POPIA & PAIA Policy
Orinoco (Pty) Ltd
(FSP Number: 51913)

Reviewed By	**Approved By**
Compliance Officer	**Key Individual**

Company Name	Orinoco (Pty) Ltd
Physical Address	Workshop 17, Hyde Park Corner Office 219 & 221 2nd Floor North Tower, 6th Road Hyde Park, Johannesburg 2196
License Number	51913
Website	www.finorinoco.com

1. Introduction

Orinoco Capital (Pty) Ltd (hereinafter, the "Company" or the "FSP" or "we"/"our"/"us") is incorporated under the laws of South Africa with company registration number 2021/704761/07. The Company is authorised to operate as a Financial Service Provider (FSP) by the Financial Sector Conduct Authority (FSCA) in South Africa under license number 51913.

This Privacy Policy exclusively covers the website and all its related sub-domains or applications (if any) that are registered and operated by Orinoco (Pty) Ltd and provides an overview of how the Company processes your personal information and sets out the information that the Company will provide to you for the purpose of the applicable personal information protection legislation.

Your privacy is important to us, and we are committed to respect the confidentiality of personal information and the privacy of individuals. By submitting your details and/or using our website, you accept the terms and conditions of this Privacy Policy and consent to the processing of your Personal Information by the FSP. The Company may revise or update this Policy from time to time. The new version of this Policy will be available on the Company's website.

2. Definitions

POPIA: means the Protection of Personal Information Act No. 4 of 2013

Data Subject: means the person to whom personal information relates

Policy: means this policy on the lawful processing and protection of personal information.

Procedure: means a statement or number of statements, contained in a separate yet linked document, the effect of which is to prescribe those things that must be done or omitted in order to ensure adherence with this policy and the Act.

Processing: means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including:

1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
2. dissemination by means of transmission, distribution or making available in any other form; or
3. merging, linking, as well as restriction, degradation, erasure or destruction of information.

Responsible Party: means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing of personal information. For the purpose of the Policy the FSP is the Responsible Party.

Unique Identifier: means any identifier that is assigned to a data subject (eg. ID number) and is used by a responsible party for the purposes of the operations of that responsible party and that uniquely identifies that data subject in relation to that responsible party.

3. Applicable legislation in relation to the collection of the personal information

Collection of any personal information, as well as the processing of the same, will be pursued by the FSP in accordance with the provisions of the following legislative instruments:

- Financial Advisory and Intermediaries Services Act 37 of 2002 (FAIS);
- Financial Intelligence Centre Act 38 of 2001 (FICA);
- Financial Markets Act 19 of 2012;
- Basic Provisions of the Constitution of South Africa 1996;
- Protection of Personal Information Act 4 of 2013 (the "PoPI Act");
- Promotion of Access to Information Act 2 of 2000;
- Basic Conditions of Employment Act No 75 of 1997.

4. Personal Information

In terms of the PoPI Act, Personal Information means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:

1. information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
2. information relating to the education or the medical, financial, criminal or employment history of the person;
3. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
4. the biometric information of the person;
5. the personal opinions, views or preferences of the person;
6. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
7. the views or opinions of another individual about the person; and
8. the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

5. What Personal Information Orinoco collects:

This is the following information that we will collect:

1. Identity information: such as full name, country of residence
2. Contact information: such as email address, telephone number(s).
3. Profile information: your interests, preferences, feedback, survey responses.
4. Public Records and Open Sources information: such as details about you that are available online, are in public records or other open available sources.
5. Consent/permission: such us your consents, any permission or preferences given to the Company.
6. Marketing and Communications information: such as details about you from letter, email and conversation, chats between us and your preference in receiving marketing from us and any third-party companies on our behalf.
7. Technical information: such as internet protocol (IP) address, login information, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website and mobile app and electronic services.
8. Usage/Behaviour information: such as information about how you use our website and services.
9. Other information that may be contained in any correspondence you send us via email.

Orinoco confirms that we lawfully hold and process all clients information by first ensuring that the conditions set out in the POPI Act, and all the measures that give effect to such conditions, are complied with at the time of determination of the purpose and means of the processing and during the processing itself and in a reasonable manner that does not infringe the privacy of the data subject.

