

**Conflict of Interest Policy**

FSP Name: Point Capital Management (Pty) Ltd

FSP Number: 44708

Responsible Person: Ross Reuvers

## POLICY ON CONFLICT OF INTEREST

**FSP name:** *POINT CAPITAL MANAGEMENT (PTY) LTD*

**FSP number:** 44708

### **1. Introduction**

In terms of the Financial Advisory and Intermediary Services Act, *POINT CAPITAL MANAGEMENT (PTY) LTD* is required to take all reasonable steps to identify, monitor and manage conflicts of interest. The following policy is intended to safeguard our clients' interests and ensure their fair treatment.

### **2. Our Objectives**

Like any financial services provider, *POINT CAPITAL MANAGEMENT (PTY) LTD* is potentially exposed to conflicts of interest in relation to various activities. However, the protection of our clients' interests is our primary concern and so our policy sets out how:

- we will identify circumstances which may give rise to actual or potential conflicts of interest entailing a material risk of damage to our clients' interests;
- we have established appropriate structures and systems to manage those conflicts; and
- we will maintain systems in an effort to prevent damage to our clients' interests through identified conflicts of interest.

### **3. Conflict of Interest**

*POINT CAPITAL MANAGEMENT (PTY) LTD* strives towards ensuring that it is able to appropriately and effectively identify and manage potential conflicts. These strategies include avoidance, establishing confidentiality barriers and appropriate disclosure of a conflict to affected clients.

In determining whether there is or may be a conflict of interest to which this policy applies, *POINT CAPITAL MANAGEMENT (PTY) LTD* considers whether there is a material risk of damage to the client, taking into account whether *POINT CAPITAL MANAGEMENT (PTY) LTD* or its representative, associate or employee –

- is likely to make a financial gain, or avoid a financial loss, at the expense of the client;
- has an interest in the outcome of a service provided to the client or of a transaction carried out on behalf of the client, which is distinct from the client's interest in that outcome;
- has a financial or other incentive to favour the interest of another client, group of clients or any other third party over the interests of the client;
- receives or will receive from a person other than the client, an inducement in relation to a service provided to the client in the form of monies, goods or services, other than the legislated commission or reasonable fee for that service.

This may include but is not limited to:

- conflicts of interest between *POINT CAPITAL MANAGEMENT (PTY) LTD* and the client;
- conflicts of interest between our clients if we are acting for different clients whose different interests conflict materially;

- conflicts of interest where associates, product suppliers, distribution channels or any other third party are involved in the rendering of a financial service to a client.

#### 4. Management

##### **4A Specific Monetary Measures we focus on:**

We may only receive (or offer to a third party):

- commissions authorized in terms of applicable legislation; or
- fees authorized in terms of applicable legislation, or
- fees or remuneration for services rendered, if those fees are reasonably commensurate to the service being rendered; or
- fees for the rendering of a service in respect of which the commission or fees above is not paid, if those fees are specifically agreed to by a client in writing and may be stopped at discretion of the client; or
- a limited immaterial financial interest as defined; or
- a financial interest for a consideration or fair value that is reasonably commensurate to the value of the financial interest that is paid by the provider or representative at time of receipt thereof.

Furthermore, where fees are charged, care will be taken to ensure that:

- i) they are reasonably commensurate with the service being rendered, taking into account the nature of the service and the resources, skills and competencies reasonably required to perform it;
- ii) the payment of those fees does not result in the FSP or representative being remunerated more than once for performing a similar service;
- iii) any actual or potential conflicts between the interests of the client and the interests of the person receiving the fees will be effectively mitigated; and
- iv) the payment of the fees does not impede the delivery of fair outcomes to clients.

We will not offer any financial interest to any representative for –

- giving preference to the quantity of business secured for the provider to the exclusion of quality service;
- giving preference to a specific product supplier where more than one supplier can be recommended to a client; or
- giving preference to a specific product of a supplier where more than one product of that supplier can be recommended.

The determination of and entitlement to any financial interest of a representative will take into account measurable indicators relating to:-

- i) achievement of minimum service level standards in respect of clients;
- ii) delivery of fair outcomes for clients; and
- iii) the Quality of the representative's compliance with the Act;

as monitored by the Key Individual on a regular basis by the random sampling of client files, and the completion of annual performance appraisals and progress assessments.

#### **4B Management of other identified conflicts**

The measures *POINT CAPITAL MANAGEMENT (PTY) LTD* have adopted to manage identified conflicts are further summarized below. We consider them appropriate to our efforts to take reasonable care that, in relation to each identified potential conflict of interest, we act impartially to avoid a material risk of harming clients' interests.

- **Procedures:**

We have adopted the following appropriate procedures throughout our business to manage potential conflict of interest:

- Our representatives, associates and employees receive training to ensure understanding and adoption of conflict of interest policy and management measures;
- we monitor which product suppliers each representative quotes and places business with; suitability of product to clients' needs and objectives; comparison of products and product suppliers;
- where we hold a short term insurance binder or provide white label funds or manage our own Category II funds, we ensure that clients are aware of our connection to the product in question and that the reasoning and motivation behind recommending or using these products is well documented;
- we conduct regular inspections on all commissions, remuneration, fees and financial interests proposed or received, in order to avoid non-compliance;
- we maintain a register of conflicts of interest.

- **Confidentiality barriers:**

Our representatives, associates and employees respect the confidentiality of client information and disclose or use it with circumspect. No such information may be disclosed to a third party without the written consent of a client. We have a confidentiality clause in our Disclosure Letter and client confidentiality is covered in our POPI Policy.

- **Monitoring:**

The key individual or internal compliance officer in charge of supervision and monitoring of this policy will regularly provide feedback on all related matters. The policy will be reviewed as and when necessary.

- **Disclosure:**

Where there is no other way of managing a conflict, or where the measures in place do not sufficiently protect clients' interests, the conflict must be disclosed to allow clients to make an informed decision on whether to continue using our service in the situation concerned. In all cases, where appropriate and where determinable, the monetary value of non-cash inducements will be disclosed to clients.

- **Publication:**

We will publish our conflict of interest management policy in appropriate media and ensure that it is easily accessible for public inspection at all reasonable times.

- **Report:**  
If required, the provider or key individual will include a report on the conflict of interest management policy in the annual compliance report submitted to the Registrar.
- **Declining to act:**  
We may decline to act for a client in cases where we believe the conflict of interest cannot be managed in any other way.

#### **4C Consequences of non-compliance with this Policy**

The consequences for non-compliance with/breach of this Policy, include:

- A disciplinary hearing
- A written warning
- Debarment
- FSCA Enforcement

#### **5. Disclosure of Associates/Ownership Interest**

##### **i) The FSP or representatives of the FSP have ownership interest in the following third parties:**

Name of representative: Ross Reuvers

Name of third party: Red Matter (Pty) Ltd.

Nature of interest: Shareholding

Extent of interest: > 30%

Name of representative: Edo Brasecke

Name of third party: Red Matter (Pty) Ltd.

Nature of interest: Shareholding

Extent of interest: > 20%

##### **ii) The following Third parties have ownership interest in the FSP:**

Name of third party: Red Matter (Pty) Ltd.

Nature of interest: Point Capital Management (Pty) Ltd

Extent of interest: Wholly owned subsidiary of Red Matter (Pty) Ltd.