Lumiex

LUMIEX PAIA & POPIA ACCESS MANUAL

www.lumiex.com

1. List of Acronyms and Abbreviations

Acronym	Definition
PAIA	Promotion of Access to Information Act, 2 of 2000 (South Africa)
POPIA	Protection of Personal Information Act, 4 of 2013 (South Africa)
GDPR	General Data Protection Regulation (EU)
PDPA	Personal Data Protection Act (Singapore)
PIPL	Personal Information Protection Law (China)
CPRA	California Privacy Rights Act (USA)
FSCA	Financial Sector Conduct Authority (South Africa)
FICA	Financial Intelligence Centre Act, 38 of 2001
FAIS	Financial Advisory and Intermediary Services Act, 37 of 2002
FSR Act	Financial Sector Regulation Act, 9 of 2017
IO	Information Officer
DIO	Deputy Information Officer
SCCs	Standard Contractual Clauses (EU/UK)
DPA	Data Processing Agreement

Key Legal Definitions (per Section 1 of PAIA & POPIA):

- **Record:** Any recorded information in any form, regardless of who created or possesses it.
- **Personal Information:** Any data relating to an identifiable individual, including ID numbers, contact details, financial or employment data.
- **Processing:** Any operation performed on personal information — collection, use, storage, dissemination, or destruction.
- **Requester:** Any person who formally requests access to a record.

2. Purpose of the PAIA & POPIA Manual

This Manual is issued in accordance with **Section 51 of PAIA** and **Section 18 of POPIA**, which require private bodies to:

- Enable citizens and stakeholders to access information held by them;
- Describe procedures for submitting and handling access requests;
- Ensure compliance with data protection and transparency laws.

2.1 Objectives of the Manual

- Promote accountability and openness within Lumiex;
- Guide requesters on how to exercise their rights of access;
- Inform data subjects about how their personal information is processed;
- Outline Lumiex's data governance framework across jurisdictions;
- Facilitate lawful cross-border data transfers.

2.2 Global Compliance Alignment

Lumiex's privacy governance integrates:

- **GDPR (Articles 5, 6, 7, 13–15, 30)** – Lawfulness, fairness, transparency, records of processing;
- **PDPA (Sections 15–26)** – Consent and cross-border safeguards;
- **PIPL (Articles 38–41)** – Data transfer and localization;
- **CPRA (Sections 1798.100–121)** – Right to opt-out and transparency obligations.

3. Key Contact Details for Access to Information

3.1 Appointment and Contact Details

Role	Designation	Contact Information
Information Officer (IO)	Chief Compliance Officer	LUMIEX LTD, Fortgate Offshore Investment and Legal Services Ltd., Ground Floor, The Sotheby Building, Rodney Village, Rodney Bay, Gros-Islet, Saint Lucia.
Deputy Information Officer (DIO)	Data Protection Officer	Lumiex Global Compliance Department
Telephone	+1 (758) 555-9812	
Email	compliance@lumiex.com	
Website	www.lumiex.com/legal	

3.2 Responsibilities

- Receive, acknowledge, and log PAIA requests.
- Determine applicability of exemptions (Sections 62–70 PAIA).
- Liaise with departments to locate requested records.
- Assess whether disclosure complies with POPIA.
- Respond within 30 calendar days (extendable once by 30 days).
- Maintain a **Request Register** and **Decision Log** for audit purposes.

3.3 Decision-Making Workflow

1. **Receipt & Logging** → Request captured in Compliance Register.
2. **Validation** → Check identity and completeness (Form 2).
3. **Assessment** → Legal & Compliance review.
4. **Decision** → Approve, partially approve, or deny (with reasons).
5. **Notification** → Written response within prescribed period.

4. Company Background

LUMIEX LTD is a private limited company incorporated under the laws of Saint Lucia.
It operates globally as a **Contracts for Difference (CFD)** and **digital derivatives** broker with a focus on **precious metals, indices, and energy commodities**.

Lumiex adheres to strict corporate governance principles and compliance with financial and data protection legislation across its operational regions.

The Company operates through regional offices and affiliates in Europe, Asia-Pacific, and Africa, and maintains internal control systems in line with **ISO 27001**, **FATF**, and **IOSCO** data standards.

5. Guide on How to Use PAIA and How to Obtain Access to the Guide

5.1 Public Access to the Official PAIA Guide

The **Information Regulator (South Africa)** publishes a national PAIA Guide as required by **Section 10 of PAIA**.
It can be obtained from:

The Information Regulator (South Africa)
JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Tel: +27 (0)10 023 5200
Email: PAIAComplaints@inforegulator.org.za
Website: www.inforegulator.org.za

5.2 Procedure for Requesting Access to Information

Requests must be made in writing using **Form 2** (PAIA Regulations, 2021) and sent to the **Information Officer**.

