

# Privacy Policy

October 2024



PURE DMA TRADING  
GUARANTEED  
STP EXECUTION



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## 1. Introduction

Arkham Capital (Pty) Ltd (Arkham Capital) is a private company registered in South Africa. Arkham Capital is an Authorised Financial Services Provider. Arkham Capital provides financial services to clients in line with the Financial Advisory and Intermediary Services Act.

To achieve our objectives, we must process Personal Information, which includes Personal Information in terms of the Protection of Personal Information Act No 4 of 2013(POPI). Information that alone or jointly with other factors identifies you as a person is Personal Information in terms of POPI. Personal Information includes, but is not limited to, information such as your name, contact details, telephone number, biometric information, registration number etc.

## 2. Purpose

The protection of Personal Information is important to Arkham Capital and we have therefore developed this Policy that sets out the way we process Personal Information.

We treat all Personal Information that is collected as private and confidential.

## 3. Right to change this Privacy Policy

We have the right to change this Privacy Policy to align with changes in the law or changes in technology which has an impact on how we process your Personal Information. We will provide you with the latest version of our Privacy Policy. The latest version will replace previous versions.

## 4. Collection of Personal Information

Personal Information is collected directly from you (Data Subject) and may be collected indirectly from other external sources for purposes of complying with the law.

Due to the type of service that we provide it is important for us to have a complete view of the Data Subjects that we assist, understand their behaviors and that of their Data Subjects. We need to be proactive and pre-emptive in effectively identifying risks that impacts our Arkham Capital. We may therefore use other sources to find information, sources such as:

- Regulators
- Media sources such as social media
- Members of the public

## 5. The purpose for collection of Personal Information

We collect your Personal Information for a number of reasons including, but not limited to, the following:

- Onboarding
- Invoicing
- Provision of services to clients
- Any other service as governed by a contract or service level agreement.
- Communication
- Marketing

## 6. Personal Information that we collect

We collect different attributes of your Personal Information at specific points of our processes, to fulfil legal requirements and internal business purposes. Some of the information we collect is:

- Identity number (company registration numbers, ID number),
- Email-addresses, physical address, telephone number
- Names, surname, nationalities number, language,
- Education, financial, employment information,

We may not be able to carry out our legislative mandate and provide our services to you or procure your services without your Personal Information.

## 7. Third Parties

We might from time to time share your Personal Information with third parties. We will only disclose your Personal Information when:

- It is necessary to fulfil our mandate in terms of the Service Level Agreement
- For business purposes
- The law requires it
- We have a public duty to disclose the information
- Your legitimate interests require the disclosure
- You Consented to us disclosing the information.

Third parties may include but not limited to:

- Regulators
- Law enforcement agencies
- Service Providers

We request, where appropriate, the third parties with whom we share information with, to take adequate steps and comply with applicable data protection laws and protect the information disclosed to them. We accomplish this through contractual arrangements with these third parties. We also have internal controls to ensure that the third parties we appoint have appropriate controls to protect the information we provide to them.

If you want to learn more about our internal measures, please contact the Arkham Capital Information Officer.

## 8. Cross Boarder

We might transfer information to our service providers outside South Africa.

## 9. Your Rights

As a Data Subject, you have certain rights that you can exercise in relation to the Personal Information we hold about you. You can exercise your right to:

- Ask for access to the information we hold about you. We may, if allowed by law, charge for this.
- Request correction and updates to the Personal Information we hold about you.
- Object to the manner in which we use Personal Information about you.
- Request that information be deleted that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully or where we are no longer authorized to keep such information.
- Submit complaints to us about the way we use your Personal Information. If you are not satisfied with how we handle your complaint, you can lodge a complaint with the Information Regulator.

## 10. Security Practices

The security systems and controls we have implemented are designed to maintain confidentiality, prevent loss, unauthorised access and damage to information by unauthorised parties.

## 11. Retention of Personal Information

Our Record Management Policy defines how long we keep all types of records, including any Personal Information we process. Personal Information is retained and destroyed as required or authorised by law.

## 12. Contact Us

For any queries, requests, questions or complaints about our privacy policy and how we process your Personal Information, please contact Arkham Capital Information officer at [support@tier1fx.co.za](mailto:support@tier1fx.co.za).

## 13. Access to and Correction of Personal Information

You may access, amend and correct your Personal Information that we hold about you by sending an email to [support@tier1fx.co.za](mailto:support@tier1fx.co.za)

## 14. Physical address:

140 Bauhinia Road  
Technopark  
Centurion

## 15. Information Regulator Information

Address: JD House,  
27 Stiemens Street  
Braamfontein  
Johannesburg, 2001

Email: [enquiries@info regulator.org.za](mailto:enquiries@info regulator.org.za)  
Complaints: [POPIAComplaints@info regulator.co.za](mailto:POPIAComplaints@info regulator.co.za)

## 16. Definitions

<b>Consent</b>	Voluntary, specific and informed expression of will in terms of which permission is given for the processing of Personal Information.
<b>Data Subjects</b>	The person to whom Personal Information relates.
<b>Information officer</b>	The person in the organisation who has been appointed to ensure POPI compliance.
<b>Personal Information</b>	Information relating to an identifiable, living, natural person or juristic person.
<b>Processing</b>	The collection, action, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation, use of Personal Information.

**Arkham Capital (Pty) Limited**  
The Grange, 140 Bauhinia Road,  
Technopark, Centurion 0169,  
South Africa  
[www.tier1fx.co.za](http://www.tier1fx.co.za)

Tier1FX International is the branded offering of Arkham Capital (Pty) Limited, a company incorporated and registered in South Africa, authorised by the Financial Sector Conduct Authority as a Financial Services Provider (FSP 53853).

**Risk Disclaimer:**

OTC leveraged products, including CFDs, are complex investments, which come with a high risk of losing money rapidly due to leverage. You acknowledge that trading derivative financial instruments, including foreign exchange, futures, options, contracts for differences and commodities carry a substantial potential risk of loss and you understand the risks involved and that you are willing to undertake this risk. You further confirm your understanding that the value of these financial instruments is influenced by the price changes of their underlying reference instruments, that these prices may fluctuate both rapidly and widely, that such factors can be neither predicted nor controlled by any party, and that leverage, or “gearing” will disproportionately impact the results of any such transactions. Losses can therefore quickly compound. You will be responsible to ensure your account has sufficient margin to sustain your trading activity. You should consider carefully whether you understand how CFDs work and whether you can afford to take the high risk of losing your money.