



**Doto South Africa (PTY) LTD**

Registered Address: Atrium on 5th, 5th Street Sandhurst,  
Johannesburg, Gauteng, 2196

# Privacy Policy & PAIA Manual

**Doto South Africa (PTY) LTD**

Licensed and regulated by the Financial Services Conduct Authority of South Africa (FSCA)

**FSP Number:** 50451 | **Email:** [support-za@doto.com](mailto:support-za@doto.com)

Doto South Africa (PTY) LTD acts solely as an intermediary in terms of the FAIS Act, rendering only an intermediary service (no market making) in relation to derivative products (CFD's) offered by Doto Global LTD.

## 1. Introduction

**Doto South Africa (Pty) Ltd** (hereinafter, the “Company” or the “FSP” or “we”/“our”/“us”) is incorporated under the laws of South Africa with company registration number 2019/047686/07. 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 50451. The FSP provides intermediary services in connection with derivative products in terms of the Financial Advisory and Intermediary Services Act 37 of 2002 (the “FAIS Act”), while **Doto Global Ltd**, which is the product supplier (the “Product Supplier”)<sup>1</sup>, is registered in the Republic of Mauritius with company registration number C162994 and is authorised to operate as an Investment Dealer by the Financial Services Commission (FSC) under license number C119023978.

This Privacy Policy exclusively covers the website [www.doto.com/za](http://www.doto.com/za) and all its related sub-domains or applications (if any) that are registered and operated by Doto South Africa (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.

Should you wish to open an account, your account will be opened with Doto Global Ltd, which will be the counterparty and act as the principal to your trades. In this respect, upon the creation of an account via the Product Supplier’s website, the Privacy Policy of Doto Global LTD will apply to your account for any personal information collected via the Product Supplier’s website, which falls outside the South African regulatory framework and this Policy. For more information on how your personal information is handled and managed when you interact with the Product Supplier’s website, please read the Privacy Policy of the Product Supplier, available under the “Legal Documents” section at [www.doto.com](http://www.doto.com) .

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. You can tell when this document was last updated by looking at the date at the bottom of this Privacy Policy.

## 2. Definitions

<b>Act/ PoPI Act</b>	means the Protection of Personal Information Act No. 4 of 2013.
<b>Data Subject</b>	<b>means the person to whom personal information relates</b>
<b>Policy</b>	means this policy on the lawful processing and protection of personal information.
<b>Procedure</b>	means a statement or number of statements, contained in a separate yet linked document, the effect of which is to

<sup>1</sup> for more information on the relationship between the FSP and the Product Supplier please see the FAIS Disclosure and Transparency Document available in the “Legal Documents” section at [www.doto.com/za](http://www.doto.com/za).

	prescribe those things that must be done or omitted in order to ensure adherence with this policy and the Act.
<b>Processing</b>	<p>means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including</p> <p>(a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;</p> <p>(b) dissemination by means of transmission, distribution or making available in any other form; or</p> <p>(c) merging, linking, as well as restriction, degradation, erasure or destruction of information.</p>
<b>Responsible Party</b>	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.
<b>Unique Identifier</b>	means any identifier that is assigned to a data subject 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. What is 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:

- a) 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;
- b) information relating to the education or the medical, financial, criminal or employment history of the person;
- c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- d) the biometric information of the person;
- e) the personal opinions, views or preferences of the person;

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- f) 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;
- g) the views or opinions of another individual about the person; and
- h) 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. **Personal information we collect and process**

We will collect, use, store and transfer different kinds of Personal Information about our website's visitors/ potential and/or existing clients of the Product Supplier, which we have grouped together as follows:

- Identity information: such as full name, country of residence
- Contact information: such as email address, telephone number(s).
- Profile information: your interests, preferences, feedback, survey responses.
- Public Records and Open Sources information: such as details about you that are available online, are in public records or other open available sources.
- Consent/permission: such as your consents, any permission or preferences given to the Company.
- 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.
- 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.
- Usage/Behaviour information: such as information about how you use our website and services.
- Other information that may be contained in any correspondence you send us via email.

## 6. **Lawful processing of personal information**

The conditions for the lawful processing of personal information are met as follows:

### **A. Accountability**

The FSP ensures 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.

