

PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

(PAIA)



KHWEZI FINANCIAL SERVICES (PTY) LTD

AUTHORISED FSP (44816) AND FSCA LICENCED ODP

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1. DEFINITIONS

- 1.1. **Data Subject** means the person to whom the Personal Information relates;
- 1.2. **FAIS Act** means the Financial Advisory and Intermediary Services Act, No. 37 of 2002;
- 1.3. **FSCA** means the Financial Sector Conduct Authority;
- 1.4. **FSP** means financial services provider;
- 1.5. **Information Regulator** means the Office of the Information Regulator as established in terms of section 39 of POPIA, to monitor and enforce compliance with both POPIA and PAIA;
- 1.6. **PAIA** means the Promotion of Access to Information Act No. 2 of 2000, as amended;
- 1.7. **Personal Information** means any information relating to an identifiable natural person, or to the extent applicable, a juristic person. This includes, but is not limited to information relating to race, gender, sex, pregnancy, marital status, ethnic and social origin, colour, sexual orientation, age, physical or mental health, religion, disability, language, information relating to educational, medical, financial, criminal or employment history, any identifying number, email address, physical address, telephone number, location information, online identifier or biometric Personal Information;
- 1.8. **PoPIA** means the Protection of Personal Information Act No.4 of 2013;
- 1.9. **Process or Processing** means any activity concerning Personal Information including the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use, dissemination by means of transmission, distribution or making available in any other form, or merging, linking, as well as restriction, degradation, erasure or destruction of information;
- 1.10. **Record/s** means any recorded information regardless of the form, including, for example, written documents, audio, digital and video materials. A Record requested from a public or private body refers to a Record that is in that body's possession regardless of whether that body created the Record;
- 1.11. **Responsible Party** 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 Personal Information.
- 1.12. **Requester:** *The requester is any person(s) (Natural Person) and/or external or 3rd party requesting Information from an FSP*

2. INTRODUCTION

- 2.1. Khwezi Financial Services (Pty) Ltd is an authorised FSP in terms of the FAIS Act and is regulated by the FSCA. The FSP number is 44816.
- 2.2. Khwezi is a proudly South African Forex broker regulated by the FSCA and authorised as an ODP. A leader in the SA online trading industry, Khwezi Financial Services is one of the first to be awarded an Over the Counter (OTC) licence. As a local broker, we offer Rand-based forex and CFD trading accounts. All client funds are held in truly segregated and personalised South African Bank accounts. Our withdrawals are processed daily. We strive to give you the best online trading environment, at the lowest spreads with zero commission

3. PURPOSE OF PAIA MANUAL

- 3.1. This PAIA Manual may be used by the public to:
 - check the categories of Records held by the FSP that are available without having to submit a formal PAIA request;
 - understand how to make a request for access to a Record of the FSP, by providing a description of the subjects on which the FSP holds Records and the categories of Records held on each subject;
 - know which Records of the FSP are available in accordance with other legislation;
 - access the relevant contact details of the persons who will assist the public with the Records they intend to access;
 - know where to access the Information Regulators guide on how to use PAIA;
 - know whether the FSP will process personal information, for what purpose personal information is processed and the description of the categories of data subjects and of the information or categories of information relating thereto;
 - know the recipients or categories of recipients to whom the personal information may be supplied;
 - know if the FSP 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

know whether the FSP has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. COMPANY CONTACT DETAILS

4.1. Chief Information Officer

Name: Thomas John Coetzee
Tel: +27 (0) 21 300 3117
Email: sean@khwezifs.co.za
Fax number: N/A

4.2. Deputy Information Officer

Name: Monty Barnard
Tel: +27 (0) 21 300 3117
Email: monty@khwezifs.co.za
Fax Number: N/A

4.3. Access to general information / general contacts

Email: info@khwezifs.co.za

4.4. Company Head Office / National

Postal Address: 1020 Manhattan Place, 130 Bree Street, Cape Town, 8001
Physical Address: 1020 Manhattan Place, 130 Bree Street, Cape Town, 8001
Telephone: +27 (0) 21 300 3117
Email: info@khwezifs.co.za / admin@khwezifs.co.za
Website: <https://khwezitrade.co.za/>

5. ACCESS TO RECORDS

5.1. PAIA grants a requester access to certain Records of a private body if the said Records are required to exercise or protect any rights of the requester. Should a public body lodge such a request, it must be acting in the public interest.

5.2. Any request for information in terms of PAIA, must be made in accordance with the prescribed form and manner, at the rates provided. The prescribed form and manner and the tariff are dealt with in sections 6 and 7.

5.3. The contact details of the Information Regulator are as follows:

Postal Address: : PO Box 31533, Braamfontein, Johannesburg, 2017

E-mail address : infoereg@justice.gov.za

Website : <https://infoeregulator.org.za/>

- 5.4. The Information Regulator has, in terms of section 10(1) of PAIA, as amended, made available a Guide on how to use PAIA (the 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. The Guide is available in each of the official languages and in braille, and can be obtained from the Information Regulator's website at <https://infoeregulator.org.za/paia-guidelines/>

If your PAIA request is denied, or there is no response from a public or private body for access to Records, a complaint can be lodged with PAIAComplaints@infoeregulator.org.za

6. SCHEDULE OF RECORDS

- 6.1. The table below includes categories of records held, which describe or specify different types of records available to access on Khwezi Financial Services (pty) Ltd website. These are mostly records that maybe available on the website and a person may just download or request telephonically or by sending an email or a letter.
- 6.2. The below also indicates the categories of records which are available without a person having to request access in terms of of PAIA

