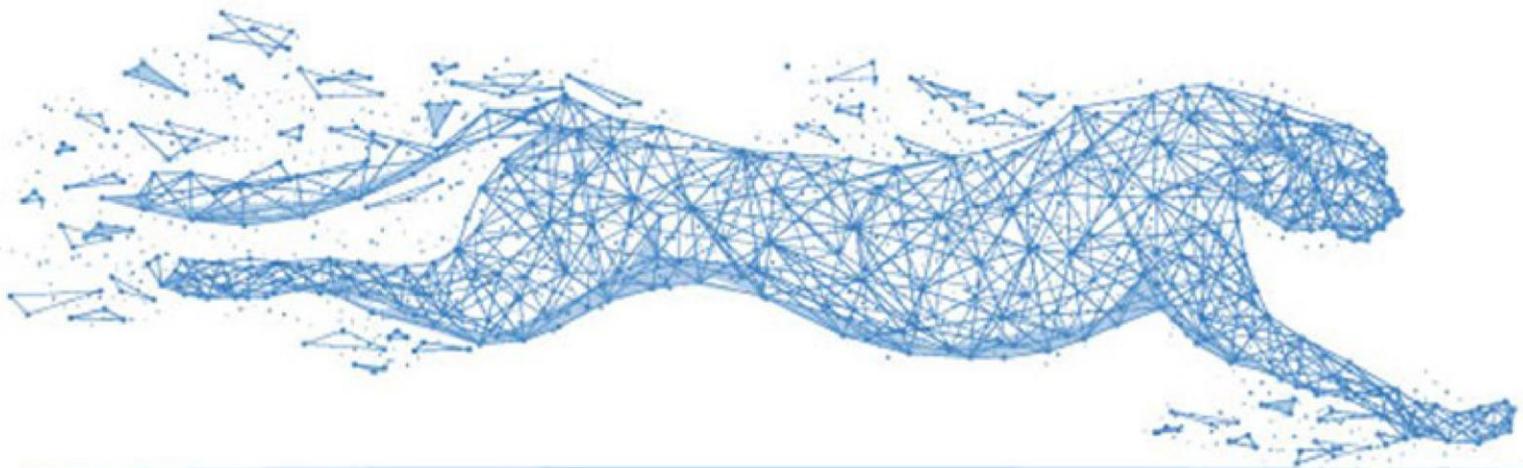


## **PRIVACY NOTICE & PAIA MANUAL**



**INTRODUCTION:**

The protection of privacy and the safeguarding of our Client's Personal Information is of great importance to us. If you have any questions about this Privacy Notice & PAIA Manual ('Notice') or the processing of your Personal Information, please contact us at: [dpo@scopemarkets.co.za](mailto:dpo@scopemarkets.co.za)

**Who we are:**

Scope Markets SA (Pty) Ltd (hereinafter the "Company" or "We" or "Scope Markets") is a company incorporated in South Africa with registration number, 2016/137466/07 having its registered office at WeWork, 155 West Street Sandown, Johannesburg, 2031, South Africa and is a member of Rostro Group of companies (hereinafter the "Group").

The Company is authorised and regulated by the Financial Sector Conduct Authority (hereinafter "FSCA")

- a) to act as a Financial Service Provider (FSP No. 47025) and provide the following financial services in the following products: advice and intermediary services on shares and derivative instruments. As per this license, the Company may establish contractual relationships with other third-party providers (hereinafter 'Product Suppliers') and act as the intermediary broker on behalf of such Product Supplier. In such instances, all products marketed by the Company will be provided by the Product Supplier as a principal.
- b) to act on as an Over-the-Counter Derivatives Provider ("ODP") and provide trading in CFDs as a principal on the following underlying assets: Forex, Indices, Commodities, Shares. In such instances, all products marketed by the Company will be provided by the Company itself as a principal.

**The purpose of this Notice is to explain to you:**

- 1) The law authorising or requiring the collection of personal information.
- 2) What Personal Information we collect;
- 3) How we use your Personal Information;
- 4) How, with whom, and when your Personal Information is shared;
- 5) Your rights; and
- 6) Other useful privacy and security related matters.

This Notice applies to existing and prospective clients, clients who have terminated their contractual relationship with Scope Markets or website visitors who are accessing or using Scope Markets website(s) and as applicable mobile applications and the trading platforms (hereinafter referred to as the "Platforms"), and are residents in South Africa and/or are serviced by the Company as long as they are subject to this Notice (hereinafter referred to as the "Clients" or "you").

