



PAIA Information Manual

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1. INTRODUCTION

This Information Manual is published in accordance with the requirements of Section 51 of the Promotion of Access to Information Act, 2 of 2000 ("PAIA"). PAIA was enacted to give effect to the constitutional right of access to information held by the State or any other person that is required for the exercise or protection of any rights.

AzurevistaFX (Pty) Ltd, trading as Riverquode.com, acknowledges its obligations under PAIA and confirms its commitment to facilitating access to records held by the Company in a manner that is open, transparent, and consistent with the applicable legal framework.

This manual aims to assist requesters in understanding the procedure to be followed when requesting access to information, the types of records held by the Company, and the process through which such records may be accessed, subject to limitations outlined in the Act.

2. DEFINITIONS

PAIA means the Promotion of Access to Information Act 2 of 2000.

POPI means the Promotion of Personal Information Act 4 of 2013.

Information Regulator means the Regulator established in terms of Section 39 of POPI.

Person means a natural person or juristic person.

Private body means:

- a natural person who carries or has carried on any trade, business or profession, but only in such capacity a partnership which carries or has carried on any trade, business or profession; or
 - any former or existing juristic person, but excludes a public body
- Public body** means:
- any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
 - any other functionary or institution when:
 - exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or

exercising a public power or performing a public function in terms of any legislation.

Head, in relation to, a private body means:

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- in the case of a natural person, that natural person or any person duly authorised by that natural person.
- in the case of a partnership, any partner of the partnership or any person duly authorised by the partnership.
- in the case of a juristic person:
 - The chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer: or
 - the person who is acting as such or any person duly authorised by such acting person.

Information Officer means the head of a private body.

Deputy Information Officer means the person to whom any power or duty conferred or imposed on an Information Officer by POPI has been delegated.

Requester in relation to a private body, means any person, including, but not limited to public body or an official thereof, making a request for access to a record of the organisation or a person acting on behalf of such person.

Personal Requester means a requester seeking access to a record containing personal information about the requester.

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: 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; information relating to the education or the medical, financial, criminal or employment history of the person; any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person, the biometric information of the person; the personal opinions, views or preferences of the person; 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; the views or opinions of another individual about the person; and 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.

Request for access means a request for access to a record of the organisation in terms of section 50 of PAIA.



Record means any recorded information regardless of the form or medium, in the possession or under the control of the organisation irrespective of whether or not it was created by the organization.

Data Subject means the person to whom personal information relates.

Third Party in relation to a request for access to a record held by the organisation, means any person other than the requester.

Processing means any operation or activity or any set of operations, whether or not by automatic means, 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.

3. AVAILABILITY OF THIS MANUAL

The requester, can access this Manual on our website <https://www.riverquode.com> or by requesting a copy by e-mail from the Company's Information Officer or Deputy Information Officer: Office: 2ND FLOOR NORWICH PLACE, NORWICH CLOSE, SANDOWN SANDTON, GAUTENG, 2031 South Africa

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4. RECORDS HELD BY THE COMPANY

The Company maintains records on the following categories and subject matters. 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 granted. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

4.1. Internal records

The following are records pertaining to AZUREVISTAFX (PTY) LTD own affairs:

- ✓ Financial records;
- ✓ Operational records; ✓ Intellectual property.
- ✓ Marketing records.
- ✓ Internal correspondence.
- ✓ Statutory records.
- ✓ Internal policies and procedures; and
- ✓ Records held by officials of AZUREVISTAFX (PTY) LTD.

4.2. Employee records

Employee refers to any person who works for or provides services to or on behalf of AZUREVISTAFX (PTY) LTD and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting any work or services for AZUREVISTAFX (PTY) LTD. This includes, without limitation, heads of departments, managers, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- ✓ Any personal records provided to AZUREVISTAFX (PTY) LTD by their personnel.
- ✓ Any records a third party has provided to AZUREVISTAFX (PTY) LTD 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.

