

## STARTUP & COMMERCE NEWS

Homes as part time local restaurants: Uganda's Pieme startup idea



## DATA PROTECTION NEWS

### US Privacy Shield developments

In 2020, the Court of Justice of the EU turned down the US Privacy shield that enabled transatlantic data flows between the regions.



## ARTIFICIAL INTELLIGENCE NEWS

EU Commission's efforts towards standardizing AI liability rules for consumer redress

**LAWYERS HUB**  
Tech for Justice

# Newsletter

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## PHRASE OF THE WEEK

### Radio frequency spectrum

This ideally falls under telecommunications regulations. Spectrum, is a band of radio frequencies through which wireless signals travel. Examples of wireless signals are tv and radio signals. According to [technical insights](#) in the field, this 'invisible' resource is finite, hence, the need for properly thought out policies to regulate its needed use in the fast growing telcoms world.

NB: Kenya is [spear-heading](#) the 5G (read as the fifth generation mobile network, after the previous 1G - 4G) shift and consequently spectrum policy development in Sub Saharan Africa. This follows the successful assignment by the Communications Authority of Kenya of 2600MHz (spectrum band) to local Mobile Network Operators.

## LAWYERS HUB TECH POLICY EVENTS

### Regulation of Digital Lending in Kenya

Date: 24th October 2022  
Event type: In-person/virtual  
Cost: 1500

Every Monday, Lawyers hub will host in person tech policy events. The first of this series was an event unpacking electronic evidence and its place in our Kenyan court system. The second event in the series is themed 'Regulation of Digital Lending in Kenya'. Remember to set your reminders to tag along with us on these important conversations. More details are in the poster on the right.

**REGULATING DIGITAL LENDING IN KENYA**  
The Changing Landscape of Digital Lending

24th Oct. 2022 Time: 12:00 - 1:30pm EAT

Venue: In-person/Virtual  
Cost: KSH.1500  
1 CPD Point

Sign up: [www.lawyershub.org/training](http://www.lawyershub.org/training)  
or Call +2547848402

## Making CyberSecurity and Data Protection work for women in Africa

In honor of Cybersecurity Awareness Month, AUDA - NEPAD Agency, alt.advisory & Lawyers Hub Kenya are co-hosting a webinar with NAWC themed 'Making CyberSecurity work and Data Protection work for women in Africa'. [Register here](#)

**MAKING CYBERSECURITY AND DATA PROTECTION WORK FOR WOMEN IN AFRICA**

**SORENE ASSEFA**  
Network of African Women in Cybersecurity

**DR TOWELA NYIRENDA JERE**  
African Union Development Agency-NEPAD

**RISPER ONYANGO**  
Lawyers Hub Kenya (Moderator)

Tuesday 25 October 2022

12H00 - 13H00 SAST  
13H00 - 14H00 EAT

[bit.ly/dataprotectionafrica](https://bit.ly/dataprotectionafrica)

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## STARTUP & COMMERCE NEWS



### Homes as part time local restaurants : Uganda's Pieme startup idea

■ After a visit to Kenya triggered a desire for authentic local homemade meals, plus the awareness of subjectively expensive urban restaurant rates, Joshua Muhindo together with John Kainja founded Pieme in 2018. The idea behind the startup is to connect people with authentic homemade meals and incidentally includes affordable accommodation by locals. For now, the startup is actively community building; forming partnerships with local electric bike operators and integrating payment processing platforms such as Mpesa on their platform. Continuous efforts to verify locals for both accommodation and meals are also in progress. Pieme currently charges a 10% commission on bookings and accommodations.

## Women Who Build Africa; an inclusive female & nonbinary entrepreneurial community.



■ This growing community was created by Gwera Kiwana, crypto founder at MFS Africa, and Thea Sokolowski, marketing lead at Stitch. WWBA emerged out of the need for a community for the representation of women's voices, experience and peer feedback while navigating the tech space. In case you are interested in being a part of the community, click [here](#).

## DATA PROTECTION NEWS



### Comments from Lawyers Hub's October Data Protection Training

■ On 6th & 7th October, [Lawyers Hub Kenya](#) facilitated a Data Protection Training that convened different practitioners from different fields, including ; administrative, policy and the technical world. One of the participants raised the important need for advocates to be bold in taking the constitutional route; to defend related human rights violations in order to contribute to local precedents in this growing space of practice.

