



## PAIA MANUAL

Prepared in terms of section 51 of the Promotion  
of Access to Information Act 2 of 2000

**Version: 1 – 11/2023**

JP Markets SA (Pty) Ltd with company registration number: 2016/123297/07 is an authorised financial services provider and over-the-counter derivatives provider (ODP) licensed and regulated by the Financial Sector Conduct Authority (FSCA) of South Africa, with FSP No. 46855. JP Markets SA (Pty) Ltd is authorised to issue the derivatives traded by you the client and therefore is the counterparty and principal to the contract for difference purchased by you (the Client).




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## 1. REVIEW AND APPROVAL

<b>Date of Approval:</b>	30 June 2023
<b>Approved By:</b>	
<b>Signature:</b>	
<b>Next Review:</b>	1 July 2024

## 2. LIST OF ACRONYMS AND ABBREVIATIONS

<b>“DIO”</b>	Deputy Information Officer;
<b>“Data Subject”</b>	A person to whom the information relates
<b>“IO”</b>	Information Officer;
<b>“Records”</b>	Any documented information regardless when it came to existence.
<b>“Minister”</b>	Minister of Justice and Correctional Services;
<b>“PAIA”</b>	Promotion of Access to Information Act No. 2 of 2000 (as Amended);
<b>“POPIA”</b>	Protection of Personal Information Act No.4 of 2013;
<b>“Regulator”</b>	Information Regulator; and
<b>“Republic”</b>	Republic of South Africa
<b>“Responsible person”</b>	A private body or public body or any other person which determines the purpose and the means for processing personal information.
<b>“Processing”</b>	Any operations or activities concerning personal information



### 3. PURPOSE OF PAIA MANUAL

- 3.1. This PAIA Manual is useful for the public to
  - 3.1.1. check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
  - 3.1.2. have a sufficient understanding of how to request access to a record of the body, by describing the subjects on which the body holds records and the categories of records held on each subject;
  - 3.1.3. know the description of the records of the body which are available in accordance with any other legislation;
  - 3.1.4. access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
  - 3.1.5. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
  - 3.1.6. know if the body will process personal information, the purpose of processing personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
  - 3.1.7. know the description of the categories of data subjects and of the information or categories of information relating thereto;
  - 3.1.8. know the recipients or categories of recipients to whom the personal information may be supplied;
  - 3.1.9. know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
  - 3.1.10. know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.



# MARKETS

## 4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF JP MARKETS

### 5.1 Chief Information Officer:

5.1.1	Full Name:	NICKY EILERS
5.1.2	Contact Number:	08255569100
5.1.3	Email:	nicky@jpmarkets.co.za

### 5.3 Head Office:

5.3.1	Postal Address:	
5.3.2	Postal Code:	
5.3.3	Physical Address:	4 Bridgeway Precinct Century City Cape Town
5.3.4	Contact Number:	066 401 1374
5.3.5	Email:	<a href="mailto:support@jpmarkets.co.za">support@jpmarkets.co.za</a>
5.3.6	Website:	<a href="http://www.jpmarkets.co.za">www.jpmarkets.co.za</a>



## **5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE**

- 5.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 5.2. The Guide is available in each of the official languages and in braille
- 5.3. The aforesaid Guide contains the description of-
  - 5.3.1. the objects of PAIA and POPIA;
  - 5.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of
    - 5.3.2.1. the Information Officer of every public body, and
    - 5.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17 of PAIA 1 and section 56 of POPI Act 4 of 2013.
  - 5.3.3. the manner and form of a request for-
    - 5.3.3.1. access to a record of a public body contemplated in section 11; and
    - 5.3.3.2. access to a record of a private body contemplated in section 50;
  - 5.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
  - 5.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
  - 5.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging –
    - 5.3.6.1. an internal appeal;
    - 5.3.6.2. a complaint to the Regulator; and
    - 5.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
  - 5.3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
  - 5.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
  - 5.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and