### **B. Processing Limitation**

- Lawfulness of processing

Personal information is processed:

- (a) lawfully; and
- (b) in a reasonable manner that does not infringe the privacy of the data subject

- Minimality

Personal information is processed only if, given the purpose for which it is processed, it is adequate, relevant and not excessive.

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- Consent, Justification and Objection
  - (i) Personal Information is processed only if—
    - a. the data subject consents to the processing;
    - a. processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is party;
    - b. processing complies with an obligation imposed by law on the FSP;
    - c. processing protects a legitimate interest of the data subject;
    - d. processing is necessary for the proper performance of a public law duty by a public body; or
    - e. processing is necessary for pursuing the legitimate interests of the FSP or of a third party to whom the information is supplied.
  - (ii) The FSP bears the burden of proof for the data subject's consent
  - (iii) 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.
  - (iv) 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; or
    - 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.
- Source of collection/ Direct collection

The type of information we may collect and hold includes (but is not limited to) personal information about:

- a) website visitors/potential clients (of the Product Supplier);
- b) third parties such as service providers;
- c) current and prospective employees; and
- d) other data subjects with whom we come into contact during the course of business operations.

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:

- a) from the use of our website or mobile applications (if applicable);
- b) disclosed to us directly by a data subject through an email, fax, letter, etc.;
- c) 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.;
- d) from webinar/seminar sign-up forms;
- e) from subscriptions to our news' updates.

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We may ask for other personal information from time to time (for example, through market research, surveys or special offers).

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.

### **C. Purpose Specification**

- Specific purpose

We collect, use, disclose, transfer and store data when needed to provide our services and for our operational and business purposes as stated herein. We want to be clear about our privacy practices so you can make informed choices about the use of your personal information. You can contact us at any time with questions or concerns.

Due to the nature of the FSP's operations (i.e., merely providing a website, through which visitors can be directed to the Product Supplier's own website – i.e., no client onboarding, no market making and no trading platform(s) are offered via the Company) the Personal Information it collects about visitors is very limited. The Personal Information are collected for the following purposes:

- to conduct our business of providing intermediary services (i.e., online and offline marketing) in relation to CFDs or other derivative products towards the Product Supplier;
  - to provide data subjects with information about the Product Supplier's services, products and promotions;
  - protect our business and other clients from fraudulent or unlawful activity;
  - to enhance the security of the FSP's network and information systems;
  - to maintain our accounts and records;
  - to investigate and resolve any concerns or queries a data subject may have;
  - to manage any legal actions involving the FSP;
  - to conduct research in an effort to improve the FSP's marketing campaign;
  - to comply with our legal and regulatory obligations;
  - to help us manage and enhance our services;
  - to receive professional advice (e.g., legal advice).
- 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:

- a) retention of the record is required or authorised by law;
- b) the FSP reasonably requires the record for lawful purposes related to its functions or activities;
- c) retention of the record is required by a contract between the parties thereto; or
- d) the data subject has consented to the retention of the record.

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Records of personal information may be retained for periods in excess of those contemplated above for historical, statistical or research purposes if the FSP has established appropriate safeguards against the records being used for any other purposes.

When the FSP uses a record of personal information of a data subject to make a decision about the data subject, the FSP must:

- (a) retain the record for such period as may be required or prescribed by law or a code of conduct; or
- (b) if there is no law or code of conduct prescribing a retention period, retain the record for a period which will afford the data subject a reasonable opportunity, taking all considerations relating to the use of the personal information into account, to request 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.

The FSP will restrict processing of personal information if:

- (a) its accuracy is contested by the data subject, for a period enabling the FSP to verify the accuracy of the information
- (b) the FSP no longer needs the personal information for achieving the purpose for which the information was collected or subsequently processed, but it has to be maintained for purposes of proof
- (c) the processing is unlawful and the data subject opposes its destruction or deletion and requests the restriction of its use instead
- (d) the data subject requests to transmit the personal information into another automated processing system.

Personal information mentioned above may, with the exception of storage, only be processed for purposes of proof, or with the data subject's consent, or for the protection of the rights of another natural or legal person or if such processing is in the public interest. Before lifting the restriction on processing the FSP must inform the data subject.

#### **D. Further Processing Limitation**

Further processing of Personal Information must be in accordance or compatible with the purpose for which it was initially collected. To assess whether further processing is compatible with the purpose of collection, the FSP will take account of:

- a) the relationship between the purpose of the intended further processing and the purpose for which the information has been collected;
- b) the nature of the information concerned;
- c) the consequences of the intended further processing for the data subject;
- d) the manner in which the information has been collected; and
- e) any contractual rights and obligations between the parties.

