

BCS Markets SA (Pty) Ltd
The Protection of Personal Information Act
(POPI or POPIA Policy)

Last updated: January 2023

Contents

1. INTRODUCTION.....	3
2. COLLECTION OF PERSONAL INFORMATION.....	3
3. SAFEGUARDING OF PERSONAL INFORMATION AND CONSENT.....	6
4. DIRECT MARKETING	7
5. TRANSFER OF INFORMATION OUTSIDE OF SOUTH AFRICA.....	8
6. SURVEILLANCE SYSTEMS	8
7. SECURITY BREACHES.....	8
8. ACCESS AND CORRECTION OF PERSONAL INFORMATION.....	10
9. DISCLOSURE OF THE INFORMATION COLLECTED TO THE THIRD PARTIES.....	10
10. USING THE TELEGRAM PLATFORM.....	11
11. RETENTION OF RECORDS	13
12. AMENDMENTS TO THIS POLICY.....	14
13. REQUESTS FOR INFORMATION	14
14. REGISTRATION CERTIFICATE FROM THE INFORMATION REGULATOR.....	14
15. OWNERSHIP OF THIS POLICY.....	15

1. INTRODUCTION

1.1 BCS Markets SA (Pty) Limited (herewith "BCS", the "Company" or "We") is incorporated under the laws of South Africa and is registered by the Companies and Intellectual Property Commission with registration number 2020/523823/07. BROKSTOCK is a brand operated by BCS Markets SA (Pty) Ltd, a company incorporated and registered under the laws of South Africa and an investment firm regulated by the Financial Sector Conduct Authority ("FSCA") with license number 51404.

1.2 BCS processes personal information of its employees, members, clients and other data subjects from time to time. As such, it is obliged to comply with the Protection of Personal Information Act No. 4 of 2013 ("POPI" or sometimes "POPIA") as well as the Promotion of Access to Information Act No. 2 of 2000 ("PAIA").

1.3 The policy purpose and objective is to protect its members'/clients'/supplier's/employees' and other data subjects' privacy and to ensure that their personal information is used appropriately, transparently, securely and in accordance with applicable laws.

1.4 This Policy sets out the manner in which BCS deals with such personal information and provides clarity on the general purpose for which the information is used, as well as how data subjects can participate in this process in relation to their personal information.

2. COLLECTION OF PERSONAL INFORMATION

2.1 BCS collects and processes various information pertaining to its employees, members, clients and suppliers. The information collected is based on need and it will be processed for that need/purpose only. Whenever possible, the BCS will inform the relevant party of the information required (mandatory) and which information is deemed optional. The employee, member or client will be informed of the consequence/s of failing to provide personal information and any prejudice which may be incurred due to non-disclosure.

2.2 BCS will process information in a manner that is lawful and reasonable (i.e., will not

infringe the privacy of the individual or company). Where consent is required for the processing of information, such consent will be obtained. Information will be processed under the following circumstances:

- When carrying out actions for the conclusion or performance of a contract;
- When complying with an obligation imposed by law on the company;
- For the protection of a legitimate interest of the data subject;
- Where necessary, for pursuing the legitimate interests of the company or of an authorised third party to whom the information is supplied.

2.3 BCS shall not process special personal information without complying with the specific provisions of the POPI Act. Special information includes personal information concerning:

- the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health, sex life or biometric information of a data subject; or
- the criminal behaviour of a data subject, where such information relates to the alleged commission by a data subject of any offence committed or the disposal of such proceedings.

2.4 Collection of employee information:

2.4.1 For the purposes of this Policy, employees include potential, past and existing employees of BCS. Independent contractors are treated on the same basis where the collection of information is concerned.

2.4.2 When appointing new employees/contractors, BCS requires information from prospective employees/contractors, in order to process the information on the system/s. Such information is reasonably necessary for the Company's record purposes, as well as to ascertain if the prospective employee/contractor meets the requirements, for the position which he or she is being appointed/contracted, and is suitable for appointment.

2.4.3 BCS will use and process such employee information to its employment records and to make lawful decisions in respect of that employee and its business.

2.5 Collection of Member / Client/Supplier information:

2.5.1 For purposes of this Policy, clients include potential, past and existing members and clients. BCS collects and processes its members', clients' and suppliers' personal information. The type of information will depend on the need for which it is collected and will be processed for that purpose only. BCS also collects and processes member/clients' personal information for marketing purposes in order to ensure that its products and services remain relevant to our clients and potential clients.