The Company is committed to protect the privacy of all Clients' Personal Data which it processes in accordance with the provisions International Principles of Information Protection, the Basic Provisions of the Constitution of South Africa 1996, the Protection of Personal Information Act 4 of 2013 (hereinafter "POPI") and the Promotion of Access to Information Act 2 of 2002 ('PAIA') and this Notice.

By using Company's websites, you accept the terms and conditions of the Notice and explicitly consent to the collection, use and disclosure of your personal information in the manner described below.

**LAW AUTHORISING OR REQUIRING THE COLLECTION OF PERSONAL INFORMATION:**

As an authorised financial services and ODP provider, we are obligated to process your personal information in accordance with the following legislation insofar as it relates to the rendering of the relevant financial services to you:

- Financial Advisory and Intermediary Services Act 37 of 2002 (FAIS)
- Financial Intelligence Centre Act 38 of 2001 (FICA)
- Financial Markets Act 19 of 2012
- Protection of Personal Information Act 4 of 2013
- Promotion of Access to Information Act 2 of 2000

#### **COLLECTION OF PERSONAL INFORMATION:**

##### **What Personal Information Do We Collect?**

Depending on the services that we might provide you, the Personal Information we might collect is:

- a) The Personal Information you provide when registering with Scope Markets or completing the account opening application form of Scope Markets, as and if applicable, which might include but is not limited to your full name, date of birth, place of birth, address, copies of your national ID card/passport/driving license or other form of ID and copy of a recent utility bill, or other proof of address, country of residence, geo location information, information related to your financial status, such as your bank account/s and Credit Card/s details or other means of payments, the origin of funds, annual income, deposits and withdrawals history, information in regards to funds and financial instruments kept by Scope Markets on your behalf, occupation and information related to your knowledge and experience in the field of which Scope Markets provides services, in order for us to facilitate the evaluation of your application and complete the relevant know-your-customer, anti-money laundering and appropriateness assessments that we are required to under the laws and regulations applicable to us. This information can also be obtained or verified by matching it with background information we receive about you from public records or from other entities not affiliated with Scope Markets.
- b) We might also use information for the purposes of communicating with you such as phone number and email address. We may collect details such as your email when you fill them in on any Scope Markets website and/or landing page to sign up with Scope Markets but before you fully complete the registration process with Scope Markets or a Product Supplier as applicable.
- c) We may also collect information from you if you contact us to require technical assistance or customer support.

##### **Additional information we may collect:**

Scope Markets may (but not necessary shall) also collect the following information:

- Name, contact information and message if you contact us or participate in any survey, contest or promotion;
- Details such as traffic information, location data and other IT communication data (including IP address and browse type) collected when you access and use of Scope Markets websites and if applicable Scope Markets platforms;
- Information about devices that you use when accessing the Platforms including unique device identified;

- Pages (including our websites, all inner pages/ Landing pages) visited and content viewed, links and buttons clicked, URLs visited before and after you visit our websites. For more information about cookies and how to manage them please see our Cookie Policy;
- Your telephone, Skype or Live Chat conversations with our customer support department;
- Your responses to our marketing campaigns (e.g. open/click on our promotional or marketing emails whether sent by ourselves or any third-party service providers); and
- Your social media profile details (name, profile photo and other information you make available to us, if any) when you connect with or contact us through a social media account; and
- Information from third party databases to comply with our legal and regulatory obligations, and as and if applicable information necessary to verify your identity, such as an identification card, passport or driver's license. This also includes background information we receive about you from public records or from other entities not affiliated with Scope Markets.

## HOW WE USE YOUR PERSONAL INFORMATION?

Scope Markets processes your Personal Information for the following purposes:

### I. **Compliance with legal obligations:**

Subject to the type of Services we provide to you, we might be required to collect, process and retain your personal information in accordance with legal requirements as provided by the laws set out herein or any other applicable legislation, such as the Anti-Money Laundering law, in order to confirm your identity, the resource of your funds, to assess your suitability and appropriateness to receive the products and services we provide and in accordance, to categorize you as a client and to manage and administer the products and services that we provide you, and such information as required in order to ensure and evidence our compliance with our legal and regulatory obligations. To verify your identity, age and accuracy of your registration details provided, we may disclose such information to third parties e.g. financial institutions and third-party reference agencies and data verification service providers, for preventing fraud and for risk management purpose. (who may keep a record of the information).