#### **E. 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.

#### **F. Openness**

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- Documentation

The FSP maintains the documentation of all processing operations under its responsibility.

- Notification to data subject when collecting personal information

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

- ❖ the information being collected and where the information is not collected from the data subject, the source from which it is collected;
- ❖ the name and address of the FSP;
- ❖ the purpose for which the information is being collected;
- ❖ whether or not the supply of the information by that data subject is voluntary or mandatory;
- ❖ the consequences of failure to provide the information;
- ❖ any particular law authorising or requiring the collection of the information;
- ❖ 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;
- ❖ 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

- Security safeguards

The FSP takes appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information, as well as unlawful access to or processing of personal information, including the following measures:

- Any Personal Information that you provide to the FSP will be treated as confidential and shared only with the parties mentioned in this policy. Such Personal Information will not be disclosed to any other third party except if such disclosure is required under any regulatory or legal proceedings.
- The FSP offers high protection Personal Information that you provide in connection with the use of the website or through other means as mentioned above. The FSP encrypts all Personal Information as it is transferred to the FSP and thus makes all necessary effort to prevent unauthorised parties from viewing any such information.
- Personal Information provided to the FSP also resides on secure servers and is again accessible only to authorised personnel via password.

**G.** Data subject participation

- A data subject has the right to: request the FSP to confirm whether or not the FSP holds personal information about the data subject; request the record or a description of the personal information about the data subject held by the FSP, including information about

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the identity of all third parties or categories of third parties who have, or have had, access to the information.

- A data subject may request the FSP to: correct or delete personal information about the data subject that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that the FSP is no longer authorised to retain.

## 7. Disclosure of Personal information

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

- (a) to the extent that it is required to do so pursuant to any applicable laws, rules and/or regulations;
- (b) if there is a duty to the public to disclose;
- (c) if our legitimate business interests require disclosure; or
- (d) at your request or with your consent or to persons described in this policy.

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;
- organisations involved in a potential transfer or sale of all or part of our assets or business; • market research companies;
- 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.

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.

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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.

## 8. **Security and Integrity of Personal Information**

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.

The FSP also ensures that any processing activity to such personal information is in accordance with the applicable data protection laws and regulations. We regularly train all of our employees and raise awareness regarding the importance of maintaining, safeguarding and respecting your Personal Information and privacy. We take breaches of privacy very seriously and will impose appropriate disciplinary measures, including dismissal where necessary.

The personal information is securely stored in a safe location and only authorised personnel have access to it via secure access control. All personal information is transferred to the FSP over a secure encrypted connection and thus all necessary measures are taken to prevent unauthorised parties from viewing any such information.

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 Chinese 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;
- implementing a clean desk policy in all premises occupied by us and/or associated companies and providing secure storage for physical records; and
- employing physical and electronic means such as access cards, cameras and security guards to protect against unauthorised physical access.

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 unauthorised 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

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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.

## 9. Your Rights

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

- To be notified that:
  - Personal information about you is being collected
  - Personal information about you is being accessed or acquired by an unauthorised person
- To establish whether the FSP holds personal information of you and to request access to your personal information
- To request, where necessary, the correction, destruction or deletion of your personal information
- To object, on reasonable grounds related to your particular situation, to the processing of your personal information
- To object to the processing of your personal information:
  - At any time for purposes of direct marketing
  - In terms of section 69 (3)(c) of the Act
- 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
- 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
- To submit a complaint to the Regulator (<https://info regulator.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;
- 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 [info-za@doto.com](mailto:info-za@doto.com).

## 10. Amendments to Policy

The FSP reserves the right to review and amend this policy from time to time for any reason and notify you of any such amendments accordingly by posting an updated version of this policy on its website.

## 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. Behaviour on the Website

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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. **Contact us**

If you have questions, complaints or concerns regarding the way in which your Personal Information has been used, please contact: Data Protection Officer, Doto South Africa (PTY) LTD. Address: Atrium on 5th, 9th Floor, 5th Street, Sandton, Johannesburg, 2196, South Africa, Office number 9053. Email: [info-za@doto.com](mailto:info-za@doto.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/>

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