

PAIA MANUAL

**Prepared in terms of section 51 of the Promotion of
Access to Information Act 2 of 2000 (as amended)**

DATE OF COMPILATION: 01/07/2024
AMENDED: 11/12/2024
DATE OF REVISION: 01/07/2024
Version 2

Directors : Jacques Serfontein , Alex Winterburn , Cindy Serfontein
HODL OTC (PTY) LTD REG NO : 2020/773138/07

FSP License No: 53723

+27(0)66 560 1607



info@hodlotc.com



www.hodlotc.com

TABLE OF CONTENTS

1. LIST OF ACRONYMS AND ABBREVIATIONS

NB: please insert relevant applicable acronyms and abbreviations

1.1	“CEO”	Chief Executive Officer
1.2	“DIO”	Deputy Information Officer
1.3	“IO”	Information Officer
1.4	“Minister”	Minister of Justice and Correctional Services
1.5	“PAIA”	Promotion of Access to Information Act No. 2 of 2000(as Amended
1.6	“POPIA”	Protection of Personal Information Act No.4 of 2013
1.7	“Regulator”	Information Regulator; and
1.8	“Republic”	Republic of South Africa

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request.
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records, and the categories of records held on each subject.
- 2.3 know the description of the records of the body which are available in accordance with any other legislation.
- 2.4 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.
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto.

Directors : Jacques Serfontein , Alex Winterburn , Cindy Serfontein

HODL OTC (PTY) LTD REG NO : 2020/773138/07

FSP License No: 53723

+27(0)66 560 1607



info@hodlotc.com



www.hodlotc.com

- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto.
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied.
- 2.9 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
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF HODL OTC

3.1. Chief Information Officer

Name: Cindy Serfontein
Tel: 087 238 23 74
Email: info@hodlotc.com

- 3.2. Deputy Information Officer *(NB: if more than one Deputy Information Officer is designated, please provide the details of every Deputy Information Officer of the body designated in terms of section 17 (1) of PAIA.*

Name: Alex Winterburn
Tel: 082 355 6878
Email: alex@hodlotc.com

3.3 Access to information general contacts

Email: info@hodlotc.com

3.4 National or Head Office

Physical Address: Unit G06 Ground Floor 29@Marloth Building, 29 Marloth Street
Nelspruit, 1201
Telephone: 087 238 2374
Email: compliance@hodlotc.com
Website: www.hodlotc.com

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 4.1. 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.
- 4.2. The Guide is available in each of the official languages and in braille.
- 4.3. The aforesaid Guide contains the description of-
 - 4.3.1. the objects of PAIA and POPIA.

Directors : Jacques Serfontein , Alex Winterburn , Cindy Serfontein
HODL OTC (PTY) LTD REG NO : 2020/773138/07

FSP License No: 53723



- 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.3.2.1. the Information Officer of every public body, and
 - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA¹;
- 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11²; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50³;
- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA.
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA.
- 4.3.6. 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-
 - 4.3.6.1. an internal appeal.
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. 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.
- 4.3.7. the provisions of sections 14⁴ and 51⁵ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual.
- 4.3.8. the provisions of sections 15⁶ and 52⁷ providing for the voluntary disclosure of categories of records by a public body and private body, respectively.
- 4.3.9. the notices issued in terms of sections 22⁸ and 54⁹ regarding fees to be paid in relation to requests for access; and

¹ Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

² Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

³ Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a) that record is required for the exercise or protection of any rights.
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

³ Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

⁴ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁵ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁶ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁷ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁸ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

⁹ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

Directors : Jacques Serfontein , Alex Winterburn , Cindy Serfontein

HODL OTC (PTY) LTD REG NO : 2020/773138/07

FSP License No: 53723

+27(0)66 560 1607



info@hodlotc.com



www.hodlotc.com

- 4.3.10. the regulations made in terms of section 92¹⁰.
- 4.4. 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.
- 4.5. The Guide can also be obtained-
- 4.5.1. upon request to the Information Officer.
- 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