2.5.2 The member/client/supplier's personal information will only be used for the purpose for which it was collected and as agreed. This may include, but not be limited to:

- Providing products or services to members/clients;
- In connection with sending accounts and communication to a member/client in respect of services rendered;
- Payment of suppliers and communication in respect of services rendered;
- Referral to other service providers;
- Confirming, verifying and updating member/client/supplier details;
- Conducting market or customer satisfaction research;
- For audit and record keeping purposes;
- In connection with legal proceedings;
- In connection with and to comply with legal and regulatory requirements or when it is otherwise allowed by law.

2.6 Disclosure of personal information

2.6.1 BCS may share employees' and member/clients/suppliers' personal information with authorised third parties as well as obtain information from such third parties for reasons set out above.

2.6.2 2BCS may also disclose employees' or member/clients/suppliers' information where there is a duty or a right to disclose in terms of applicable legislation, the law or where it may be necessary to protect the rights of the organisation or it is in the interests of the data subject.

3. SAFEGUARDING OF PERSONAL INFORMATION AND CONSENT

3.1 BCS shall review its security controls and processes on a regular basis to ensure that personal information is secure.

3.2 It will take appropriate, reasonable technical and organisational measures to prevent loss or damage or unauthorised destruction of personal information, and unlawful access to or processing of personal information.

This will be achieved by:

- Identifying internal and external risks;
- Establishing and maintaining appropriate safeguards;
- Regularly verifying these safeguards and their implementation;
- Updating the safeguards;
- Implementing generally accepted information security practices and procedures.

3.3 BCS shall appoint an Information Officer and who is responsible for compliance with the conditions of the lawful processing of personal information and other provisions of POPI.

3.4 Information Officer details:

Name: Peet Serfontein

Phone: 080 022 7672, +27120019206

Email: pserfontein@bcsmarkets.co.za

Company

Email: info@brokstock.co.za

Phone: 080 022 7672, +27120019206

3.5 The specific responsibilities of the Information Officer and his/her Deputy include:

- The development, implementation, monitoring and maintenance of a compliance framework.
- The undertaking of a personal information impact assessment to ensure that adequate measures and standards exist in order to comply with the conditions for the lawful processing of personal information.
- The development of internal measures, together with adequate systems to process requests for information or access thereto.

4. DIRECT MARKETING

4.1 BCS shall ensure that:

4.1.1 It does not process any personal information for the purpose of direct marketing (by means of any form of electronic communication, including automatic calling machines, SMS's or e-mail) unless the data subject has given his, her or its consent to the processing or is an existing customer.

4.1.2 It will only approach data subjects, whose consent is required and who have not previously withheld such consent, once in order to request the consent. This will be done in the prescribed manner and form.

4.1.3 The data subjects will only be approached for the purpose of direct marketing of the BCS's own similar products or services. In all instances, the data subject shall be given a reasonable opportunity to object, free of charge and in a manner free of unnecessary formality, to such use of his, her or its electronic details at the time when the information is collected.

4.1.4 Any communication for the purpose of direct marketing will contain details of the

identity of the sender or the person on whose behalf the communication has been sent and an address or other contact details to which the recipient may send a request that such communications cease.

5. TRANSFER OF INFORMATION OUTSIDE OF SOUTH AFRICA

5.1 BCS will not transfer personal information about a data subject to a third party who is in a foreign country unless one or more of the following apply:

- 5.1.1** the third party is subject to a law, binding corporate rules or a binding agreement which provides an adequate level of protection of personal information and effectively upholds principles for reasonable processing of the information;
- 5.1.2** the data subject consents to the transfer;
- 5.1.3** the transfer is necessary for the performance of a contract between the data subject and the company;
- 5.1.4** the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the company and a third party; or
- 5.1.5** the transfer is for the benefit of the data subject, and it is not reasonably practicable to obtain the consent of the data subject to that transfer and if it were reasonably practicable to obtain such consent, the data subject would be likely to give it.

6. SURVEILLANCE SYSTEMS

6.1 Video footage and/or voice/telephone calls that have been recorded, processed and stored via CCTV camera or other surveillance systems constitute personal information. As such BCS will make all employees, members, clients or data subjects aware as to the use of CCTV/other surveillance on the premises.

7. SECURITY BREACHES

7.1 Should BCS detect a security breach on any of its systems that contain personal

information, it shall take the required steps to assess the nature and extent of the breach in order to ascertain if any information has been compromised.

