



PAIA Manual

Revised September 2024

1. Introduction and purpose

Our PAIA manual has been prepared in accordance with the Promotion of Access to Information Act No. 2 of 2000 (PAIA). The purpose of this manual is to inform members of the public on how to request access to records held by SHFT SDK (PTY) LTD, thereby promoting transparency and ensuring compliance with South African law.

Our PAIA manual aims to:

- Provide an overview of the types of records held by SHFT.
- Outline the process for requesting access to these records.
- Offer guidance on the roles of the Information Officer and Deputy Information Officer in handling these requests.

2. Our company details

Registered name	SHFT SDK (PTY) LTD
Registration number	2023 / 746465 / 07
Physical address	42 Leadville Way, Sunningdale, Cape Town, South Africa, 7441
Website	www.shft.tech
Email	hello@shft.tech
WhatsApp	082 536 3140

Information Officer	Deputy Information Officer	Deputy Information Officer
Stanley Greenwood	Kevin Easterbrook	Darren Tiplady
stanley@shft.tech	kevin@shft.tech	darren@shft.tech
+27 84 554 2001	+27 73 307 4026	+ 27 83 755 4659

3. Guide on PAIA

The Promotion of Access to Information Act (PAIA) aims to promote transparency and allow individuals to access information from both public and private bodies. To assist in understanding how to exercise your rights under PAIA, the Information Regulator of South Africa has published a comprehensive guide.

How to use our PAIA manual

- Step 1: Identify the type of record or information you need from SHFT SDK (PTY) LTD as listed in section 4.
- Step 2: Determine if the record falls under any category of information that is automatically available (section 5) or if it requires a formal request.
- Step 3: Follow the procedure outlined in this manual to submit a request for access to records (section 6).

Accessing the Guide

The official PAIA Guide can be obtained from the Information Regulator's directly.

4. Records held by SHFT

SHFT SDK (PTY) LTD holds a variety of records related to its business operations. These records may be available for access upon request, subject to the provisions of the Promotion of Access to Information Act (PAIA).

Below is a general description of the categories of records that SHFT holds:

4.1. Corporate records

- Founding documents and statutory records
- Minutes of Board meetings
- Shareholder agreements

4.2. Financial records

- Accounting records
- Financial statements
- Audit reports

4.3. Human resources records

- Employment contracts
- Personnel files
- Training and development records

4.4. Operational records

- Contracts and agreements with suppliers and clients
- Licensing and regulatory documents

4.5. Legal records

- Contracts and agreements
- Documents related to legal proceedings
- Intellectual property records

4.6. Customer and client records

- Contracts with customers
- Service level agreements (SLAs)
- Transactional records

Note: Access to any of these records is subject to PAIA provisions, and requests may be denied if the information falls under specific exemptions such as personal privacy, commercial confidentiality, or security considerations.

5. Records automatically available

5.1. Public Corporate Information:

- Company profile

5.2. Accessing the records

- Visit our website as listed in clause 2.
- Contact either our Information Officer or Deputy Information Officer as listed in clause 2.

6. Requesting access to records

To access records held by SHFT SDK (PTY) LTD, individuals must follow a specific procedure as outlined by the Promotion of Access to Information Act (PAIA). This section details the steps and requirements for submitting a request. Steps to Request Access:

6.1. Submit a formal request

- Requests for access to records must be made using the prescribed PAIA Request Form (Form C). This form can be obtained from the Information Regulator's website or directly from SHFT SDK (PTY) LTD upon request.
- The completed form should provide sufficient details to enable the Information Officer to identify the requested record(s) and the requester's contact details.

6.2. Send the request

The completed request form should be sent to SHFT SDK (PTY) LTD by using the contact details in section 2 above,

6.3. Payment of fees

- A request fee may be payable for the processing of the application. The requester will be informed of the fee amount, and payment must be made before the request is processed.
- Additional fees may apply for the reproduction of documents, preparation, and delivery. The Information Officer will provide a detailed fee structure if applicable.

6.4. Processing of request

- Upon receipt of the request and applicable fees, SHFT SDK (PTY) LTD will process the request within 30 calendar days.
- The Information Officer will determine whether the requested records can be disclosed, considering any applicable exemptions under PAIA.

6.5. Notification of outcome

- The requester will be notified in writing of the outcome of their request. If access is granted, details on how the records will be provided (e.g., copies, inspection) will be included.
- If the request is denied, the notification will include reasons for the refusal and information on how to appeal the decision.

7. Grounds for refusal

While SHFT SDK (PTY) LTD is committed to transparency, certain records may be exempt from disclosure under the Promotion of Access to Information Act (PAIA). This section outlines the grounds on which a request for access to records may be refused. Grounds for refusal are:

7.1. Mandatory protection of privacy

Access to a record may be refused if it contains personal information about a third party, and disclosure would result in an unreasonable invasion of that person's privacy. Exceptions include cases where the third party has consented to the disclosure, or where the information is already publicly available.

7.2. Commercial confidentiality

SHFT may refuse access to records that contain confidential commercial information of a third party, such as trade secrets or financial data, if disclosure could harm the commercial interests of that party. Information provided in confidence by a third party may also be protected if disclosure would disadvantage them in negotiations or competition.

7.3. Protection of SHFT's commercial activities

Access may be denied if the record contains SHFT's own trade secrets, financial, commercial, or technical information, and if disclosure would likely harm SHFT's commercial interests. Records related to ongoing or anticipated negotiations may also be withheld to protect SHFT's competitive position.

7.4. Confidential information of a Third Party

If a record contains confidential information that was provided to SHFT by a third party, and disclosure could breach a duty of confidence, access may be refused.

7.5. Safety and security

Requests may be denied if granting access would likely endanger the safety of an individual or compromise the security of a building, structure, or system, including IT systems.

