

SMITH AND WHITEHEAD LABOUR CONSULT (PTY) LTD

(Registration Number: 2007/021789/07)

**Manual in terms of Section 51 of the
Promotion of Access to Information Act, 2 of
2000**

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PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT)

Section 51 Manual of SMITH AND WHITEHEAD LABOUR CONSULT (PTY) LTD

(Registration number: 2007/021789/07)

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SECTION 51 MANUAL OF SMITH AND WHITEHEAD LABOUR CONSULT (PTY) LTD
(REGISTRATION NUMBER: 2007/021789/07)

1. CONTACT PARTICULARS

Head of business:	Henry Stephen Whitehead	Information officer:	Henry Stephen Whitehead
Postal Address:	P0 Box 411	Physical Address:	25 Noordwal-Wes Street
	Stellenbosch		Stellenbosch
	7599		7600
Telephone Number:	021-886 7025	E-mail Address:	henryw@smith1.co.za
Website:	www.smith1.co.za		

2. INTRODUCTION

Labour consultancy business and all related matters

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

- 3.1 The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2 Requests in terms of The Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in Sections 53 and 54 of The Act.
- 3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which contains information for the purposes of exercising Constitutional Rights.

4. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of The Act. Copies of the prescribed forms to be completed for submitting a request, are available from SMITH AND WHITEHEAD LABOUR CONSULT (PTY) LTD on www.smith1.co.za.

5. INFORMATION AVAILABLE IN TERMS OF OTHER APPLICABLE LEGISLATION

- Companies Act 71 of 2008
- Income Tax Act 58 of 1962
- Promotion of Access to Information Act 2 of 2000
- Protection of Personal Information Act 4 of 2013



- Skills Development Levies Act 9 of 1999
- Skills Development Act 97 of 1998
- Unemployment Contributions Act 4 of 2002
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

6. INFORMATION AUTOMATICALLY AVAILABLE

- Details as disclosed on www.smith1.co.za

7. INFORMATION AVAILABLE IN TERMS OF THE ACT - ON REQUEST

Statutory Business Records

- Certificate of Change of Name
- Certificate of Incorporation
- Certificate to Commence Business
- Directors Attendance Register
- Minutes of Shareholders Meetings
- Minutes of Directors Meetings
- Other Minute Books
- Register of Directors and Officers
- Resolutions
- Shareholders Agreements
- Minute Books
- Resolutions Passed at Meetings

Accounting Records

- Annual financial statements and working papers
- General ledger
- Bank statements, cheque books, cheques
- Customer and supplier statements and invoices
- Deposit slips
- Cash books and petty cash books
- Fixed asset register
- Tax returns and assessments
- VAT returns
- Lease or instalment sale agreements
- Insurance records
- Auditor's reports

Information Technology

- Agreements
- Audits
- Client database
- Hardware
- Internet
- Intranet
- Licenses



- Systems support, programming and development
- LAN Installations
- Operating systems
- Software packages
- Telephone exchange equipment
- Telephone lines, leased lines and data lines

Personnel Records

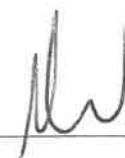
- Attendance register
- Disability schemes
- Disciplinary records
- Employee evaluation and performance records
- Employee information records
- Employee loans
- Employment applications
- Employment contracts
- Expense accounts
- Funeral insurance scheme
- Group life
- Health and safety records
- IRP 5 and IT 3 certificates
- Letters of appointment
- Leave applications
- Maternity leave policy
- Medical aid records
- Payroll
- Personnel File
- Policies and procedures
- Records of foreign employees
- Recruitment and appointments
- Salary and wage registers
- Salary slips and wage cards
- Scholarships and bursaries
- Staff records after employment
- Time records
- Training and development
- UIF, PAYE and SDL returns
- Workmen's Compensation Documents

Sales and Marketing

- Brochures, newsletters and marketing material
- Customers
- Sales
- Service and product information

8. GENERAL

Not applicable



9. REQUESTING PROCEDURES

A person who wants access to the records of SMITH AND WHITEHEAD LABOUR CONSULT (PTY) LTD must complete the necessary request forms which are available at the offices of SMITH AND WHITEHEAD LABOUR CONSULT (PTY) LTD or which can be accessed on www.justice.gov.za/infoereg. The completed request forms must be sent to the address or fax number provided in this manual and must be marked for the attention of the Information Officer if submitted to the offices of SMITH AND WHITEHEAD LABOUR CONSULT (PTY) LTD.

Please provide sufficient details to enable the company to identify:

- a. the record(s) requested
- b. the requester (and if an agent is lodging the request, proof of capacity)
- c. the form of access required
- d. the postal address or fax number of the requester in the Republic
- e. if the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof
- f. 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.