Personal information is processed only if it is adequate, relevant and not excessive.

6. How is Personal Information processed:

It is of utmost importance that all our data subjects consent to their information being processed by the FSP, unless otherwise, the instruction comes from a higher jurisdiction and/or law.

A. Personal Information is processed only if:

(a) the data subject consents to the processing;
(b) processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is party;
(c) processing complies with an obligation imposed by law on the FSP;
(d) processing protects a legitimate interest of the data subject;

(e) processing is necessary for the proper performance of a public law duty by a public body; or processing is necessary for pursuing the legitimate interests of the FSP or of a third party to whom the information is supplied.

B. The FSP bears the burden of proof for the data subject's consent

C. The data subject may withdraw his, her or its consent, at any time, provided that the lawfulness of the processing of personal information before such withdrawal or the processing of personal information in terms of points (b) to (f) above will not be affected.

D. A data subject may object, at any time, to the processing of personal information:

(f) in terms of points (d) to (f) above in the prescribed manner, on reasonable grounds relating to his, her or its particular situation, unless legislation provides for such processing;
(g) for purposes of direct marketing other than direct marketing by means of unsolicited electronic communications. (v) If a data subject has objected to the processing of personal information, the FSP may no longer process the personal information.

E. If a data subject has objected to the processing of personal information, the FSP may no longer process the personal information.

We shall obtain the information directly from the data subject unless required or allowed by law to obtain the information from another source. Particularly, we may collect Personal Information:

1. from the use of our website or mobile applications (if applicable);
2. disclosed to us directly by a data subject through an email, fax, letter, etc.;
3. from third party sources, including publicly available sources, the Internet, social media platforms, introducing brokers and affiliates, our business contacts, credit reporting bodies providing identity verification services, and financial institutions (e.g., banks, credit card processors), subscription-based intelligence/screening databases, etc.;

We may ask for other personal information from time to time (for example source of income/wealth).

If you choose not to provide the information we need to fulfil your request for a specific service, we may not be able to provide you with the requested service.

We also use cookies on our website and/or subdomains and/or our applications to ensure that our website works effectively, for fraud prevention, security and to support the website activities.

We may enlist outside organisations to help us manage the website and collect and analyse personal information for statistical or research purposes. These outside organisations may install and use their own cookies on our behalf.

7. Retention and Restriction of Records

Records of Personal Information will not be retained any longer than is necessary for achieving the purpose for which the information was collected or subsequently processed, unless:

1. retention of the record is required or authorised by law;
2. the FSP reasonably requires the record for lawful purposes related to its functions or activities;
3. retention of the record is required by a contract between the parties thereto; or
4. the data subject has consented to the retention of the record.

The FSP will destroy or delete a record of personal information or de-identify it as soon as reasonably practicable after it is no longer authorised to retain the record. The destruction or deletion of a record of Personal Information will be done in a manner that prevents its reconstruction in an intelligible form.

8. Information Quality

The FSP takes reasonably practicable steps to ensure that the Personal Information is complete, accurate, not misleading and updated where necessary. In taking these steps the FSP must have regard to the purpose for which Personal Information is collected or further processed.

The FSP maintains the documentation of all processing operations under its responsibility and all data subjects will be notified and/or aware when their personal information is being collected/processed.

If personal information is collected, the FSP takes reasonably practicable steps to ensure that the data subject is aware of:

1. the name and address of the FSP;
2. the purpose for which the information is being collected;
3. whether or not the supply of the information by that data subject is voluntary or mandatory;
4. the consequences of failure to provide the information;
5. any particular law authorising or requiring the collection of the information;
6. the fact that, where applicable, the FSP intends to transfer the information to a third country or international organisation and the level of protection afforded to the information by that third country or international organisation;
7. any further information which is necessary, having regard to the specific circumstances in which the information is or is not to be processed, to enable processing in respect of the data subject to be reasonable such as:

- the recipient or category of recipients of the information;
- the nature or category of the information;
- the existence of the right of access to and right to rectify the information collected;
- the existence of the right to object to the processing of personal information;
- the right to lodge a complaint to the Information Regulator and the contact details of the Information Regulator

9. Safeguarding of Personal Information

Your Personal Information is kept strictly confidential. The FSP shall not disclose such information to a third party, except:

1. to the extent that it is required to do so pursuant to any applicable laws, rules and/or regulations;
2. if there is a duty to the public to disclose;
3. if our legitimate business interests require disclosure;
4. at your request or with your consent or to third parties for the completion of your application, eg. Sumsub.

