

REPUBLIC OF KENYA

LEGAL DISCLAIMER ON THE E-LEARNING SERVICE PLATFORM

THIS LEGAL DISCLAIMER ON THE E- LEARNING SERVICE PLATFORM made and entered into on the this.....day of.....20.....

BETWEEN

ELNEST LIMITED a Company incorporated in Kenya and having its Registered office in Nairobi (hereinafter referred to as the “**ELNEST**”) of the one part

AND

.....,a Tutor, of Identification Card Number.....and/or Passport Number.....and (hereinafter referred to as “**the Tutor**” of the other part:

WHEREAS

- A. **ELNEST** is an e-learning services company that contracts with teaching institutions and Tutors to combine educational program content with infrastructure, processes and a scalable platform for delivering on-line education programs to students;
- B. **TUTOR**, is qualified teacher in a teaching institution that desires to offer online education programs to its students; and
- C. **the PARTIES** wish to contract to build and grow Institution programs on-line through delivery of an integrated e-learning solution that combines select programs of Institution with the on-line e-learning platform and related services of **ELNEST**, pursuant to the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the foregoing and the mutual covenants, promises, terms and conditions contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, intending to be legally bound hereby, the **TUTOR** and **ELNEST** agree to the following Legal Disclaimers;

- i. **THAT**, **ELNEST** has made every attempt to ensure the accuracy and reliability of the information provided on its website. However, the information and software is provided “as is” without warranty of any kind, **ELNEST** does not accept any responsibility or liability for the accuracy, content, completeness, legality or reliability of the information on the platform.
- ii. **THAT**, **ELNEST** cannot and will not guarantee that this E Learning platform is free from computer viruses or anything else that has destructive properties.

- iii. **THAT**, ELNEST shall not be liable for any loss or damage of whatever nature (direct, indirect, consequential, or other) whether arising in contract, tort or otherwise, which may arise as a result of your use of (or inability to use) this website, or from your use of (or failure to use) the information on the site. This Platform provides links to other websites owned by third parties. The content of such third-party site, is not within the control of ELNEST, and it cannot and will not take responsibility for the information or content thereon.
- iv. **THAT**, links to such Third-Party sites are not to be taken as an endorsement by ELNEST of the third-party site, or any products promoted, offered or sold on the third-party site, nor that sites are free from computer viruses or anything else that has destructive properties.
- v. **THAT**, ELNEST cannot and do not take responsibility for the collection or use of personal data from any third party. In addition, it will not accept responsibility for the accuracy of third-party advertisements.
- vi. **THAT**, ELNEST is a Private limited Company registered in Kenya under the Company register Number.....and with its registered office in Nairobi Kenya.

IN WITNESS WHEREOF, each of the Parties has executed this **LEGAL DISCLAIMER ON THE E-LEARNING SERVICE PLATFORM** the day and year hereinbefore written.

Signed by the **TUTOR**

Signed by the **ELNEST**

.....

Director

Secretary.....

IN THE PRESENCE OF

IN THE PRESENCE OF

ADVOCATE

ADVOCATE