



## **PAIA MANUAL**

## The Promotion Of Access To Information Act

### 1. LIST OF 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;
- 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 Midori FX (Pty) Ltd

#### 3.1. Chief Information Officer

Name: Fransoa Daniel Swart  
Tel: 0828934101  
Email: admin@midorifx.com

#### 3.2. Deputy Information Officer

Name: Fransoa Daniel Swart  
Tel: 0828934101  
Email: admin@midorifx.com

#### 3.3 Access to information general contacts

Email: *support@midorifx.com*

#### 3.4 National or Head Office

Postal Address: 697 Jacques Street, Moreleta Park, Pretoria, Gauteng, 0181, South Africa

Physical Address: 697 Jacques Street, Moreleta Park, Pretoria, Gauteng, 0181, South Africa

Telephone: 0828934101

Email: support@midorifx.com

Website: <https://www.midorifx.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;

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 PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>;

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 11<sup>3</sup>; and

4.3.3.2. access to a record of a private body contemplated in section 50<sup>4</sup>;

4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;

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<sup>1</sup> 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.*

<sup>2</sup> 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.*

<sup>3</sup> 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.*

<sup>4</sup> 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.*

- 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 14<sup>5</sup> and 51<sup>6</sup> 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 15<sup>7</sup> and 52<sup>8</sup> 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 22<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access; and

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<sup>5</sup> 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.

<sup>6</sup> 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.

<sup>7</sup> 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

<sup>8</sup> 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

<sup>9</sup> 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.

<sup>10</sup> 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.

- 4.3.10. the regulations made in terms of section 92<sup>11</sup>.
- 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/inforeg/>).
- 4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
  - 4.6.1 English
  - 4.6.2 Afrikaans

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<sup>11</sup> 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.”

**5. CATEGORIES OF RECORDS OF MIDORI FX (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

Category of records	Types of the Record	Available on Website	Available upon request
Corporate Governance	Policies	X	
Operations	Telephone and communication records		X
Public Affairs	Public product information Media Releases	X	
Information technology	Warranties, company information and resources. Industry journals	X	
Marketing	Market information		X

**6. DESCRIPTION OF THE RECORDS OF MIDORI FX (PTY) LTD 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
Employment Equity Act	No 55 of 1998
Income Tax Act	No 95 of 1967



Value Added Tax Act	No 89 of 1991
Financial Advisory and Intermediary Services Act	No 37 of 2002
Basic Conditions of Employment Act	No 75 of 1997
Electronic Communications and Transactions Act	No 25 of 2002
Disaster Management Act	No 57 of 2002
Financial Institutions (Protection Of Funds) Act	No 28 of 2001
Financial Intelligence Centre Act	No 38 of 2001
Financial Markets Act	No 19 of 2012
Financial Sector Regulation Act	No 9 of 2017
Financial Services Board Act	No 97 of 1990
Financial Services Ombud Schemes Act	No 37 pf 2004
Occupational Health and Safety Act	No 85 of 1993
Prevention and Combating of Corrupt Activities Act	No 12 of 2004
Prevention of Organized Crime Act	No 121 of 1998
Promotion of Equality and Prevention of Unfair Discrimination Act	No 4 of 2000
Protection of Constitutional Democracy Against Terrorist and Related Activities Act	No 33 of 2004
Protection of Personal Information Act	No 4 of 2013

**7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY MIDORI FX (PTY) LTD**

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	<ul style="list-style-type: none"> <li>- HR policies and procedures</li> <li>- Advertised posts</li> <li>- Employees records</li> </ul>

**8. PROCESSING OF PERSONAL INFORMATION**

**8.1 Purpose of Processing Personal Information**

The primary purpose for processing personal information is to comply with regulatory requirements and ensure the integrity of financial transactions. This includes verifying the identity of clients, assessing their eligibility and appropriateness, and monitoring and preventing fraudulent activities. Additionally, the processing of personal information helps in managing and mitigating risks associated with financial transactions, ensuring compliance with anti-money laundering (AML) and know your customer (KYC) regulations, and maintaining the overall security and trustworthiness of the financial services provided.

**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
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
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
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**

Personal information will be stored on the cloud on Microsoft Azure servers hosted in the United Kingdom.

#### **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**

Data Encryption; Anti-virus and Anti-malware Solutions.

### **9. AVAILABILITY OF THE MANUAL**

9.1 A copy of the Manual is available-

9.1.1 on <https://www.midorifx.com>

9.1.2 head office of Midori FX (Pty) Ltd 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 head of a Midori FX (Pty) Ltd will on a regular basis update this manual.

*Issued by*



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*Fransoa Daniel Swart*

*CEO & Director*