Steps:

1. Complete Form 2 (or equivalent written request).
2. Describe the record requested clearly.
3. Provide proof of identity and authorization (if acting for another).
4. Pay any applicable access fees (see Annex B).
5. Receive acknowledgment within 7 days.

Response Time:

- 30 calendar days (extendable by a further 30 days with written notice).

Grounds for Refusal:

- Commercial confidentiality, privacy, national security, or internal deliberations as per **Sections 62–70 PAIA**.

6. Categories of Records Available Without a Request

Category	Examples of Public Records
Corporate Governance	Company Memorandum, registration certificate, director register.
Legal & Compliance	Privacy Notice, Cookie Policy, AML Policy, Risk Disclosure, Conflict of Interest Statement.
Marketing Materials	Public announcements, website pages, press releases, webinar presentations.
Financial Information	Annual summaries, key financial disclosures (if applicable).
Platform Information	Trading rules, fee schedules, order execution policy, MT5 access guides.
Community & CSR Reports	Sustainability or ethical trading statements (if published).

All are freely available on **www.lumiex.com/legal**.

7. Description of Records Under Other Legislation

Law / Regulation	Records Maintained
FICA (Financial Intelligence Centre Act)	Client KYC documentation, transaction monitoring logs.
Companies Act, 71 of 2008	Shareholder registers, board resolutions, financial statements.
FAIS Act, 37 of 2002	Client suitability records, representative registers.
FSR Act, 9 of 2017	Prudential risk management reports.
Income Tax Act, 58 of 1962	Tax returns, payroll submissions.
Basic Conditions of Employment Act	HR employment files, timesheets, leave records.
Occupational Health and Safety Act	Workplace safety certifications, incident logs.
GDPR / PDPA / PIPL	Cross-border transfer documents, consent forms, and SCCs.

8. Description of Subjects and Categories of Records Held

Lumiex maintains records in respect of the following categories of data subjects:

Subject Category	Type of Record	Purpose of Record
Clients	KYC, onboarding forms, transaction logs, communication records.	Service provision, compliance monitoring.
Employees	HR files, payroll, contracts, performance evaluations.	Employment administration, statutory compliance.
Affiliates / IBs	Partnership agreements, commission statements, identification records.	Commission management, AML verification.
Regulators & Auditors	Reports, correspondence, audit findings.	Legal and supervisory obligations.
Suppliers / Vendors	Contracts, payment details, service SLAs.	Procurement and due diligence.

All records are handled under secure and restricted access controls.

9. Processing of Personal Information

9.1 Purpose of Processing

To fulfill contractual, regulatory, and operational obligations under POPIA, FICA, and global equivalents.

9.2 Types of Personal Information

Identity, contact, employment, financial, trading, behavioral, and technical information.

9.3 Legal Basis

Processing is based on one or more of:

- Contractual necessity (POPIA s11(1)(b));
- Legal obligation (s11(1)(c));
- Legitimate interest (s11(1)(f));
- Consent (s11(1)(a)).

9.4 Recipients of Information

Regulatory authorities, banks, auditors, and verified service providers.

9.5 Cross-Border Transfers

Permitted under **POPIA s72**, with safeguards equivalent to **GDPR Art. 46** (SCCs or binding corporate rules).

9.6 Security Measures

AES-256 encryption, MFA, firewalls, secure data centers, employee NDAs, and data minimization principles.

9.7 Data Subject Rights

Access, correction, deletion, objection, and portability.
Requests handled via compliance@lumiex.com with acknowledgment within 14 days.

9.8 Data Breach Procedure

- Report to the Information Regulator and affected individuals within 72 hours (POPIA s22).
- Internal Incident Response SOP governs investigation and remediation.

10. Availability of the Manual

This Manual is available:

- On **Lumiex's official website** (www.lumiex.com/legal);
- At the **Registered Office** (Saint Lucia);
- Upon request to the **Information Officer**;
- Filed with the **Information Regulator of South Africa**.

The Manual is reviewed annually under **Lumiex Compliance SOP – Document Governance**.
All amendments are tracked and version-controlled.

Annex A – Summary of PAIA Request Form (Form 2)

Outlines request fields: requester identity, record description, access method, and reason for request.

Annex B – Schedule of Access Fees

Prescribed by PAIA Regulation 9: ZAR 57 per hour search fee, ZAR 1.10 per A4 photocopy, etc.

Annex C – Cross-Border Data Flow & Safeguards Table

Lists mechanisms per jurisdiction: EU SCCs, UK Addendum, PDPA contractual clauses, PIPL transfer assessment.

Annex D – Record Retention Schedule

Category-based retention aligned with FICA, Tax Act, Labour Law, POPIA Section 14.