7.2 BCS shall notify the affected parties should it have reason to believe that their information has been compromised. Such notification shall only be made where the organisation can identify the data subject to which the information relates.

7.3 Notification will be provided in writing by means of either:

- email
- registered mail
- the organisation's website

7.4 The notification shall provide the following information where possible:

- Description of possible consequences of the breach
- Measures taken to address the breach
- Recommendations to be taken by the data subject to mitigate adverse effects.
- The identity of the party responsible for the breach (if possible)

7.5 In addition to the above, BCS shall notify the Regulator of any breach and/or compromise to personal information in its possession and work closely with and comply with any recommendations issued by the Regulator.

7.6 The following will apply in this regard:

- The Information Officer will be responsible for overseeing the investigation.
- The Information Officer will be responsible for reporting to the Regulator within 3 working days of a breach/ compromise to personal information.
- The Information Officer will be responsible for reporting to the Data Subject(s) within 3 working days, as far as is reasonable and practicable, of a breach/ compromise to personal information.
- The timeframes above are guidelines and depending on the merits of the situation may require earlier or later reporting.

8. ACCESS AND CORRECTION OF PERSONAL INFORMATION

8.1 Employees and members/clients have the right to request access to any personal information that BCS holds about them.

8.2 Employees and members/clients have the right to request BCS to update, correct or delete their personal information on reasonable grounds. Such requests must be made to the Information Officer or to the BCS's head office (see details below).

8.3 Where an employee or member/client objects to the processing of their personal information, BCS may no longer process personal information. The consequences of the failure to give consent to process the personal information must be set out before the employee or client confirms his/her objection.

8.4 The member/client or employee must provide reasons for the objection to the processing of his/her personal information.

8.5 Head office details:

Name: BCS Markets SA (Pty) Ltd

Telephone number: 080 022 7672, +27120019206

Postal address: Suite E 017, Midlands Office Park East, Mount Quarry Street, Midlands Estate, Gauteng, Republic of South Africa, 1692

Physical address: Suite E 017, Midlands Office Park East, Mount Quarry Street, Midlands Estate, Gauteng, Republic of South Africa, 1692

Email address: info@brokstock.co.za

9. DISCLOSURE OF THE INFORMATION COLLECTED TO THE THIRD PARTIES

9.1 BCS Site/Webpages will disclose personal information when required by law or in the

good-faith belief that such action is necessary to:

- conform to the edicts of the law or comply with a legal process served on BCS;
- protect and defend the rights or property of BCS or visitors to BCS's Webpages;
- identify persons who may be violating the law, the legal notice, or the rights of third parties;
- co-operate with the investigations of purported unlawful activities;

9.2 BCS may share personal information of the clients with its affiliates and business partners in order to improve the products, services and offers provided to the clients as well as its affiliates and business partners. Where this occurs, BCS requires business partners and affiliates to honour this policy and the provisions of POPIA generally.

10. USING THE TELEGRAM PLATFORM

10.1 By accessing electronic communication group platform ("Platform"), the Client agrees to - adhere the terms and conditions of TELEGRAM;

- conduct in an appropriate and respectable manner;
- not make any inappropriate, insensitive, discriminatory, racist or similar remarks or statements ("Improper Use");
- not take part in any dishonest, fraudulent or criminal activity ("Criminal Conduct");
- immediately notify BCS about any Improper Use or Criminal Conduct associated with the Platform; and
- not, directly or indirectly, cause any loss or damage to BCS and/or any other Platform users.

10.2 This Platform is only administered by BCS for the purpose of providing a communication platform for factual financial markets commentary, and the terms of use of the Platform are further subject to the terms and conditions of TELEGRAM which is not any way affiliated with BCS.

10.3 The Client agrees that by accessing this Platform entirely voluntarily and he or she solely responsible for all data or information transmitted or disseminated by himself or

herself on the Platform, including all risk, responsibility and liability in respect thereof and BCS does not assume any risk, responsibility and liability in this regard.

10.4 BCS reserves the right to terminate or suspend access to the Platform at any time, without cause or reason.

10.5 The Client authorises BCS to collect his or her personal information as defined in the Protection of Personal Information Act, 2013 ("POPI") which may among other things include information such as address, identification number, bank account details, e-mail address, telephone numbers, gender, age, postal address or any other data disclosed or disseminated on this platform ("Personal Information") and further authorises BCS to collect, retain and process such Personal Information in South Africa and other jurisdictions for the purpose of effectively administering, managing and effecting communication on this platform and to supply the services in respect thereof.

