data with our suppliers and service providers who process personal data on our behalf to provide or support the services described in this Privacy statement and with other legal specialists, including barristers, mediators, arbitrators, consultants, experts and other law firms.
- We may share personal information, where necessary, with courts, law enforcement regulatory authorities and government officials, where it is necessary to provide legal services, as permitted by applicable law or as required under applicable law (in which case we will notify you, unless we are prohibited from doing so or it is not possible or reasonable to do so).
- We may also share your personal data where you have consented to us doing so.

Any such transfers will comply with our obligations under applicable data protection laws. Some of these parties may process your personal data in accordance with our instructions and others will themselves be responsible for their use of your personal data.

Protection and retention of your personal data

We are committed to protecting your personal data and have implemented appropriate technical, physical and organisational security measures to protect personal data.

We do not keep your personal data for any longer than is necessary to fulfil the purpose for which we collected it, to comply with any legal, regulatory or reporting obligations or to assert or defend against legal claims.

Your rights in relation to your personal data

To the extent that our processing of your personal data is subject to the Kenyan Data Protection Act No. 24 of 2019 (“Kenyan DPA”) or other data protection legislation with data subject rights, you may have rights which are explained below. To exercise these rights, please contact us by navigating to our contact details on our website. Please note:

- You have the right to ask us for a copy of your personal data. This right is subject to applicable law and relevant exemptions.
- You can ask us to correct or complete any inaccurate or incomplete personal data.
- You can (in certain circumstances) ask us to delete your personal data. We may be unable to delete your data if we are legally obliged to retain it.
- You can (in certain circumstances) object to our processing of your personal data or ask us to “restrict” our use of it.
- If you have consented to our processing of your personal data, you can withdraw your consent.
- You have the right to ask that personal data which you have provided to us be provided to you in a machine-readable format if we process that data using automated means, you have consented to its use, or so that we can enter into a contract with you.

We aim to respond to all legitimate rights requests within the relevant statutory time limits; however, where permitted by law, we may take longer if the request is complex.

Complaints

We respect your rights and want you to be comfortable with our use of your personal data. If you have a complaint or concern about how we use your personal data, we would like to work with you to resolve it. You can report a concern or ask us a question by contacting us directly. You also have the right to make a complaint to the Office of the Data Protection Commissioner using their website.

How to contact us

If you have any queries regarding anything mentioned in this privacy notice or want to exercise any of the rights mentioned, please contact us by following the directions on our website.