5. CATEGORIES OF RECORDS OF HODL OTC WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on Website	Available upon request
Policies	Terms & Conditions	X	X
Policies	Privacy Policy	X	X
Policies	Disclosure Policy	X	X

6. DESCRIPTION OF THE RECORDS OF HODL OTC WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY HODL OTC

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	- HR policies and procedures - Advertised posts - Employees records

¹⁰ Section 92(1) of PAIA provides that – “The Minister may, by notice in the Gazette, make regulations regarding-

(a) any matter which is required or permitted by this Act to be prescribed.
 (b) any matter relating to the fees contemplated in sections 22 and 54.
 (c) any notice required by this Act.
 (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
 (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

Directors: Jacques Serfontein, Alex Winterburn, Cindy Serfontein

HODL OTC (PTY) LTD REG NO : 2020/773138/07

FSP License No: 53723

info@hodlotc.com

+27(0)66 560 1607



www.hodlotc.com

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

HODL OTC is committed to protecting the client's personal information and ensuring its confidentiality and integrity. The purpose of processing personal information is multifaceted and aligns with legal requirements, business operations, and the aim is providing the client with the best possible trading experience. Below are the primary purposes for which we process personal information:

1. Account Creation and Management

Purpose: To verify identity, create and manage the trading account, and provide secure access to the trading platform.

Example: Collecting the client's name, contact details, and identification documents to establish the account.

2. Compliance with Legal and Regulatory Requirements

Purpose: To comply with South African financial regulations, anti-money laundering (AML) laws, and other legal obligations.

Example: Performing KYC (Know Your Customer) checks and reporting suspicious activities to relevant authorities.

3. Transaction Processing

Purpose: To facilitate, the trading transactions on our platform.

Example: Using the client's bank account details and transaction history to facilitate in the trade and withdrawal process.

4. Customer Support and Communication

Purpose: To provide customer support, respond to inquiries, and communicate important information about the client's account and transactions.

Example: Recording and analysing support interactions to improve service quality and resolve issues efficiently.

5. Marketing and Promotional Activities

Purpose: To inform clients about new products, services, promotions, and updates that may interest them, subject to their consent.

Example: Sending newsletters or promotional emails to keep them informed about our latest offerings.

6. Risk Management and Fraud Prevention

Purpose: To detect and prevent fraud, unauthorized activities, and other security risks.

Example: Monitoring account activities and implementing security measures to safeguard clients personal and financial information.



7. Service Improvement and Development

Purpose: To analyse user behaviour and feedback to enhance our services, develop new features, and improve the overall user experience.

Example: Using anonymized data to understand user preferences and optimize platform performance.

8. Internal Record Keeping and Reporting

Purpose: To maintain accurate records of all transactions and interactions for auditing, reporting, and internal purposes.

Example: Storing transaction histories and communications to ensure compliance with legal requirements and facilitate internal audits.

9. Third-Party Service Providers

Purpose: To engage third-party service providers for specific services such as payment processing, identity verification, and IT support.

Obtaining necessary personal information with verified third parties to process payments securely.

10. Dispute Resolution and Legal Claims

Purpose: To resolve any disputes, enforce our terms of service, and handle legal claims.

Example: Using relevant information to address and resolve disputes or comply with legal processes.

Data Subject Rights

The client has the right to access, correct, or delete his or her personal information, as well as the right to object to or restrict certain types of processing.

8.2 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	name, address, registration numbers or identity numbers, employment status and bank details, crypto wallet, source of income
Service Providers	names, registration number, vat numbers, address, api's and bank details, trade secrets
Employees	address, qualifications, gender and race



8.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services, Beeswax, Lemonade, FIC, FSCA
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

8.4 Planned transborder flows of personal information

HODL OTC engages in transborder flows of personal information to ensure efficient operations, compliance, and secure storage. These flows are carried out with trusted third-party service providers who handle specific aspects of our business operations. Below are the details of the planned transborder flows:

1. Liquidity Provider

- **Purpose:** To facilitate trading and liquidity provision.
- **Country:** Information may be processed and stored in various countries where Ovex operates.
- **Categories of Personal Information:** Transaction details, client identification data, trading history.