7.6. Legal privilege

Records that are subject to legal privilege, such as documents related to ongoing litigation or legal advice, may be exempt from disclosure.

7.7. Public interest override

In some cases, SHFT may refuse access to a record if it believes that disclosure is not in the public interest. However, this is balanced against the need to promote transparency and accountability.

8. Remedies available to requesters

If a requester is dissatisfied with SHFT SDK (PTY) LTD's decision to refuse access to a record or any other aspect of how their request was handled, several remedies are available under the Promotion of Access to Information Act (PAIA). This section outlines the steps that can be taken to challenge or appeal decisions made by SHFT.

8.1. Internal appeal

- If SHFT has an internal appeals procedure, the requester may be required to first exhaust this option before seeking external remedies.
- The internal appeal must be lodged within the timeframe specified in the refusal notice, and the appeal should clearly state the reasons for disagreement with the initial decision.

8.2. External appeal

If the internal appeal is not successful or if SHFT does not have an internal appeal process, the requester can take the following steps:

Appeal to the Information Regulator:

- The requester can submit a complaint to the Information Regulator if they believe that their rights under PAIA have been infringed. The complaint must be lodged within 180 days of the decision or action being contested.
- The Information Regulator has the authority to investigate the complaint and may issue an enforcement notice requiring SHFT to take specific actions, including granting access to records.

Application to court:

- As a final recourse, the requester may apply to a court of law for relief. The application can be made to the High Court or another competent court within the jurisdiction.
- The court can review the decision and may order SHFT to release the records if it finds the refusal unjustified under PAIA.

Timeframes and procedures

It is important for the requester to adhere to the specific timeframes and procedures outlined for each remedy. Failure to do so may result in the forfeiture of the right to appeal or seek judicial review.

Costs

While lodging a complaint with the Information Regulator is typically free, court applications may involve legal costs. Requesters should consider this when deciding on the appropriate remedy.

9. Availability of our PAIA manual

SHFT SDK (PTY) LTD's PAIA manual is made available to the public in compliance with the Promotion of Access to Information Act. This section details where and how the manual can be accessed by the public.

9.1. Online

The PAIA Manual can be accessed on SHFT SDK (PTY) LTD's official website: www.shft.tech

9.2. Email

Individuals can request a copy of the PAIA Manual by contacting the Information Officer by emailing us at hello@shft.tech

9.3. Submission to the Information Regulator

A copy of this manual has been submitted to the Information Regulator as required by PAIA. The Regulator may also provide access to this manual upon request.

9.4. Updates to our manual

SHFT SDK (PTY) LTD commits to updating this PAIA Manual regularly to ensure that it reflects the most current information regarding access to records and compliance with relevant laws.

Updates will be reflected on the SHFT website, and the most current version will always be available online.

10. Processing of personal information

In compliance with the Protection of Personal Information Act (POPIA) and the Promotion of Access to Information Act (PAIA), SHFT SDK (PTY) LTD outlines the processing of personal information within the organization. This section provides details on how personal information is collected, used, and protected.

10.1. Purpose of Processing Personal Information

SHFT processes personal information primarily for business operations, including but not limited to:

- Employee management and payroll processing
- Customer relationship management
- Supplier and service provider engagement
- Compliance with legal and regulatory requirements

10.2. Categories of Data Subjects and Personal Information

- Employees: Information includes names, contact details, identification numbers, employment contracts, payroll records, and performance evaluations.
- Customers: Information includes names, contact details, transaction history, communication records, and service agreements.
- Suppliers and Service Providers: Information includes company names, contact details, bank details, and contracts.

10.3. Recipients of Personal Information:

Personal information may be shared with the following categories of recipients, as necessary:

- Internal departments: Such as HR, Finance, and Legal, for operational purposes.
- Third-Party service providers: For payroll processing, IT services, and other outsourced functions.
- Regulatory authorities: Where required by law or regulation.

SHFT ensures that all third parties receiving personal information comply with applicable data protection laws and maintain the confidentiality of the information.

10.4. Security measures

SHFT implements appropriate technical and organizational measures to protect personal information from unauthorized access, loss, or damage. These measures include:

- Data Encryption: For sensitive information stored electronically.

- Access Controls: Limiting access to personal information to authorized personnel only.
- Physical Security: Secure storage of physical records.
- Regular Audits: To ensure compliance with internal policies and data protection laws.

10.5. Rights of data subjects

Data subjects have the right to:

- Request access to their personal information.
- Request correction or deletion of inaccurate or outdated information.
- Object to the processing of their personal information in certain circumstances.
- Requests related to personal information can be made by contacting the Information Officer at info@shft.tech.

10.6. Cross-Border transfers

SHFT may transfer personal information outside South Africa for processing or storage. In such cases, SHFT will ensure that the recipient country has adequate data protection laws, or that appropriate safeguards are in place.

11. Conclusion

This PAIA Manual has been developed to provide transparency and guide individuals on how to access the records held by SHFT SDK (PTY) LTD, in compliance with the Promotion of Access to Information Act (PAIA). SHFT is committed to fostering a culture of openness and accountability while ensuring the protection of personal information as required by law.

Key takeaways

- SHFT SDK (PTY) LTD is dedicated to ensuring that requests for information are handled efficiently and in accordance with legal requirements.
- The manual outlines the procedures for requesting information, the categories of records available, the grounds for refusal, and the remedies available to requesters.
- SHFT also emphasizes its commitment to protecting personal information under the Protection of Personal Information Act (POPIA).

For any further questions or to submit a request for information, individuals are encouraged to contact SHFT via our details listed in section 2.

SHFT SDK (PTY) LTD remains committed to transparency, legal compliance, and the protection of all stakeholders' rights.