

PAIA Manual for Chillisoft Solution Services (Pty) Ltd

Prepared in terms of section 51 of the
Promotion of Access to Information Act 2 of 2000 (as amended)

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1. List of acronyms and abbreviations

ACRONYM	DESCRIPTION
CEO	Chief Executive Officer
Guide	means the guide published by the SAHRC, and updated and made available by the Information Regulator in terms
Information Officer	means the head of Chillisoft Solutions Services (Pty) Ltd, registered with the Information Regulator in terms of section 55 (2) of POPIA
Minister	Minister of Justice and Correctional Services;
PAIA	Promotion of Access to Information Act No. 2 of 2000 as Amended
POPIA	Protection of Personal Information Act No.4 of 2013;
Regulator	Information Regulator; and
requester	means any person or entity requesting access to a record that is under the control of Chillisoft in terms of PAIA or any Data Subject requesting details of any PII relating to that Data Subject or a copy of the PII in terms of POPIA;
The manual	means this manual which is published in accordance with section 51 of PAIA and “this manual” shall have the same meaning

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 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 Chillisoft Solutions Services (Pty) Ltd

3.1. Chief Information Officer

Name: Peter Wiles

Tel: 0861000248

Email: peter.wiles@chillisoft.co.za

3.2 Access to information general contacts

Email: info@chillisoft.co.za

3.4 Head Office

Postal Address:

P O Box 1518, Kloof, 3610

Physical Address

Telephone: 0861 000248

Email: info@chillisoft.co.za

Website: www.chillisoft.co.za

4. Guide on how to use PAIA and how to obtain access to the guide

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 the Information Officer

4.3.3. the manner and form of a request for access to a record of a private body contemplated in section 50⁴;

4.3.4. the assistance available from the Regulator in terms of PAIA and POPIA;

¹ 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.

² 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.

³ 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.

⁴ 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. 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:

4.3.5.1 an internal appeal;

4.3.5.2. a complaint to the Regulator; and

4.3.5.3. 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;

the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

4.3.6. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

4.3.7. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

4.3.8. the regulations made in terms of section 92¹¹

4.4 The Guide can also be obtained upon request to the Information Officer;

4.5 A copy of the Guide is also available in for public inspection during normal office hours

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.

⁶ 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.

⁷ 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

⁸ 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

⁹ 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.

¹⁰ 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.

¹¹ 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. Records

5.1 That are available without a person having to request access

1. Service brochures
2. Contact information
3. Articles
4. Company Social events and Photographs
5. Social Media posts and updates
6. Notices of Recruitment
7. Notices of Events
8. Website Content

These documents and information are available on Chillisoft’s social media pages, website and are available at no cost to the requester.

5.2 That are available in terms of 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
HR	Basic Conditions of Employment Act 75 of 1997 Employment Equity Act 55 of 1998 Labour Relations Act No. 66 of 1995 Occupational Health and Safety Act No. 85 of 1993 Skills Development Act No. 97 of 1998

Tax	Skills Development Levies Act No. 9 of 1999 Unemployment Contributions Act No. 4 of 2002 Unemployment Insurance Act No. 63 of 2001 Value Added Tax Act No. 89 of 1991 Income Tax Act No. 58 of 1962
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5.3 Description of the subjects on which the body holds records and categories of records

CATEGORY OF RECORDS	DESCRIPTION OF SUBJECTS
Administration	<ul style="list-style-type: none"> • Shareholder records • Share register • Minutes of shareholder meetings • Directors' records • Minutes of board meetings • Records relating to the incorporation of • Chillisoft • Other statutory information relating to tax, value-added tax, • COIDA, broad-based black economic • empowerment (BBBEE) • Minutes of meetings of committees and subcommittees
Management	<ul style="list-style-type: none"> • Minutes of meetings of Executive Committee • Internal correspondence • Resolutions of the Chillisoft directors

Finance	<ul style="list-style-type: none"> • Accounting records • Tax records • Debtors' records • Creditors' records • Insurance records • Auditors' reports • Annual financial statements • Bank statements and other banking records for business accounts • Invoices issued in respect of debtors and billing information
HR	<ul style="list-style-type: none"> • Policies and Procedures • Training • Remuneration Benefits • List of employees • Statistics regarding employees • Employment contracts • Conditions of employment • Curriculum vitae of employees, including • qualifications • Information relating to prospective employees, including their curriculum vitae • Personnel records including personal details, • disciplinary records, performance and internal evaluation records • Employee tax information • Records of Unemployment Insurance Fund contributions • Records regarding life assurance • Payroll records
Suppliers	<ul style="list-style-type: none"> • Supplier lists and details of suppliers • Agreements with suppliers

Software	<ul style="list-style-type: none"> • Computer software • Support and maintenance agreements • Records regarding computer systems and • programmes
Assets	<ul style="list-style-type: none"> • Asset registers • Lease agreements in respect of immovable • property • Records regarding insurance in respect of • movable property
Miscellaneous	Internal correspondence

5.4 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	South African Qualifications Authority
Credit and payment history, credit information	Credit Bureaus

6. Availability of the manual

9.1 A copy of the Manual is available at Chillisoft's head office at:

Block 2, MRM Office Park, Kloof, Kwazulu Natal for public inspection during normal business hours (08:00 to 17:00 SAST Monday to Friday) and on www.chillisoft.co.za

9.1.1 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.2 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.

7. The request procedures:

7.1 Form of request: (ANNEXURE A)

1. The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned.
2. The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
3. The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
4. If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

8. Annexure A – form for request for access to a record

FORM 2

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 <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
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 <i>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.</i>	
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)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
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

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

9. Fees: (ANNEXURE B)

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.

The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.

After the head of the private body has made a decision on the request, the requester must be notified in the required form.

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 hours to search and prepare the record for disclosure.

Issued by

Peter Wiles

(Director) on behalf of Chillisoft Solution Services (Pty) Ltd

Date: 01/09/2025