### II. **For the performance of the contract:**

- a) In order to provide you with the products and services that you have requested, including for processing transactions, for troubleshooting, to maintain and manage your account and personal profile, and in order to contact you when necessary and/or appropriate in relation to the products and services being provided to you, including via third parties. Subject to the type of Services we provide to you, we may use your personal information, including but not limited to your professional background details and your account trading history to determine, deliver and/or suggest tailored solutions to you to personalise your experience with our services in line with your background, prior exposure to financial markets and your general experience in trading. This type of processing is necessary for the purposes of our legitimate interests in developing, delivering or presenting relevant personalised services and content to our customers.
- b) Furthermore, in order to enforce our legal framework, i.e. the governing terms and conditions ("T&C"), we might process personal information in order to monitor

whether our clients' use of our products and services is in breach and/or is abusing the governing T&C, including with no limitation, in any case of dispute, or legal proceeding of any kind between our clients and us, or between our clients, and other clients or third parties with respect to, or in relation with the services we provide.

### **III. Marketing:**

We may use your personal information, including but not limited to your name, e-mail, address, phone number, location and Web Data, to deliver marketing and event communications to you across various platforms, such as social networks, email, telephone, text messaging, direct email, online, push notification or otherwise. We will do this either (i) until you withdraw your consent (or it ceases to be valid) or (ii) during the period of your relationship with us and, unless specifically instructed otherwise by you, for a reasonable period of time after the relationship has ended in order to inform you about our products, services, promotions and/or any additional products or services we may offer and special offers concerning products and/or services which are the same or similar to those you showed interest in the past.

We process Personal Information for marketing purposes only as necessary on the lawful basis and for the purpose of our legitimate interests in promoting our products and services to you.

Should you wish to opt-out from receiving marketing services by the Company, at any time, send a request to the Company at [customerservice@scopemarkets.co.za](mailto:customerservice@scopemarkets.co.za). Please note that opting out from marketing services (i) might affect your ability to explore new products and services and their customization to your needs and requirements, and (ii) will not prevent completely all forms of communications to you, since the Company is required by law to communicate and inform you of legal aspects related to the products and services provided to you by the Company.

### **IV. Based on Scope Markets legitimate interests:**

We may process personal information to enhance our business objectives and manage our risks, such as to keep our website, trading platform and mobile app safe and secure and constantly optimize our products and services. This includes, but is not limited to, developing better understanding of the products and services our clients and potential clients may be interested in and to tailor them in accordance with their needs and requests; this may also include use your information to request feedback and to contact you about your use of our websites and services; to measure and understand the effectiveness of advertising and to deliver most relevant advertising to clients and potential clients, including to provide with communication and/or material which is customized to your trading style and/or market our products according to your preferences; to improve our website, trading platform and mobile app to ensure that content is presented in the most effective manner; if applicable, to allow clients to participate in interactive features of our service, when they choose to do so; to conduct surveys and questionnaires and creating aggregated and anonymized and/or statistical information to this effect.

### **AUTOMATED DECISION – MAKING AND PROFILING**

We use advanced automated decisions making tools in order to perform our duties, services and for know-your client and customer due diligence purposes. Scope Markets might be required by law to

process personal information in order to (i) ensure Scope Markets' services are not being used for money laundering and/or terrorist financing and/or fraud purposes; (ii) to establish its clients' suitability and appropriateness to receive certain services; (iii) to assure Scope Markets is acting honestly, fairly and professionally and in the best interests of its clients (iv) in general to assure and evidence as appropriate that Scope Markets complies with its legal and regulatory obligations as applicable.

In such cases, you have the right to contact us to request that one of our employees examines your application and obtain an explanation for the automated decision reached. You also have the right to challenge such a decision. Following such a request, we will reassess your application, taking into consideration both the reasons that an automated decision was reached as well as your own point of view.

Scope Markets also uses automated decision making and profiling mechanisms for marketing purposes and to customize its products and services to its clients, in order to ensure a more personalized, effective and efficient service.

#### **HOW LONG DO WE RETAIN THE PERSONAL INFORMATION?**

The Company will keep your personal information for as long as you are a Client of the Company, and after you stop being one your information will be retained for the least amount of time necessary to fulfil our legal or regulatory obligations as is required under Section 18 of the FAIS Act or otherwise as required by any applicable legislation, and for our business purposes. We may retain Personal Information for longer periods than required by law if it is in our legitimate business interests and not prohibited by law or if we cannot delete it for technical reasons. We may also keep information for research or statistical purposes. If we do so, we will make sure that your privacy is always protected and only used for those purposes.