- 5.3.10. the regulations made in terms of section 92.
- 5.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 5.5. The Guide can also be obtained –
  - 5.5.1. upon request to the Information Officer;
  - 5.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 5.6. A copy of the Guide is available in the following official languages, for public inspection during normal office hours:
  - 5.6.1. English
  - 5.6.2. Afrikaans
  - 5.6.3. isiZulu
  - 5.6.4. isiXhosa
  - 5.6.5. Sesotho



**6. CATEGORIES OF RECORDS OF JP MARKETS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS.**

This section provides you with the categories of records held by JP Markets which are available without a person having to request access by completing form 2, the types of records and how the records can be accessed as envisaged in section 51 of PAIA Act 2 of 2000 (**Act 2 of 2000**).

Category of Record	Record Type	Available from	
		Website	Office
Contact	Contact information	X	X
Guide	Access to record (PAIA guide various language)	X	X
Media	Media Releases	X	
Policy	Privacy	X	X
Policy	Complaints	X	
Contract	Terms and Conditions	X	
Educational	Forex Education Documents	X	
Products	product information		
Information	Company Profile	X	
Legal	Legal Documents	X	
Marketing	Launches and Event Information		X
Training	Training		X

**7. DESCRIPTION OF THE RECORDS OF COR CONCEPTS WHICH ARE AVAILABLE ACCORDANCE WITH ANY OTHER LEGISLATION.**

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The law in relation to PAIA also requires the private bodies to have records available as per the other legislations. This includes departmental records. JP Markets consists of six operational departments, and the records are available on the website.

Departmental Records	Subject
Marketing	Company Blog posts IB Structures Product Brochures
Finance	Financial and Tax Regulatory Reports Commission payouts Payment Partners/ Payment Service Provider.
Employee	Training and Skills Development Reports Occupational Health and Safety Employment Equity Reports

## 8. STATUTORY RECORDS JP MARKETS MAINTAINS IN TERMS OF THE FOLLOWING LEGISLATION

LID	Legislation
1.	Basic Conditions of Employment Act 75 of 1997
2.	Companies Act 71 of 2008
3.	Compensation for Occupational Injuries and Diseases Act 130 of 1993
4.	Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
5.	Copyright Act 98 of 1978
6.	Electronic Communications and Transactions Act 25 of 2002
7.	Financial Advisory and Intermediary Services Act 37 of 2002

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8.	Financial Intelligence Centre Act 38 of 2001
9.	Financial Markets Act 19 of 2012
10.	Harmful Business Practices Act 23 of 1999
11.	Income Tax Act 34 of 1953
12.	Insolvency Act 24 of 1936
13.	Inspection of Financial Institutions Act 80 of 1998
14.	Intellectual Property Laws Amendments Act 38 of 1997
15.	Labour Relations Act of 1995
16.	Occupational Health and Safety Act 85 of 1993
17.	Promotion of Access to Information Act 2 of 2000
18.	Protection of Businesses Act 99 of 1978
19.	Protection of Personal Information Act 4 of 2013
20.	Unemployment Contributions Act 4 of 2002
21.	Unemployment Insurance Act 63 of 2001
22.	Value-Added Tax Act 89 of 1991

**9. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY JP MARKETS**

Subjects on which the body holds records	Categories of records
Administration	<ul style="list-style-type: none"> <li>• Correspondence</li> <li>• Founding Documents</li> <li>• Licences (categories)</li> <li>• Minutes of Management Meetings</li> <li>• Minutes of Staff Meetings</li> <li>• Shareholder Register</li> <li>• Statutory Returns</li> </ul>
Human Resources	<ul style="list-style-type: none"> <li>• Employee Records</li> <li>• Employment Contracts</li> <li>• General Correspondence</li> <li>• Information relating to Health and Safety Regulations</li> <li>• Performance Appraisals</li> <li>• Personnel Guidelines, Policies and Procedures</li> </ul>



