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PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) MANUAL

OF

FXFLOW (PTY) LTD
(Hereinafter referred to as “FXFlow”)

Prepared in accordance with Section 51 of The Promotion
of Access to Information Act 2 of 2000 (the “Act”).



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1. INTRODUCTION

The Promotion of Access Information Act, No. 2 of 2000 (the “Act”) was enacted on 3 February 2000, giving effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 (‘the Constitution’) of access to any information held by the state and any information that is held by another person that is required for the exercise of protection.

In terms of Section 51 of the Act, all Private Bodies are required to compile an Information Manual (“PAIA Manual”). This PAIA manual provides an outline of the type of records it holds and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000.

Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and/or regulatory requirements, except where the Act expressly provides that the information may or must not be released. The Act sets out the relevant procedure to be adopted when requesting information from a public or private body.

FXFlow (Pty) Ltd is fully committed to the implementation of PAIA in a positive and proactive manner in order to ensure that information under its control is available and accessible, and thus to give effect to the letter and spirit of the fundamental right of access to information and of the constitutional principles.

2. CONTACT DETAILS OF THE CHIEF EXECUTIVE OFFICER (SECTION 51(1)(a)).

Chief Executive Officer: Mr Andries Brink
Registered address: 8a Jellicoe Avenue, Rosebank, Johannesburg, South Africa, 2196
Postal address: 8a Jellicoe Avenue, Rosebank, Johannesburg, South Africa, 2196
Telephone number: 011 042 7182
Website: <https://www.fxflow.>

3. THE INFORMATION OFFICER (SECTION 51(1)(b))

- 3.1. The Information Officer is responsible to, inter alia, assess requests for access to information.
- 3.2. The Head of private body fulfils such function in terms of Section 51 of the Act. FXFlow has opted to appoint an Information Officer to assess requests for access to information as well as to oversee its required functions in terms of the Act.
- 3.3. The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013 (“POPI Act”). The Information Officer oversees the functions and responsibilities as required in terms of both this Act as well as the duties and responsibilities in terms of Section 55 of the POPI Act after registering with the Information Regulator.
- 3.4. The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of Section 17 of the Act as well as Section 56 of the POPI Act.
- 3.5. All requests for information in terms of the Act must be addressed to the Information Officer.



Contact details of the Information Officer

Information Officer: Mrs. Anke Roux
Physical Address: 8a Jellicoe Avenue, Rosebank, Johannesburg, 2196
Telephone: +27 11 042 7182
E-mail: info@fxflow.co

4. GUIDE OF ALL MANUALS IN THE REPUBLIC OF SOUTH AFRICA (SECTION 10).

- 4.1. The South African Human Rights Commission has published the guide as is prescribed by Section 10 of the Promotion of Access to Information Act. The guide is available at the offices of the South African Human Rights Commission
- 4.2. Any enquiries regarding this Guide should be directed to;

The South African Human Rights Commission, at:
PAIA Unit (The Research and Documentation Department),
Address: Private Bag X2700, Houghton, 2041.
Telephone: +27 11 877 3803
Facsimile: +27 11 403 0625
Website: www.sahrc.org.za
E-mail: section51.paia@sahrc.org.za

- 4.3. The contact details of the Information Regulator are:
Postal address: PO Box 31533, Braamfontein, Johannesburg, 2017
Website: <https://www.justice.gov.za/inforeg>
Email: inforeg@justice.gov.za

5. THE LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY).

- 5.1. At the time of publication of this PAIA Manual no notice has been published on the categories of records that are automatically available without a person having to request access in terms of the Act.

6. APPLICABLE LEGISLATION.

- 6.1. Where applicable to its operations, FXFlow also retains records and documents in terms of the legislation listed below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act. The below mentioned legislation, and applicable internal policies and procedures, should be interested parties, and be entitled to such information. A request to access information must be done in accordance with the prescriptions of the Act.



No.	Act
1.	Basic Conditions of Employment Act No. 75 of 1997
2.	Broad-Based Black Economic Empowerment Act, 2003
3.	Business Act No. 71 of 1991
4.	Companies Act no. 71 of 2008
5.	Compensation of Occupational Injuries and Diseases Act No. 130 of 1993
6.	Competition Act No.98 of 1978
7.	Constitution of the Republic of South Africa 2008
8.	Copyright Act no.98 of 1978
9.	Electronic Communications Act No.36 of 2005
10.	Electronic Communications and Transaction Act No. 25 of 2002
11.	Financial Advisory and Intermediary Service Act of 2002
12.	Income Tax Act No. 58 of 1962
13.	Intellectual Property Laws Amendments Act 38 of 1997
14.	Labour Relations Act no.66 of 1995
15.	Leases of Land Act No. 18 of 1969
16.	Occupational Health and Safety Act No.85 of 1993
17.	Promotion of Access to Information Act No. 2 of 2000
18.	Protection of Personal Information Act No. 4 of 2013
19.	Unemployment Contributions Act 63 of 2001
20.	Unemployment Insurance Act No. 30 of 1996
21.	Value Added Tax Act 89 of 1991

7. AUTOMATICALLY AVAILABLE INFORMATION.

- 7.1. Information of a public nature, typically those disclosed on the FXFlow website and in its various annual reports may be accessed without the need to submit a formal application.
- 7.2. Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such information will still have to be made with the Information Officer.