10. PRESCRIBED FEES

- A requestor may be required to pay a prescribed fee before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit may be payable;
- A requestor may lodge an application with a court against the tender/payment of the requested fee and/or deposit, should a fee be applicable;
- Records may be withheld until the fees have been paid, should a fee be applicable; and
- The South African Human Rights Commission has handed over all PAIA related matters to the Information Regulator of South Africa with effect from 1 July 2021. More details are expected to be made available on <https://www.justice.gov.za/infoereg/>. Any enquiries can be submitted via infoereg@justice.gov.za.

11. PROTECTION OF PERSONAL INFORMATION PROCESSED

SMITH AND WHITEHEAD LABOUR CONSULT (PTY) LTD is committed to protecting the privacy of the personal information of our data subjects. The information you share with us as a data subject allows us to provide you with the best experience with regards to our products and services, or as a stakeholder.

SMITH AND WHITEHEAD LABOUR CONSULT (PTY) LTD has dedicated policies and procedures in place to protect all personal information collected and processed by us. Please read below for more information on how we collect, process, use and disclose personal information.

11.1 The purpose of processing of personal information

We process personal information for various reasons, including but not limited to the following:

- To manage information, products and/or services requested by data subjects
- To help us identify data subjects when they contact us
- Manage clients

- To maintain clients records
- Recruitment purposes
- Employment purposes
- Training purposes
- Travel purposes
- General administration
- Financial and tax purposes
- Legal or contractual purposes
- Health and safety purposes
- To monitor access, secure and manage our premises and facilities
- To transact with our suppliers
- To improve the quality of our products and services
- To help us detect and prevent fraud and money laundering under FICA
- To help us recover debts
- Marketing purposes
- Engaging with the public

11.2 Data subject categories and personal information processed

Business partners

- Age
- Biometric information
- Criminal history, alleged commission of offence and proceedings in respect of these offences
- Disability
- Education history
- E-mail address
- Employment history
- ID number
- Language and birth of the person
- Location information
- Marital status
- National, ethnic or social origin
- Race
- Sex
- Telephone number

Customers

- Age
- Disability
- E-mail address
- Financial history
- ID number
- Language and birth of the person
- Location information
- Marital status
- Medical history, health and sex life
- Sex
- Telephone number



Employees

- Education history
- E-mail address
- Employment history
- ID number
- Marital status
- Physical address
- Race
- Sex
- Telephone number

Suppliers

- E-mail address
- Location information
- Telephone number

11.3 Recipients with whom personal information are shared

In processing your personal information, we may share it within our group of companies or with other third parties. These include but are not limited to:

- Statutory authorities
- Law enforcement agencies
- Tax authorities
- Industry bodies
- Contractors, vendors, or suppliers
- Email management and distribution tools
- Data storage providers
- Server hosts
- Group companies
- Service providers

11.4 Security measures implemented to protect personal information

We have identified our security risks over the personal information we process in line with the Protection of Personal Information Act, and we have implemented various security measures to ensure reasonable protection against the risk of loss, misuse, unauthorised access and disclosure, alteration and destruction of the personal information.

We also take steps to ensure that operators that process personal information on behalf of company name apply adequate safeguards as outlined above.

11.5 Trans-border flows of personal information

We may transfer to, and store personal information we collect about you, in countries other than South Africa, if the relevant business transactions or situation requires trans-border processing. These countries may not have the same data protection laws as South Africa, and in this instance, we will only transfer the information if we have consent from you, or it is necessary for the performance or conclusion of a contract between us.



11.6 Personal information received from third parties

When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA manual and the Privacy Policy, and do not have any objection to our processing their information in accordance with this policy.

Where information on third parties is provided by a data subject, or a third party provides information on a data subject, that information may be taken into account with other personal information.

11.7 Data Breaches

Where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person, SMITH AND WHITEHEAD LABOUR CONSULT (PTY) LTD shall notify:

- a) the Regulator; and
- b) the data subject, unless the identity of such data subject cannot be established.

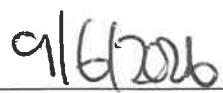
The notification will be made as soon as reasonably possible after the discovery of the compromise, taking into account the legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the compromise and to restore the integrity of the responsible party's information system.

12. AVAILABILITY OF THE MANUAL

Copies of the manual are available for inspection, free of charge, at the offices of SMITH AND WHITEHEAD LABOUR CONSULT (PTY) LTD, and at www.smith1.co.za.



HENRY STEPHEN WHITEHEAD
DIRECTOR



DATE



HENRY STEPHEN WHITEHEAD
INFORMATION OFFICER



DATE