## US Privacy Shield developments



■ In 2020, the Court of Justice of the EU turned down the US Privacy shield that enabled transatlantic data flows between the regions. The framework failed to demonstrate sufficient protection of EU data against US surveillance systems. The US consequently made arrangements to revamp the document to aid the continuance of the resulting economic connections. On October 7th 2022, [White House Press](#) announced it signed an executive order committing to effect an improved EU - US Data Privacy Framework. The revamped agreement will go through another estimated six month process before EU's approval. A key highlight of the data privacy framework is a section outlining steps to safeguard US signal Intelligence activities.

## Communications Authority Device Management System: modern day surveillance or not?

■ Back in 2016, CAK started plans to roll out a device management system to be installed on citizens devices through mobile networks. This installation would enable access to calls, texts and financial messages. Arguments for the necessity of the project cite the facilitation of security. In 2018, Human rights advocate Okiya Omtata instituted a case in the High Court, arguing a violation of users and consumer's privacy. The claim was unsuccessful as the project was still at its infancy. It couldn't hold water. As the arrangements for the project continue, there have been allegations that the regulator proceeded to engage MNO's for the installation. The Law Society of Kenya, in the interest of protecting the constitutional right to privacy, petitioned the Supreme Court to halt the project which was given a go-ahead by the Court of Appeal provided the public was involved.



Photo: AFP/Getty Images

## ARTIFICIAL INTELLIGENCE NEWS

### EU Commission's efforts towards standardizing AI liability rules for consumer redress



Photo: Getty Images

■ Per the [EU Commission Press](#), the commission has adopted two new AI liability rules. One is aimed to modernise the almost 40 year old EU product liability rules. This is in order to provide legal certainty to incentivise businesses innovation while at the same time being clear on relevant liability rules. Modernising the strict liability rules for manufacturers' faults and eventual harm is judicious, given the current digital atmosphere and climate concerns. The other rules outline procedure for ascertaining fault and causality for burden of proof. This directive introduces a 'presumption of causality' principle that judiciously simplifies the burden of proof process for victims of AI harm, given the complexity of some of these data trained machine systems. Also included, is the right of access to evidence where high risk AI systems are involved. The directive now awaits adoption by the EU parliament and Council.

## DIGITAL ID NEWS



### Kenya's Migration to East African Community biometric : E-Passport final deadline

■ After repeatedly shifting deadlines for the migration to the new EAC biometric passports, the Kenyan government has finally set the definitive deadline to be November 30th 2022. The Immigration Director General, Alexander Muteshi publicly announced the new deadline. This falls within the timeline mandated by the EAC council of ministers. Proponents of the chip embedded passports note their aid in curbing identity theft. The new shift from analogue passports, that have been in place since independence , also aligns with passport security standards by the International Civil Society Organisation.

## INTELLECTUAL PROPERTY NEWS



### Copyright Laws for Digital Economy growth

■ In an [opinion piece](#) by John Kiarie, Dagoretti South MP, he sheds light on Kenya's Copyright laws as relates to our digital economy. The piece starts off with highlighting Kenya Kwanza's right recognition of the creative economy and emerging industries contribution to the digital economy. He then called for needed administrative changes to promote an enabling copyright sector. Further, he suggested the development of a whole new copyright law that is both timely and relevant to the daily progressing digital economy.

The Dagoretti South MP then listed the drawbacks of the current system in place;

- Legal and administrative uncertainties caused by the delayed merger of the three Intellectual Property offices i.e KIPi, ACA & KECOBO since 2013
- Pending IP policy since 2016
- Rashly passed Copyright Amendment Act 2016

A quote from the stated opinion piece states- "On the side of Copyright Sector policy, Kenya now needs to seriously consider a detailed policy framework that incorporates mapping, sector size and state financial interventions. Most importantly, our country must invest in Intellectual Property Offices."

A few of the recommendations in the writing include;

- A stand alone art fund
- Automated payment system
- Changes in the guidelines for public school book purchases to benefit the publishing sector
- Review of mobile data costs to enable access to the digital economy

## BLOCKCHAIN AND DIGITAL CURRENCIES NEWS



### Mara Foundation digital assets literacy project

■ Mara Foundation, a non-profit social enterprise, has developed an [online learning platform](#) to promote literacy on block chain systems, digital finance, Web 3.0 ( read as decentralized web) and digital assets. Mara Academy, the foundation's project, is aimed to promote digital assets literacy among Africans which is necessary for future holding and acquisition of these assets. The academy will offer lifetime access to unlimited courses and resources plus a certification of completion.

## TECH POLICY EVENTS

[Africa Fintech Summit 3rd - 4th Nov, SA](#)

[Africa Tech Festival 7th - 11th Nov, SA](#)

[AfricaArena Grand Summit 8th -10th Nov, SA](#)

[TLcom Capital LLP Africa Tech Female Founders Summit 9th Nov, Kenya](#)