4.3. Client records

The client includes any natural or juristic entity, who receives services from the Company. Client-related information includes the following:

- ✓ Personal details of clients
- ✓ Account opening documents
- ✓ Investment or transactional details
- ✓ FICA documents
- ✓ Correspondences

5. APPLICABLE LEGISLATION

AzurevistaFX (Pty) Ltd is subject to various statutes, including:

- Basic Conditions of Employment Act, 75 of 1997
- Collective Investment Schemes Control Act, 45 of 2002
- Companies Act 71 of 2008
- Compensation of Occupational Injuries & Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Electronic Communications and Transactions Act 2 of 2000 • Employment Equity Act 55 of 1998
- Financial Advisory & Intermediary Services Act 37 of 2002
- Financial Intelligence Centre Act 38 of 2001
- Financial Market Act 19 of 2012
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- Occupational Health & Safety Act 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Access to Information Act 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protection of Constitutional Democracy against Terrorist and related Activities Act 33 of 2004



- Protection of Personal Information Act 4 of 2013
- Skills Development Act 97 of 1998
- Skills Development Levy Act 97 of 1999
- South African Reserve Bank Act 90 of 1989
- Trademarks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

6. STEPS TO CONSIDER BEFORE SUBMITTING A REQUEST

- 6.1. Confirm that the requester has legal standing to submit a request.
- 6.2. Ensure the requested information exists in a recorded form.
- 6.3. Verify that the record is in possession or under the control of AzurevistaFX (Pty) Ltd.

7. PROCESS FOR REQUESTING INFORMATION

Requests must be submitted in writing using the prescribed form, with proof of identity and the applicable fees. Requests will be acknowledged within 30 days unless the extension is justified.

8. HOW TO SUBMIT A REQUEST FOR ACCESS

You may submit a request as follows:

8.1. Request Form

Please complete the request form in Annexure 1 to this Manual and forward it to the Information Officer,

specified above. In the Request Form, you need to provide sufficient information to enable us to adequately

identify

- The record or records requested.
- The identity of the requester.
- Which form of access is required, if the request is granted.
- The postal address or fax number of the requester.

8.2. Description of the right

The right which you are seeking to protect or enforce by means of the records requested must be adequately described. The courts have indicated that access to the records must be necessary for the exercise or protection of the right so stated. It is important to note that AZUREVISTAFX (PTY) LTD Information Officer may refuse you access to the records requested if the right is not clearly defined or where the right you claim to seek to exercise or protect does not qualify as a right as contemplated in the Act.

8.3. Representatives

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of AZUREVISTAFX (PTY) LTD Information Officer.

8.4. Prescribed fee

The prescribed access fee, if applicable, as provided for in Annexure 2 below must be paid and proof of payment (e.g. copy of deposit slip) must be submitted along with your request.

The Act provides for two types of fees, namely:

- A request fee, which will be a standard fee; and
 - An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- a) The requester, other than a personal requester, seeking access to a record containing personal information, must pay the prescribed R50.00 (fifty rand) request fee, before submitting the request and provide a deposit slip as proof of payment which must accompany the Request Form.
- b) If the search for and preparation of the record (for disclosure), including arrangement to make it available
- in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer will request you to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- c) The Information Officer may withhold a record until the requester has paid the fees as indicated in Annexure 2.

d) A requester whose request has been granted must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

e) You may ask for a refund of the deposit if your request for access is refused.

9. CONSIDERING YOUR REQUEST

A. Subject to the provisions in the Act in respect of extension of time periods, AZUREVISTAFX (PTY) LTD will process the request within 30 days, unless you have stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time periods not be complied with.

B. You will be informed in writing whether access has been granted or denied.

C. The main grounds for AZUREVISTAFX (PTY) LTD to refuse a request for information relate to the

- mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person.
- mandatory protection of the commercial information of a third party, if the record contains trade secrets of that third party.
- financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party.
- information disclosed in confidence by a third party to AZUREVISTA (PTY) LTD., if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
- mandatory protection of the safety of individuals and the protection of property.
- mandatory protection of records which would be regarded as privileged in legal proceedings.
- the commercial activities of AZUREVISTAFX (PTY) LTD., which may include
- trade secrets of AZUREVISTAFX (PTY) LTD.
- financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of AZUREVISTAFX (PTY) LTD.