8. SCHEDULE OF RECORDS (SECTION 51(1)(d)).

- 8.1.** FXFlow holds and maintains records on the following categories of information. Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a “case by case” basis in accordance with the provisions of the Act.
- 8.2.** The following records are only available on request to access in terms of Section 51(1)(d) of the Act.
- 8.2.1.** Internal Records
- Memorandum and Articles of Association
 - Financial records
 - Operational records
 - Intellectual Property
 - Marketing records
 - Product records
 - Statutory records
 - Internal policies and procedures
- 8.2.2.** Personnel Records
- 8.2.2.1.** Personnel refers to any person who works for or provides services to or on behalf of FXFlow and received or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of FXFlow. This includes, without limitation, directors, executive directors, non-executive directors, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:
- Any personal records provided to FXFlow by their personnel;
 - Any records a third party has provided to FXFlow about any of their personnel;
 - Conditions of employment and other personnel-related contractual and quasi legal records;
 - Internal evaluation records; and
 - Other internal records and correspondence.
- 8.2.3.** Client Records
- 8.2.3.1.** Client refers to any natural or juristic entity that receives services from FXFlow.
- 8.2.3.2.** FXFlow undertakes to protect the confidential information of its Clients. Please motivate any request for Client information very carefully, having regard to the Grounds for Refusal of Access to Records provided for in Sections 62 to 67 of the Act.
- 8.2.3.3.** Client Information includes:
- Records provided by a Client to a third party acting for or on behalf of FXFlow;
 - Records provided by a third party;
 - Records generated by or within FXFlow relating to its Clients, including transactional records;
 - Personal records of Clients;
 - Confidential, privileged, contractual and quasi legal records of Clients;



8.2.4. Technical Records

8.2.4.1. Technical records generated by, or within FXFlow pertaining to Clients.

8.2.5. Other Parties

8.2.5.1. Records are kept in respect of other parties, including without limitation contractors, suppliers, joint ventures, service providers and general market conditions. In addition, such other parties may possess records, which can be said to belong to FXFlow. The following records fall under this category:

- Personnel, Client or FXFlow records which are held by another party as opposed to being held by FXFlow; and
- Records held by FXFlow pertaining to other parties, including financial records, correspondence, contractual records, electronic mail, logs, cached information, records provided by the other party, and records third parties have provided about the contractors/ suppliers or Client.

8.2.6. Other records

8.2.6.1. Further records are held including:

- Information relating to FXFlow's own commercial activities; and
- Research carried out on behalf of a client by FXFlow or commissioned from a third party for a Client;
- Research information belonging to FXFlow, whether carried out itself or commissioned from a third party.

9. **PROTECTION OF PERSONAL INFORMATION ACT 4 of 2013 (section 51 (1) (c) of the Act)**

9.1. FXFlow processes personal information for the following purposes:

- 9.1.1. For purposes of rendering its services to the Practices and for purposes of undertaking activities related to the provision of its services to the Practices, which includes the administration services rendered by FXFlow in relation to the Practices;
- 9.1.2. For purposes of complying with its statutory and contractual obligations including towards its service providers, suppliers and the Practices;
- 9.1.3. For purposes of compiling and maintaining accounting and financial records;
- 9.1.4. General business administration;

9.2. Description of the categories of data subjects:

- 9.2.1. Clients and Partners of FXFlow;
- 9.2.2. Persons whose personal information is provided to FXFlow by the Clients and/or Partners for purposes of enabling FXFlow to render its services on behalf of the Clients and/or Partners;
- 9.2.3. Service providers, suppliers, vendors and agents of FXFlow; and
- 9.2.4. Employees and independent contractors of FXFlow.