2. Beeswax

- **Purpose:** To streamline client onboarding and verification processes.
- **Country:** Information may be processed and stored in various countries where Beeswax operates.
- **Categories of Personal Information:** Personal identification information, contact details, verification documents.

3. Dropbox & Google Workspace

- **Purpose:** To securely store and manage files and documents.
- **Country:** Information is stored in the United States and other locations where Dropbox & Google Workspace operates data centres.
- **Categories of Personal Information:** Account information, transaction records, correspondence, compliance documents.

Data Protection Measures

We ensure that all transborder flows of personal information are conducted in compliance with applicable data protection laws and regulations. This includes implementing appropriate safeguards such as:

- Ensuring that service providers are bound by contractual obligations to protect personal information.
- Conducting regular audits and assessments of the service providers' data protection practices.
- Utilizing encryption and other security measures to protect data during transmission and storage.



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

To ensure the confidentiality, integrity, and availability of personal information, HODL OTC implements robust information security measures. These measures are designed to protect personal information from unauthorized access, disclosure, alteration, and destruction. Below is a general description of the security measures we have in place:

1. Data Encryption

- **Purpose:** To protect personal information during transmission and storage.
- **Implementation:**
 - All data transmitted between clients and our servers is encrypted using SSL/TLS protocols.
 - Sensitive data stored in our databases is encrypted using industry-standard encryption algorithms.

2. Access Controls

- **Purpose:** To restrict access to personal information to authorized personnel only.
- **Implementation:**
 - Role-based access control mechanisms ensure that users have access only to the data necessary for their role.
 - Regular audits of access logs to detect and respond to unauthorized access attempts.

3. Network Security

- **Purpose:** To protect our networks from external threats and vulnerabilities.
- **Implementation:**
 - Firewalls and intrusion detection/prevention systems (IDS/IPS) are deployed to monitor and defend against malicious activity.
 - Regular vulnerability assessments and penetration testing to identify and mitigate security risks.

4. Anti-virus and Anti-malware Solutions

- **Purpose:** To detect and prevent malicious software from compromising our systems.
- **Implementation:**
 - Comprehensive anti-virus and anti-malware software is installed on all company devices.
 - Regular updates and scans are conducted to ensure protection against the latest threats.

5. Data Backup and Recovery

- **Purpose:** To ensure data availability and integrity in the event of a disaster or data loss.
- **Implementation:**
 - Regular backups of critical data are performed and stored in secure, off-site locations.
 - Disaster recovery plans are in place, including regular testing of data restoration processes.

6. Employee Training and Awareness

- **Purpose:** To ensure that all employees understand their role in protecting personal information.
- **Implementation:**
 - Mandatory training programs on data protection and information security for all employees.
 - Regular updates and reminders about security best practices and emerging threats.

7. Incident Response Plan

- **Purpose:** To respond effectively to data breaches and security incidents.
- **Implementation:**
 - A formal incident response plan is in place, detailing the steps to be taken in the event of a security incident.



- Incident response teams are trained and ready to act quickly to mitigate any potential damage.

These measures collectively help HODL OTC ensure that personal information remains confidential, intact, and accessible only to authorized individuals. By maintaining a robust security posture, we protect our clients' data and uphold their trust in our services.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 on www.hodlotc.com , if any.

9.1.2 head office of HODL OTC for public inspection during normal business hours.

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

9.1.4 to the Information Regulator upon request.

9.2 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.

10. UPDATING OF THE MANUAL

The Key Individual Cindy Serfontein will on a regular basis update this manual.

Issued by



Cindy Serfontein