The FSP will endeavour to make such disclosures on a 'need-to-know' basis, unless otherwise instructed by a regulatory authority. Under such circumstances, the FSP will notify the third party regarding the confidential nature of any such information.

As part of using your personal information for the purposes set out above, the FSP may disclose your personal information to:

- other entities of the Company's group who provide financial services and/or administrative and support services;
- our service providers and specialist advisers who have been contracted to provide us with administrative, financial, legal, tax, compliance, insurance, research or other services; business introducers/affiliates with whom we have a mutual business relationship; third-party apps' providers when you use our mobile app(s), communication systems and trading platforms which are provided to us by third-parties;
- credit providers, credit reporting or reference agencies, courts, tribunals and regulatory authorities as agreed or authorised by law;
- governmental and regulatory bodies/authorities (e.g., FSCA) and law enforcement agencies where required by law and in response to other legal and regulatory requests, enquiries or investigations;
- service providers for the provision of the required support in connections with website visits and traffic monitoring through cookies;
- court of Law;
- the Information Regulator;
- any third-party where such disclosure is required in order to enforce or apply the Product Supplier's Terms of Business or Client Agreement or other relevant agreements;

- anyone authorised by you including but not limited to Marketing Companies.

We endeavour to disclose to these third-parties only the minimum personal information that is required to perform their contractual obligations to us and on a need-to-know basis. Our third-party service providers are not permitted to share or use personal information we make available to them for any other purpose than to provide services to us.

Please note that the use of your personal information by external third parties who act as data controllers of your personal information is not covered by this Policy and is not subject to our privacy standards and procedures. We encourage you to check with each third-party as to their privacy practices and procedures.

The FSP respects the privacy of any users who access its website(s), and it is therefore committed to taking all reasonable steps to safeguard any existing or prospective clients of the Product Supplier, applicants and website visitors. We process any visitors'/potential clients' personal information in accordance with the applicable data protection laws and regulations to ensure your Information is secured against loss, unlawful access or accidental destruction of data.

The FSP implements and maintains appropriate technical and organisational measures to ensure the confidentiality, safeguarding and protection of any personal information from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal information transmitted, stored or otherwise processed by the FSP.

Other measures we have in place include, but are not limited to:

- requiring our employees to use passwords and two-factor authentication when accessing the FSP's systems;
- applying walls and employees only have access to the personal information required for the purposes of their job duties and respective tasks they handle;
- employing firewalls, intrusion detection systems and virus scanning tools;
- using dedicated secure networks or encryption when we transmit electronic data for purposes of outsourcing;

Transmission of information via the internet is not always completely secure but the FSP endeavours to protect your personal information by taking serious precautions. Once we have received your information, we will apply procedures and security features to try to prevent unauthorized access.

Any service provider to whom we outsource any aspect relating to data collection abides by the terms of this policy.

We shall ensure, in the event of a breach of security regarding personal information, that we notify the Information Regulator and the affected data subjects as soon as reasonably possible, by such means and media as are appropriate in the circumstances to enable them to take steps to protect their interests.

We shall ensure, when requested to transfer data across the borders of South Africa, that we do so only with the consent of the data subject and thereafter only to a jurisdiction which has rules on the protection of data substantially similar to those contained in this policy and the POPI Act.