#### **WITH WHO DO WE SHARE YOUR PERSONAL INFORMATION?**

Access to personal information is restricted to those employees, partners, contractors, advisers, affiliates and service providers of Scope Markets, credit reference agencies, fraud prevention agencies, marketing and advertising service providers, companies we have a joint venture or agreement to co-operate with, market researchers and professional Advisors, who need to access such information for the purposes described in this Notice. Your personal information may be transferred or disclosed to any Product Suppliers with whom you might conclude a contract directly, subject to appropriate agreements and arrangements to ensure data protection, to third parties, for the processing of that personal information based on our instructions and in compliance with this Notice and any other appropriate confidentiality and security measures. Those with access to personal information are obligated to comply with strict standards of confidentiality and protection of personal information and other information.

We may also share information with other third parties if we choose to sell, transfer, or merge parts of our business, or our assets or we may seek to acquire other businesses or merge with them. We will only share information with other parties if they agree to keep your information safe and private and which have sufficient guarantees that implement appropriate technical and organizational measures to ensure your rights. We may share information with law enforcement agencies, information protection authorities, and other competent authorities as well as with other competent third parties, as may be required if Scope Markets believes that you performed any act or omission

that Scope Markets believes to be violating any applicable law, rules, or regulations, or if Scope Markets is required, or believes that it is required by law to share or disclose your information to applicable authorities or to any other third party.

#### **TRANSFERS OUTSIDE OF THE SOUTH AFRICA REGION:**

The Company may transfer your personal information outside the South Africa region to other Scope Markets Group companies, Product Suppliers, as well as processors who are engaged on our behalf and/or Product Suppliers with whom you might engaged directly for the provision of services or products ("Transferees"). To the extent the Company transfers your information outside the South Africa, we will ensure that the transfer is lawful and/or necessary for the performance of the contract between the Company and yourself, and that there are appropriate security arrangements. In order to transfer personal information to third parties in territories that do not have a finding of adequacy by the applicable authority and regulations, we enter into arrangements with the Transferees ensuring appropriate and suitable safeguards based on standard contractual terms adopted by the POPI. Where we make transfers to Transferees in the European Economic Area, we may in some cases rely on applicable standard contractual clauses, binding corporate rules, the General Data Protection Regulation 2016/679 EU (GDPR) or any other equivalent applicable arrangements.

#### **LINKS TO OTHER WEBSITES**

Our websites contain or may contain links to other websites or social media platforms of interest. However, once you have used these links to leave our websites, you should note that we do not have any control over those websites. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this Notice. You should exercise caution and look at the privacy statement applicable to the website in question.

Scope Markets will not be liable for the unlawful or unauthorized use of the Client's Personal Data due to misuse and/or malicious use and/or negligence and/or misplacement of the Client's passwords either by him/her or any third party.

#### **YOUR RIGHTS REGARDING YOUR PERSONAL INFORMATION:**

Under the POPI and PAIA, the Client as a data subject have certain rights which are detailed below. Some of these only apply under specific circumstances and are qualified in several respects by exemptions in data protection legislation. We will advise you in our response to your request if we are relying on any such exemptions.

- (i) **Access to Personal Information:** You have a right to enquire the Company whether or not the Company holds personal information about you as well as a record or a description of such personal information the Company holds about you and to notify you of any third parties or categories of such parties who have or had access to such information. You may request a copy of the personal information the Company holds for you to [dpo@scopemarkets.co.za](mailto:dpo@scopemarkets.co.za)

Other than your personal information for which you can exercise your access right described above, the following information are publicly available without the need of access request:

- Website information such as information relating to the Company's products and services, the Company's legal information, the Privacy Notice & PAIA Manual, Terms and Conditions, Risk and FAIS disclosures, Restricted Countries, Complaints and Dispute policy, Conflicts of Interest policy, Service Disclosure notice, Key Information Documents about investment products provided by the Company, Cookie Policy, Complaints Form, Company's contact information.

(ii) **Correction of Personal Information:** You can request the Company to update, rectify or correct any Personal Information that the Company is processing about you which is incorrect.

(iii) **Right to withdraw consent:** Where the Company has relied upon your consent to process your Personal Information, you have the right to withdraw that consent. Should you wish to opt-out from receiving marketing services by the Company, at any time, send a request to the Company at [dpo@scopemarkets.co.za](mailto:dpo@scopemarkets.co.za). To opt out of email marketing received by the Company, you can use the unsubscribe link found in the marketing communication you receive from us.

(iv) **Right of erasure:** You can request the Company to erase your Personal Information where there is no compelling reason to continue processing. This right only applies in certain circumstances; it is not a guaranteed or absolute right.