CATEGORY OF RECORDS	TYPE OF RECORDS	AVAILABLE ON WEBSITE	REQUEST ACCESS
<ul style="list-style-type: none">Marketing related;	<ul style="list-style-type: none">Marketing support (Marketing guidance and assistance with landing page designs and campaign promotions)	X	X
<ul style="list-style-type: none">Human Resources;	<ul style="list-style-type: none">HR PoliciesEmployment records		X

<ul style="list-style-type: none"> Client related; 	<ul style="list-style-type: none"> Blog (latest market related news articles) Khwezi FS newsletters Referral Program (Partnership options: Lead Generators / Affiliates) 	X	X
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7. RECORDS AVAILABLE IN TERMS OF SOUTH AFRICAN LEGISLATION

CATEGORY OF RECORD	APPLICABLE LEGISLATION
<ul style="list-style-type: none"> Memorandum of Incorporation 	<ul style="list-style-type: none"> Companies Act, 71 of 2008
<ul style="list-style-type: none"> PAIA Manual 	<ul style="list-style-type: none"> Section 14 of the promotion of Access to Information Act 2 of 2000

8. DESCRIPTION OF THE SUBJECTS ON WHICH THE FSP HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE COMPANY

SUBJECT	CATEGORY OF RECORDS HELD
<ul style="list-style-type: none"> Strategic Documents 	<ul style="list-style-type: none"> Annual Reports Strategic Plan Annual Performance Plan
<ul style="list-style-type: none"> Human Resources (HR) 	<ul style="list-style-type: none"> HR policies and procedures Advertised posts Employees records Learning and development (Skills development and training plans) Employment equity plan and statistics

9. FORM OF A REQUEST FOR INFORMATION

- 9.1. A requester must use the prescribed Form 2 to request access to the information as per paragraph 6 above.
- 9.2. Form 2 can be accessed at the following URL: <https://infoeregulator.org.za/paia-forms/>
- 9.3. The request must be addressed to the Information Officer, as well as Deputy Information Officer as indicated in clause 4.

9.3.2 Chief Information Officer

Name: Thomas John Coetzee
Tel: +27 (0) 21 300 3117
Email: sean@khwezifs.co.za
Fax number: N/A

9.3.3 Deputy Information Officer

Name: Monty Barnard
Tel: +27 (0) 21 300 3117
Email: monty@khwezifs.co.za
Fax Number: N/A

- 9.4. The requester must provide sufficient detail on Form 2 to enable the Information Officer of the company to establish who is requesting the said information as well as what information is being requested and in what format.
- 9.5. The requester must provide sufficient detail in respect of his/her contact details and if the requester wishes to be informed of the decision of the company in any manner (in addition to written) the manner and particulars thereof.
- 9.6. Lastly, the right which the requester is seeking to exercise or protect with an explanation of the reason the Record is required to exercise or protect the right.
- 9.7. *After the company has decided on the request, the requester must be notified in the required form; such as;*

9.7.1 Upon completion of Form 2 by the Requester, whereby filling in and authorizing the necessary details and information; the Requester is expected to notify the above and below-mentioned person(s); preferably by contacting any of the above and below-mentioned individuals, as well as respond via email to,

- **Chief Information Officer, as well as**
- **Deputy Information Officer**

- 9.8. If the request is granted, then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hour to search and prepare the Record for disclosure.
- 9.9. If the request is refused in terms of either the mandatory or discretionary grounds of refusal, the FSP must notify the requester thereof.

10. PRESCRIBED FEES

- 10.1. A requester who seeks access to a Record containing Personal Information about that requester is **not** required to pay a request fee.
- The above-mentioned statement; refers to “requester” as an existing client of Khwezi FS, should the Client of Khwezi FS seek access to a Record, which refers to the Client of Khwezi FS in reference to himself or herself, containing Personal Information related to himself or herself, is **not** required to pay the prescribed fees as stated below, however, the existing Client of Khwezi FS will be required and expected to provide relevant FICA documents, as supporting documents, for the purpose of Khwezi FS to verify and confirm the existence of the said, Client of Khwezi FS.
- 10.2. Every other requester, not a personal requester, this refers to that of a Private Company or Business, non-existing client of Khwezi FS which would therefore be unable to provide the relevant documentation related to verification as per FICA, **must pay or is obligated to pay** the required request fee, as prescribed from time to time.
- 10.3. The request fee is is **R100** (excl. VAT) and may change from time to time.
- 10.4. 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 were granted).
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- 10.5. **Records may be withheld until the fees have been paid.**
- 10.6. Fees applicable in respect of private bodies are as per Annexure B of the regulations to PAIA.

11. PROCESSING OF PERSONAL INFORMATION IN TERMS OF PoPIA

- 11.1. The FSP may be required to Process Personal Information in terms of PoPIA.
- 11.2. A Data Subject is entitled to access the Personal Information held by a Responsible Party, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the Personal Information.
- 11.3. To view the FSPs Privacy Policy, contact the Information Officer as per clause 4.

12. AVAILABILITY OF THE MANUAL

12.1. This manual is available for inspection at the offices of the company during normal business hours free of charge upon prior arrangement with the Information Officer of the company as per clause 4.

12.2. A copy is also made available on the website of the FSP.

12.3. Authorization of Khwezi Financial Services – PAIA Manual:

Name : Monty Barnard

Signature : 

Designation : Chief Operating Officer

Name : Mark Wurr

Signature : 

Designation : Head of Compliance

Signed on this day of 24 October 2023 at Khwezi Financial Services (Cape Town Office)

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