10. Orinoco Clients have a RIGHT!

Your have the right to have your personal information processed in accordance with the conditions for the lawful processing of personal information including the rights:

1. To be notified that:

(a) Personal information about you is being collected
(b) Personal information about you is being accessed or acquired by an unauthorised person

2. To establish whether the FSP holds personal information of you and to request access to your personal information
3. To request, where necessary, the correction, destruction or deletion of your personal information
4. To object, on reasonable grounds related to your particular situation, to the processing of your personal information
5. To object to the processing of your personal information:

(c) At any time for purposes of direct marketing
(d) In terms of section 69 (3)(c) of the Act

6. Not to have your personal information processed for purposes of direct marketing by means of unsolicited electronic communications except as referred to in section 69(1) of the Act
7. Not to be subject, under certain circumstances, to a decision which is based solely on the basis of the automated processing of your personal information intended to provide a profile of you
8. To submit a complaint to the Regulator (https://inforegulator.org.za/) regarding the alleged interference with the protection of the personal information of any data subject or to submit a complaint in respect of a determination of an adjudicator;
9. To institute civil proceedings regarding the alleged interference with the protection of your personal information.

To exercise any of the above rights or submit any inquiry about this Policy, you may contact us at compliance@finorinoco.com

11. Consent to process Personal Information

By submitting your details and/or using our website, you accept the terms and conditions of this Policy and consent to the processing of your Personal Information by the FSP as set out in this Policy.

12. Use of Cookies

Our website uses cookies which allow us to analyse the individual's browser behaviour. Cookies do not identify the data subject; they simply allow us to track usage patterns so that we can measure the level of interest in various areas. For more information please take a look at our Cookie Policy.

On devices where cookies are not available (such as some mobile phones and tablets), we may use identifiers such as Apple's identifier for Advertising (IDFA) and Google's Android Advertising (AAID) to collect behavioural information.

These advertising identifiers do not constitute Personal Information. We do not combine Personal Information with behavioural information. The purpose of collecting this information is to provide you with a more relevant and effective experience on our website, including presenting web pages according to your needs or preferences.

13. PAIA

The role of the Promotion of Access to Information Act (PAIA) is to give effect to the constitutional right to access information in South Africa by allowing individuals/our clients to request information from both public and private bodies. It aims to promote transparency and accountability and foster a culture of openness by enabling people to scrutinize decision-making and more fully exercise and protect their rights.

As an FSP, herewith the information we have given freely and openly to the public via our website. The policies are in alphabetical order:

- Complaints Handling Procedure
- Conflict of Interest
- Cookie Policy
- FAIS Disclosures
- Risk Disclosures
- Terms and Conditions

The company details are as follows:

Company Name	Orinoco (Pty) Ltd
Physical Address	Workshop 17, Hyde Park Corner Office 219 & 221 2nd Floor North Tower, 6th Road Hyde Park, Johannesburg 2196
License Number	51913
Website	www.finorinoco.com
Information Regulator	Sipelele Madikizela

Personal details of employees will not be provided to clients under any circumstances.

Employees personal information will only be provided in such instances:

- With Informed Consent: The FSP has obtained specific, informed, and voluntary written consent from the employee for the specific purpose of the disclosure.
- Performance of a Contract: The processing or disclosure is necessary for the conclusion or performance of a contract to which the employee is a party (e.g., providing information to the company's pension fund administrator or medical aid scheme).
- Legal Obligation: The FSP is required by law or a court order to disclose the information (e.g., complying with requests from the Financial Sector Conduct Authority (FSCA), the South African Revenue Service (SARS), or law enforcement agencies).
- Protection of Legitimate Interests: The processing is necessary to protect a legitimate interest of the employee (the data subject) or a third party, and this interest overrides the employee's right to privacy.
- Public Interest: The disclosure is required in the public interest, for example, to prevent or detect unlawful activities, investigate offences, or combat money laundering.

14. Contact Us

If you have questions, complaints or concerns regarding the way in which your Personal Information has been used, please contact: Information Officer on the following details: Email: compliance@finorinoco.com

Please ensure that you make use of the prescribed forms for requests, links to the forms are as follows:

- POPIA Forms: https://inforegulator.org.za/popia-forms/
- PAIA Forms: https://inforegulator.org.za/paia-forms/