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	<ul style="list-style-type: none"> <li>• Remuneration Records and Policies</li> <li>• Skills Requirements</li> <li>• Statutory Records</li> <li>• Training Records</li> </ul>
Strategic Documents, Plans and Proposals	<ul style="list-style-type: none"> <li>• Annual Reports</li> <li>• Strategic Plan</li> <li>• Annual Performance Plan</li> <li>• Name and Contact Details</li> </ul>
Operations	<ul style="list-style-type: none"> <li>• Company Information</li> <li>• Client and Customer Registry</li> <li>• Client Contracts</li> <li>• SLA Contracts</li> <li>• General Correspondence</li> <li>• Information relating to work in progress</li> <li>• Product development documentation</li> <li>• Marketing strategies</li> <li>• Suppliers' Registry</li> <li>• Compliance documentation</li> </ul>
Finances	<ul style="list-style-type: none"> <li>• Annual Financial Statements</li> <li>• Asset Register</li> <li>• Banking Records</li> <li>• Budgets</li> <li>• Financial Transactions</li> <li>• General Correspondence</li> <li>• Insurance Information</li> <li>• Management Accounts</li> <li>• Purchase and Order Information</li> <li>• Tax Records (company and employee)</li> </ul>
Information Technology	<ul style="list-style-type: none"> <li>• IT Policies and Procedures</li> <li>• Disaster Recovery Policy</li> <li>• Information Security Policy</li> </ul>
Human Resources	<ul style="list-style-type: none"> <li>• HR Policies and Procedures</li> <li>• Advertised Posts</li> <li>• Training</li> </ul>



	<ul style="list-style-type: none"> <li>• Logistical Arrangements</li> <li>• Names and Contact Details</li> <li>• Portfolio of Evidence</li> </ul>
SCM	<ul style="list-style-type: none"> <li>• Financial and Banking Details</li> <li>• Supplier invoice and Payments</li> </ul>

## 10.PROCESSING OF PERSONAL INFORMATION

### 10.1. Purpose of Processing Personal Information

We use Personally Identifiable Information to customise our website, make appropriate service offerings, and fulfil buying and selling requests. We may email visitors and clients about research, purchase and selling opportunities or information related to business offerings. We may also use Personally Identifiable Information to contact visitors and clients in response to specific inquiries or to provide requested information. We further process to provide and manage any information, and services requested by data subjects; to maintain customer records; for recruitment purposes; for general administration; for contractual purposes; for health and safety purposes; to help us improve the quality of our services.

### 10.2. Description of the categories of Data Subjects and of the Information or categories of information relating thereto

Categories of Data Subjects	Personal information that may be processed
Customers / Clients	<ul style="list-style-type: none"> <li>• name,</li> <li>• address,</li> <li>• registration numbers or identity numbers,</li> <li>• employment status,</li> <li>• bank details,</li> <li>• Name, ID number of entity representative and,</li> <li>• Contact information (telephone/mobile numbers, email addresses).</li> </ul>
Service Providers	<ul style="list-style-type: none"> <li>• Company/Individual Full Names</li> </ul>



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	<ul style="list-style-type: none"> <li>• Contact Information (telephone/mobile numbers, email addresses)</li> <li>• Contact Person Full Name</li> <li>• Form of Identification (ID/Passport/Company Registration)</li> <li>• Physical/Postal Addresses;</li> </ul>
Employees	<ul style="list-style-type: none"> <li>• Full Name</li> <li>• Age</li> <li>• Gender</li> <li>• Language</li> <li>• Contact Information (telephone/mobile numbers, email addresses)</li> <li>• Curriculum Vitae</li> <li>• Qualifications</li> <li>• Employment History</li> <li>• Form of Identification (ID/Passport)</li> <li>• Marital Status</li> <li>• Physical/Postal Addresses</li> <li>• Race</li> <li>• References</li> <li>• Disciplinary records</li> <li>• Leave records</li> <li>• Training records</li> </ul>

### 10.3. The recipients or categories of recipients to whom the personal information may be supplied

We may share the personal information of our data subject for any of the purposes outlined in Section 9.1. with the following institutions:

Category of Personal Information	Recipients or categories of recipients to whom the personal information may be supplied
Identity numbers and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus



Identity numbers and names, cell numbers and emails provided that the person accepted to our Privacy Policy.	Our partners, Brokers/and Operational Companies.
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JP Markets declares not to share personal Information with any third parties, subject to the exception if :

- we are obliged to share such information for legal or regulatory purposes;
- we are required to do so for purposes of existing or future legal proceedings,
- we are selling one or more of our businesses to someone to whom we may transfer our rights under any customer agreement we have with you;
- we are involved in the prevention of fraud, loss, bribery or corruption;
- they perform services and process personal information on our behalf;
- this is required to provide or manage any information, products and/or services to data subjects; or • needed to help us improve the quality of our products and services.