(v) **Right to object on reasonable grounds to the processing of Personal Information:** You have the right in certain circumstances and based on reasonable grounds relating to your particular situation to object on the processing of your personal information by the Company, but the Company will have the right to reject such request if such processing is provided by applicable legislation. Where the Company suspends processing of your Personal Information, the Company will still be permitted to store your Personal Information, but any other processing of this information will require your consent, subject to certain exemptions. Please note that restricting the processing of your personal information may adversely impair our ability to provide you with any of the products and services you may have requested.

(vi) **Right to object to processing of Personal Information for direct marketing:** You have the right to object to our use of your Personal Information for direct marketing purposes.

(vii) **Rights in relation to automated decision-making and profiling:** The Client has the right to be free from decisions based solely on automated processing of his/her Personal Data, including profiling, that affect him/her, unless such profiling is necessary for entering into, or the performance of, a contract between Client and the Company or the Client provides explicit consent. For more information please see relevant section in this Notice

(viii) **Right to Complain:** If you are unhappy with how your Personal Information has been handled or processed, the Company shall appoint an Information Officer as required by the POPI Act. You may lodge a formal complaint by sending an email to : [complaints@scopemarkets.co.za](mailto:complaints@scopemarkets.co.za)

Where the Company is unable to resolve your complaint, to your satisfaction you have the right to complaint to the Information Regulator.

Email: [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)

Should you wish to exercise any of the abovementioned rights, please contact the Customer Support Department on Company's Contact Us page or via Live Chat. You should include adequate information to identify yourself and such other relevant information that will reasonably assist us in fulfilling your request. Your request will be dealt with as soon as possible.

## **USE OF "COOKIES"**

Cookies are small text files, given ID tags that are stored on your computer's browser directory or program data subfolders. Cookies are created when you use your browser to visit a website that uses cookies to keep track of your movements within the site, help you resume where you left off, remember your registered login, theme selection, preferences, and other customization functions. The website stores a corresponding file (with same ID tag) to the one they set in your browser and in this file they can track and keep information on your movements within the site and any information you may have voluntarily given while visiting the website, such as email address.

Cookies are often indispensable for websites that have huge databases, need logins, have customizable themes, other advanced features. Cookies usually don't contain much information except for the URL of the website that created the cookie, the duration of the cookie's abilities and effects, and a random number. Due to the little amount of information a cookie contains, it usually cannot be used to reveal your identity or personally identifying information.

There are two types of cookies: session cookies and persistent cookies. Session cookies are created temporarily in your browser's subfolder while you are visiting a website. Once you leave the site, the session cookie is deleted. On the other hand, persistent cookie files remain in your browser's subfolder and are activated again once you visit the website that created that particular cookie. A persistent cookie remains in the browser's subfolder for the duration period set within the cookie's file. Scope Markets' websites use cookies to provide the functionality you need to browse our sites correctly.

Our websites, and all its sub digital assets, mobile app and the landing page use cookies to distinguish you from other users of our websites. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. By continuing to browse the site, you are agreeing to our use of cookies. We do not use cookies to personally collect information about you – the cookies that we use only collect anonymous information to optimize our services and do not collect personal information.

## **PROTECTING YOUR DATA**

We are aware of the requirement to ensure your data is protected against accidental loss, disclosure, destruction and or abuse. We have implemented appropriate technical and organizational measures and processes to guard against such breaches. Such measures and safeguards may include encryption during information transmission and storage, strong authentication mechanisms and the segmentation of digital architecture to zones that are policed and protected. We have implemented a strategy of 'least possible access' and periodically review existing access. While such systems and procedures significantly reduce the risk of security breaches and the inappropriate use of personal information, they do not provide absolute security. We will regularly review our security posture with reference to the latest standards to effectively eliminate the likelihood of any form of misuse.

## **AMENDMENTS**

From time to time, the Company may update this Notice. In the event that this Notice materially changes, including how we collect, process or use your Personal Information, the Company will notify you about any material changes by placing a notice on its website or by communicating with you directly. The Client is responsible for regularly reviewing the Notice and any amendments thereof.

## KEY CONTACT DETAILS

### National or Head Office

Postal Address: WeWork 2<sup>nd</sup> Floor, 155 West Street, Sandown, Johannesburg, 2031 South Africa

Physical Address: WeWork 2<sup>nd</sup> Floor, 155 West Street, Sandown, Johannesburg, 2031 South Africa

Telephone: +27 (10) 006 5486

Email: [dpo@scopemarkets.co.za](mailto:dpo@scopemarkets.co.za)

Website: [www.scopemarkets.co.za](http://www.scopemarkets.co.za)

Information Officer: Kabelo Maruping

## PRIVACY NOTICE & PAIA MANUAL

For any queries or further information in relation to this Notice please Contact Us.