9.3. Nature of the personal information processed in relation to data subjects:

- 9.3.1. Information relating to the race, gender, sex, marital status, nationality, origin, colour, age, well-being, disability, culture and language.
- 9.3.2. Information relating to the education or the medical, financial, criminal or employment history of the person;



- 9.3.3. Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
 - 9.3.4. The biometric information of the person;
 - 9.3.5. The personal opinions, views or preferences of the person;
 - 9.3.6. 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;
 - 9.3.7. The views or opinions of another individual about the person; and
 - 9.3.8. 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.
- 9.4. The recipients or categories of recipients to whom the personal information may be supplied:
- 9.4.1. Service providers, vendors, agents and representatives of FXFlow;
 - 9.4.2. Suppliers rendering services to FXFlow for purposes of, inter alia, enabling FXFlow to render its services to our Clients and/or Partners;
 - 9.4.3. Employees and independent contractors of FXFlow;
 - 9.4.4. Banks and other financial institutions; and
 - 9.4.5. Regulatory, statutory and government bodies.
- 9.5. Trans border transfer of Personal Information:
- 9.5.1. FXFlow may transfer your Personal Information cross border, outside of the Republics of the United Kingdom, of Netherlands and of South Africa for legitimate business purposes and as expressly provided for in POPIA and in the other legislation to the extent applicable. We shall ensure that the cross-border transfer of all such Personal Information will comply with the applicable laws.
 - 9.5.2. Although absolute security cannot be guaranteed on digital platforms used by FXFlow, we have implemented up-to-date, appropriate reasonable technical and organisational security measures in an effort to ensure the integrity and confidentiality of your Personal Information obtained by us in an effort to prevent the loss of, damage to, or the unauthorised destruction of your Personal Information and in an effort to prevent the unlawful access to, or processing of your Personal Information.
 - 9.5.3. While we cannot warrant the security of any of your Personal Information obtained by us we will take reasonable measures to continue to identify all reasonably foreseeable internal and external risks to your Personal Information in our possession or under our control, shall establish and maintain appropriate safeguards against the risks identified, shall regularly verify that our safeguards are effectively implemented and shall ensure that our safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards. We shall have due regard to generally accepted information security practices and procedures which may apply to us generally, or be required in terms of specific industry or professional rules and regulations.
 - 9.5.4. We store your Personal Information directly, or alternatively, store your Personal Information on, and transfer your Personal Information to, a central database. If the location of the central database is outside of the borders of South Africa, the United Kingdom or the Netherlands as the case may be, and is located in a country that does not have substantially similar laws in comparison to POPIA and/or the GDPR (whichever is applicable) which provide for the protection of Personal Information, we will take the necessary steps to ensure that your Personal



Information is adequately protected in that jurisdiction by means of ensuring that standard data protection clauses are enforced as envisaged by POPIA and/or the GDPR to the extent applicable.

- 9.5.5. The Personal Information we obtain pertaining to you shall only be accessed by our employees, representatives, contractors and other third parties on a need-to-know basis and for legitimate purposes, and subject to reasonable confidentiality obligations binding such persons.
- 9.5.6. We will not sell, share, or rent your Personal Information to any third party or use your email address for unsolicited mail unless expressly consented to by you. Any emails sent by us will only be in connection with the provision of our services and/or the marketing thereof.

10. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION. (SECTION 51(1)(e)).

- 10.1 Requests for access to records held by the FXFlow must be made on the prescribed form that is attached as Annexure A hereto. The prescribed form is available on the website of the South African Human Rights Commission at www.sahrc.org.za.
 - 10.1.1 Note that requests will only be processed upon payment of the prescribed fees.
 - 10.1.2 The standard form that must be used for the making of requests. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.
- 10.2 Requests for access to records must be made to our Information Officer at the address or electronic mail address provided for in clause 3 above.
- 10.3 Provide sufficient details to enable FXFlow to identify:
 - 10.3.1 The record(s) requested;
 - 10.3.2 The requester (and if an agent is lodging the request, proof of capacity);
 - 10.3.3 The form of access required;
 - 10.3.4 The postal address or electronic email of the requester in the Republic of South Africa;
 - 10.3.5 If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - 10.3.6 The requester must specify the right which he/she is seeking to exercise or protect. The requester must provide a reason for the requested record in order to exercise or protect the right.
- 10.4 Kindly note that all requests to FXFlow will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by FXFlow does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

11. TURN AROUND TIMES FOR ATTENDING TO REQUESTS

- 11.1. FXFlow will within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 11.2. The 30 (thirty) day period within which FXFlow has to decide whether to grant or refuse the request for a further period of not more than 30 (thirty) days if the request is for a large number of information, or the request requires a search for information and the information cannot reasonably be obtained within the original 30 (thirty) day period.
- 11.3. FXFlow will notify the requester in writing should an extension be sought.