10.6 Subject to the applicable laws and/or any other agreement with the Client, BCS shall retain records of Personal Information only for as long as is necessary to achieve the purpose for which it was collected or processed and Client shall, on condition that supply suitable proof of identity, be entitled to request:

- confirmation as to whether BCS possesses any Personal Information pertaining to the Client;
- a record or a description of such Personal Information;
- information about the identity of all third parties who currently have or have had access to such Personal Information;
- any record BCS may hold and is required to the Client in terms of the Promotion of Access to Information Act, 2000 (No. 2 of 2000);
- to correct or delete information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; destroy or delete a record of Personal Information about Client that BCS is no longer authorised to retain in terms of the applicable laws.

10.7 No information or data transmitted, disclosed, disseminated or otherwise communicated by BCS or any of its services providers on the Platform may be disclosed,

forwarded, disseminated, reproduced or copied in whole or in part without prior written approval from BCS, which consent may be withheld in BCS's absolute discretion, and Client agrees to wholly indemnify BCS if any such information or data is disclosed, forwarded, disseminated, reproduced or copied (whether with the approval of BCS or not) and the use thereof.

10.8 The Client acknowledges and agrees that BCS shall not be liable for any claims, damages, losses or negative effects arising from or in connection with the Platform or any data or information transmitted, disclosed, distributed or shared in connection therewith (including any remarks, statements or views expressed on the Platform).

10.9 The Client irrevocably and unconditionally indemnifies BCS for any claims, damages and/or losses arising from or in connection with any failure, breach, compromise or unavailability of data (including Personal Information) stored or processed by a third party in connection with the Platform.

11. RETENTION OF RECORDS

11.1 BCS is obligated to retain certain information, as prescribed by law. This includes but is not limited to the following:

With regard to the Companies Act, No. 71 of 2008 and the Companies Amendment Act No 3 of 2011, hard copies of the documents mentioned below must be retained for 7 years:

- Any documents, accounts, books, writing, records or other information that a company is required to keep in terms of POPI Act.
- Notice and minutes of all meetings, including resolutions adopted.
- Copies of reports presented at the annual general meeting.
- Copies of annual financial statements required by POPI Act and copies of accounting records as required by POPI Act.
- The Basic Conditions of Employment No. 75 of 1997, as amended, requires the organisation to retain records relating to its staff for a period of no less than 3 years.

12. AMENDMENTS TO THIS POLICY

12.1 Amendments to this Policy will take place from time to time subject to the discretion of BCS and pursuant to any changes in the law. Such changes will be brought to the attention of employee's, members and clients where it affects them.

13. REQUESTS FOR INFORMATION

13.1 In terms of requests to be processed under POPI, a data subject should use one of the forms which can be found on BCS website.

13.2 Available forms:

- Objection to the processing of personal information - A data subject who wishes to object to the processing of personal information in terms of section 11(3)(a) of the POPI Act;
- Request for correction or deletion of personal information or destruction or deletion of record of personal information - A data subject who wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information in terms of section 24(1) of the POPI Act;
- Request for data subject's consent to process personal information - A responsible party who wishes to process personal information of a data subject for the purpose of direct marketing by electronic communication;
- Submission of complaint - Any person who wishes to submit a complaint contemplated in section 74(1) of the POPI Act.

14. REGISTRATION CERTIFICATE FROM THE INFORMATION REGULATOR

14.1. The Information Regulator is, among others, empowered to monitor and enforce compliance by public and private bodies with the provisions of the promotion of the Protection of Personal Information Act No. 4 of 2013 ("POPI" or sometimes "POPIA") as well as the Promotion of Access to Information Act No. 2 of 2000 ("PAIA").

14.2. BCS is registered with the Information Regulator with Registration Certificate Number:01014/2022-2023/IRRTT.

15. OWNERSHIP OF THIS POLICY

15.1. This Policy is owned by BCS Markets SA (Pty) Ltd, trading as BROKSTOCK, an authorised financial services provider in terms of the Financial Advisory & Intermediary Services Act (37 of 2002) and subordinate legislation, with FSP number 51404.

15.2. The Key Individual of BCS Markets SA (Pty) Ltd hereby confirms the adoption of this Policy on behalf of the governing body of the BCS Markets SA (Pty) Ltd and accepts responsibility for the successful training of employees and implementation of this Policy.

15.3. This document will be updated whenever material changes are made to it.