Kindly note that: We will send our data subjects notifications or communications if we are obliged by law, or in terms of our contractual relationship with them.

We will only disclose personal information to government authorities if we are required to do so by law. Our employees, and our suppliers, are required to adhere to data privacy and confidentiality principles and to attend data privacy training.

#### **10.4. Planned transborder flows of personal information**

JP Markets does not offer services to US investors or any other jurisdiction where such distribution or use may be contrary to South African Law or regulation. However, in cases where the personal information requires trans-border processing and will do so in accordance with the South African Law; or if our data subject consent to the process of the information to the third party of other foreign jurisdiction. JP Markets will take considerable steps to ensure that operators are bound and adhere to the laws to provide adequate protection and uphold principles for reasonable and lawful processing of personal information in terms of the Protection of Personal Information Act 4 of 2013.

#### **10.5. Information received from the third party**

When we receive personal Information from a third party on behalf of a data subject. We require consent and confirmation from the data subject and whether they are aware of their personal information shared to us. We also ensure we confirm from the data subject if they are aware of the



contents of this PAIA manual, privacy policy. If so, they have no objection to processing their personal information in accordance with this manual.

#### **10.6. General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information.**

- JP Markets takes extensive information security measures to ensure the security, confidentiality, integrity and availability of personal information in our possession. This is supported by appropriate technical and organisational measures designed to ensure that personal data remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.
- Access Control: Access to personal information is strictly controlled and limited to authorized personnel only. JP Markets uses role-based access control (RBAC) and authentication mechanisms to ensure that only individuals with the appropriate permissions can access and manipulate personal data. This helps prevent unauthorized access and data breaches.
- Firewall Protection: A robust firewall system is in place to monitor and control incoming and outgoing network traffic. This firewall helps prevent unauthorized access and blocks potentially harmful network traffic, enhancing the security and integrity of personal information.
- Regular Updates and Patch Management: JP Markets regularly updates and patches software, operating systems, and applications to address known vulnerabilities and security flaws, ensuring the ongoing integrity and security of systems and data.

### **11. AVAILABILITY OF THE MANUAL**

11.1. on <https://www.jpmarkets.co.za/>, if any;

11.2. the head office of JP MARKETS for public inspection during regular business hours;

11.3. to any person upon request and upon the payment of a reasonable prescribed fee; and

11.4. to the Information Regulator upon request.

11.5. A fee for a copy of the Manual, as contemplated in Annexure B of the Regulations, shall be payable per each A4-size photocopy made.

### **12. AVAILABILITY OF THE FORMS**



12.1. The following forms are available via the website: [www.jpmarkets.co.za](http://www.jpmarkets.co.za):

12.2. **Form 02:** Request for Access to Record [Regulation 7].

12.3. **Form 03:** Outcome of request and of fees payable [Regulation 8].

### **13.REMEDIES**

The company does not have internal appeal procedures regarding PAIA and POPI Act requests. As such, the decision made by the duly authorised persons i.e Information Officer or/and Deputy is final. If a request is denied, the requestor is entitled to apply to the Office of the Regulator for relief.

### **AVAILABILITY OF PAIA and POPIA**

#### **Information Regulator**

27 Stiemens Street, Braamfontein  
Pretoria  
0001

Telephone number: 010 023 5241/42

Website: <https://inforegulator.org.za/>

E-mail: [Registration.IO@inforegulator.org.za](mailto:Registration.IO@inforegulator.org.za)