12. PRESCRIBED FEES (SECTION 51(1)(f)).

The following applies to requests (other than personal requests):

- 12.1. There are two types of fees to be paid in terms of the Act, namely;
 - 12.1.1. The request fee and;
 - 12.1.2. The access fee.
- 12.2. Refer to Annexure B attached hereto for the prescribed fee schedule.
- 12.3. A requester who seeks access to a record containing own personal information (a “personal requester”) is not required to pay the request fee.
- 12.4. A requester is required to pay the prescribed fees before a request will be processed;
- 12.5. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request was granted);
- 12.6. A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 12.7. Records may be withheld until the fees have been paid;
- 12.8. The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za.

13. PAYMENT OF FEES

- 13.1. The initial request fee must be deposited into the bank account below and a copy of the deposit slip, application form and other correspondence/documents must be forwarded to the Information Officer via e-mail;
- 13.2. All fees must be deposited into the following bank account;

Banking Institution:	Standard Bank
Account Name:	FxFlow Pty Ltd
Account Number:	0026 843 73
Branch Code:	002305
Reference:	DD/MM/YYYY Surname and Initials of Requester

- 13.3. All fees are subject to change as allowed for in the Act and as a consequence such escalations may not always be immediately available at the time of the request being made Requesters shall be informed of any changes in the fees prior to making a payment.

14. AVAILABILITY AND UPDATING OF PAIA MANUAL

FXFlow will update this manual at such intervals as may be deemed necessary. This manual of FXFlow is available on its website www.fxflow.co.



ANNEXURE “A”:

FORM A

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)**

[Regulation 10]

A. Particulars of private body

Chief Executive Officer: Mr. Andries Brink
Information Officer: Mrs. Anke Roux
Physical Address: 8a Jellicoe Avenue, Rosebank, Johannesburg, South Africa, 2196
Postal address: 8a Jellicoe Avenue, Rosebank, Johannesburg, South Africa, 2196
Telephone: +27 11 042 7182
E-mail: info@fxflow.co
Website: <https://www.fxflow.co/>

B. Particulars of person requesting access to the record

- (a) The particulars of the person who lodges the internal appeal must be given below.
- (b) Proof of the capacity in which appeal is lodged, if applicable, must be attached.
- (c) If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be given at C below.

Full names and surname: _____

Identity number: _____

Postal address: _____

Telephone number: _____

E-mail address: _____

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal.



Full names and surname: _____

Identity number: _____

Postal address: _____

Telephone number: _____

E-mail address: _____

Capacity in which request is made, when made on behalf of another person (i.e parent, legal guardian, attorney): _____

D. Particulars of record and reason for request

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, and/or the Department/person where it is held, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional forms.

1. Description of record or relevant part of the record:

2. Reference number, if available: _____



Any further particulars of record:

3. Reason for requesting above information:

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee of R35.00 has been paid.
- (b) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record. For an indication of the fees payable, consult Annexure "C".

Reason for exemption from payment of fees:



F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:

Alternative form in which record is required:

PLEASE NOTE:

Compliance with your request in the specified form may depend on the form in which the record is available.

Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.

(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.

Mark the appropriate box with an X.

1. If the record is in written or printed form:

copy of record* inspection of record

2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)

view the images copy of the images” transcription of the images*



3. If record consists of recorded words or information which can be reproduced insound:

listen to the soundtrack
audio cassette

transcription of soundtrack*
written or printed document

4. If record is held on computer or in an electronic or machine-readable form:

printed copy of record*

printed copy of information
derived from the record"

copy in computer readable form*
(stiffy or compact disc)

If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

Please note: Postage is payable.

YES

NO

Note that access will be granted in the language in which the record is available.

G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at..... This..... day of20.....

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE



ANNEXURE “B”:

FORM B

Schedule of Fees	
Description:	Fee
The fee for a copy of the manual as contemplated in regulation 5(c) is R0, 60 for every photocopy of an A4-size page or part thereof	R0.60
Reproduction Fess: Regulation 7(1):	
For every photocopy of an A4-size page or part thereof	R0.60
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.40
For a copy in a computer- readable form on:	
(i) Stiff disc	R5.00
(ii) Compact disc	R40.00
For a transcription of visual images:	
(i) for A4-size page or part thereof	R22.00
(ii) copy of visual images	R60.00
(iii) transcription of an audio record, A4 size page or part thereof	R12.00
(iv) copy of an audio record	R17.00
Request fee payable by a requester, other than a personal requeste	R35.00
Search Fees- to search and prepare a record for disclosure. The fee is charged per hour (or part of the hour); however the first hour is free.	R15.00
For purposes of section 22(2) of the Act, the following applies:	
(a) Six hours as the hours to be exceeded before a deposit is payable; and	
(b) one third of the access fee is payable as a deposit by the requester.	
The actual postage is payable when a copy of a record must be posted to a requester.	

Please note: All fees are subject to change as allowed for in the Act and as a consequence such escalations may not always be immediately available at the time of the request being made. Requesters shall be informed by any changes in the fees prior to making a payment.