- information which, if disclosed, could put AZUREVISTAFX (PTY) LTD at a disadvantage in negotiations or commercial competition.
- a computer program which is owned by AZUREVISTAFX (PTY) LTD., and which is protected by copyright.
- The research information of AZUREVISTAFX (PTY) LTD or a third party, if its disclosure would disclose the identity of AZUREVISTAFX (PTY) LTD, the researcher or the subject matter of the research would place the research at a serious disadvantage.

10. YOUR REMEDIES

AZUREVISTAFX (PTY) LTD does not have internal appeal procedures. As such, the decision made by the Information Officer is final. If your request is denied, you are entitled to apply to a court with appropriate jurisdiction for relief.

ANNEXURE 1: REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

This annexure must accompany the cover letter addressed to the Information Officer.

A. Particulars of AZUREVISTAFX (PTY) LTD

AZUREVISTAFX (PTY) LTD Information Officer AZUREVISTAFX (PTY) LTD Officer

2ND FLOOR NORWICH PLACE, NORWICH CLOSE, SANDOWN SANDTON,
GAUTENG, 2031 South Africa.

Telephone: +27 822633262

E-mail: inquiries@riverquode.com

ANNEXURE 1 REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

(Address)

E-mail address:

--

Fax number:

--

Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile: <table border="1"><tr><td></td></tr></table>	
Cellular:				
Full names of person on whose behalf request is made (if applicable):				
Identity Number				

Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED <i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			

Record comprises virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	
FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record (<i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i>)	
Written or printed transcription of virtual images (<i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i>)	
Transcription of soundtrack (<i>written or printed document</i>)	
Copy of record on flash drive (<i>including virtual images and soundtracks</i>)	
Copy of record on compact disc drive(<i>including virtual images and soundtracks</i>)	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body (<i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i>)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (<i>including transcriptions</i>)	
E-mail of information (<i>including soundtracks if possible</i>)	
Cloud share/file transfer	
Preferred language (<i>Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available</i>)	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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

Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES

- a) A request fee must be paid before the request will be considered.
 b) You will be notified of the amount of the access fee to be paid.
 c) 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.
 d) If you qualify for exemption of the payment of any fee, please state the reason for exemption

Reason

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:

--

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<i>Request received by: (State Rank, Name And Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

Signature of Information Officer

ANNEXURE 2 OUTCOME OF REQUEST AND OF FEES PAYABLE [Regulation 8]

Note:

- If your request is granted the—
 - amount of the deposit, (if any), is payable before your request is processed; and
 - requested record/portion of the record will only be released once proof of full payment is received.
- Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.

OR

2. You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive(including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language: (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)	

Kindly note that your request has been:

☐

Approved

☐

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

☐ Yes ☐ No

Hours of search	Amount of deposit (calculated on one third of total amount per request)

The amount must be paid into the following Bank account:

Name of Bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch Code: _____
 Reference Nr: _____
 Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

 Information officer

ANNEXURE 3: DEPUTY INFORMATION OFFICER APPOINTMENT

In terms of the Protection of Personal Information Act the head of a private body is the designated Information Officer for that private body. The Information Officer may delegate any power or duty conferred or imposed in terms of POPI to the Deputy Information Officer. The organization has appointed a Deputy Information Officer to facilitate any requests to access records held by the organization. This delegation does not prohibit the person who made the delegation from exercising power concerned or performing the duty concerned himself or herself. The delegation may at any time be withdrawn or amended in writing by the person who made the delegation.

The Deputy Information Officer need not have any specific qualifications but must have a thorough knowledge of the organization's functional departments and business processes. The Deputy Information Officer has the authority to approach all staff members of the organization and to request all records held by the organization. Where a manager is of the opinion that access to a record should not be granted to the Deputy Information Officer, reasons for this decision shall be given to the information Officer who will make a final decision on the matter. Together with the Information Officer, the Deputy Information Officer is responsible for:

- Publishing and proper communication of the manual i.e. creating policy awareness
- The facilitation of any request for access
- Providing adequate notice and feedback to the requester
- Determining whether to grant a request for access to a complete/full record or only part of a record
- Ensuring that access to a record, where so granted, is provided timeously and in the correct format
- Reviewing the policy for accuracy and communicating any amendments



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Website: www.riverquode.com

support@riverquode.com

