



Theo Smit Recruitment (Pty) Ltd

PAIA MANUAL

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

- 1.1 **“CEO”** Chief Executive Officer
- 1.2 **“IO”** Information Officer;
- 1.3 **“Minister”** Minister of Justice and Correctional Services;
- 1.4 **“PAIA”** Promotion of Access to Information Act No. 2 of 2000(as Amended;
- 1.5 **“POPIA”** Protection of Personal Information Act No.4 of 2013;
- 1.6 **“Regulator”** Information Regulator; and
- 1.7 **“Republic”** Republic of South Africa

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to:

- 1.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
 - 1.2 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;
 - 1.3 know the description of the records of the body which are available in accordance with any other legislation;
 - 1.4 access all the relevant contact details of the Information Officer and Chief Executive Officer who will assist the public with the records they intend to access;
 - 1.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
 - 1.6 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;
 - 1.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
 - 1.8 know the recipients or categories of recipients to whom the personal information may be supplied;
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- 1.9 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
- 1.10 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 THEO SMIT RECRUITMENT (PTY) LTD

3.1 Chief Executive Officer & Information Officer

Name: Theodore Augustus Smit
Mobile: +27(0)83 324 2340
Email: theo@tsrecruitment.co.za

3.2 Access to information general contacts

Email: info@tsrecruitment.co.za

3.3 National or Head Office

Postal Address: PO Box 132
Melrose Arch
Melrose Arch
Gauteng
2076

Physical Address: No 3 Emerald Street
Witkoppen Ext 6
Sandton
Gauteng
2068

Telephone: +27(0) 83 578 2179 / +27(0) 83 324 2340

Email: info@tsrecruitment.co.za

Website: <https://tsrecruitment.co.za/>

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 4.1 The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("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.
- 4.2 The Guide is available in each of the official languages and in braille.





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- 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 number and, electronic mail address of:
 - 4.3.2.1 the Information Officer of every public body, and
 - 4.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 4.3.3 the manner and form of a request for:
 - 4.3.3.1 access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2 access to a record of a private body contemplated in section 504;
 - 4.3.4 the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 4.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
 - 4.3.6 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:
 - 4.3.6.1 an internal appeal;
 - 4.3.6.2 a complaint to the Regulator; and 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;
 - 4.3.6.3. 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;
 - 4.3.7 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;
 - 4.3.8 the provisions of sections 157 and 528 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

- 4.3.9 the notices issued in terms of sections 229 and 5410 regarding fees to be paid in relation to requests for access; and
- 4.3.10 the regulations made in terms of section 9211.
- 4.4 Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5 The Guide can also be obtained-
- 4.5.1 upon request to the Information Officer;
- 4.5.2 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 4.6 A guide on how to use the Act to obtain information is available in various languages from the South African Human Rights Commission.

5. CATEGORIES OF RECORDS OF THEO SMIT RECRUITMENT (PTY) LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on Website	Available upon request
Marketing & Public Relations	Job Advertisements: Live vacancy postings published on our website, job boards, or social media.	X	X
	Corporate Brochures: Informational booklets regarding our recruitment services, pricing models, or talent solutions.	X	X
	Client Testimonials & Case Studies: Success stories and promotional material cleared for public consumption.	X	X
Operational & Public Business Information	Website Content: General information, privacy policies, and PAIA manuals published on our digital platforms.	X	X
	Fee Structures: Publicly disclosed standard terms of business or placement fee percentages for employers (if not bound by		X

	custom non-disclosure agreements).		
	Office Directories: Physical addresses, general phone numbers, and public email addresses.	X	X
Statutory Company Records	Registration Documents: Incorporation certificates (COR14.3) and Memorandums of Incorporation (MOI) registered with the CIPC.		X
	Director Details: Names of active directors	X	X

6. DESCRIPTION OF THE RECORDS OF THEO SMIT RECRUITMENT (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Records are held by Theo Smit Recruitment (Pty) Ltd in accordance with the following pieces of South African legislation. Access to these records may be subject to the restrictions and requirements outlined within each respective Act:

1. Labour and Employment Records

- Basic Conditions of Employment Act No. 75 of 1997 (BCEA): Employee attendance registers, payroll records, written particulars of employment, and tax certificates.
- Labour Relations Act No. 66 of 1995 (LRA): Disciplinary records, codes of conduct, collective bargaining agreements (if applicable), and CCMA documentation, if any.
- Employment Equity Act No. 55 of 1998 (EEA): Employment Equity plans submitted to the Department of Labour, and workforce profile analyses.
- Skills Development Act No. 97 of 1998 & Skills Development Levies Act No. 9 of 1999: Workplace Skills Plans (WSP), Annual Training Reports (ATR), and SETA levy payment records.
- Unemployment Insurance Act No. 63 of 2001 & UIF Contributions Act No. 4 of 2002: UIF registration records, monthly UIF declarations, and payment receipts.
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993 (COIDA): Earnings declarations (W.As.8), letters of good standing, and workplace incident/accident reports.

2. Corporate, Commercial, and Financial Records

- Companies Act No. 71 of 2008: Certificate of Incorporation, Memorandum of Incorporation (MOI), minutes of board meetings, directors' registers, and shareholder registers.
- Income Tax Act No. 58 of 1962 & Tax Administration Act No. 28 of 2011: Annual financial statements, VAT records, PAYE records, Corporate Income Tax returns, and supporting financial ledgers.
- Value Added Tax Act No. 89 of 1991: Tax invoices issued to clients, vendor invoices, and VAT201 monthly declarations.

3. Data Protection and Electronic Privacy

- Protection of Personal Information Act No. 4 of 2013 (POPIA): Candidate consent forms, operator agreements with third-party job boards, data breach registers, and records of information processing activities.
- Electronic Communications and Transactions Act No. 25 of 2002 (ECTA): Electronic communication logs, website user agreements, and digital service contracts.



7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY

This section of the PAIA Manual outlines the categories of records held by Theo Smit Recruitment (Pty) Ltd, classified according to the specific subjects (data subjects or business entities) they relate to.

Note: Access to these records is not automatic. Requesters must submit a formal PAIA request (Form 2), and access may be refused based on the privacy protections and limitations set out in PAIA and POPIA.

7.1. Candidate / Applicant Records

As a recruitment agency, this is your primary data subject. It includes active job seekers and talent pool databases.

- Personal Profile Data: Full names, identity numbers, contact details, nationalities, and work permits.
- Professional History: Curriculum Vitae (CVs), employment histories, job descriptions, and portfolios of work.
- Qualifications & Verifications: Academic transcripts, degree certificates, professional memberships, driver's licenses, and third-party background check reports (criminal, credit, qualification checks).
- Assessments & Feedback: Interview notes, psychometric assessment results, reference check reports from past employers, and placement history.
- Compliance Records: Candidate consent forms (POPIA compliance) and communication logs.

7.2. Client / Employer Records

This includes records related to corporate clients, hiring managers, and prospective employers.

- Commercial Agreements: Signed service level agreements (SLAs), terms of business, placement fee agreements, and non-disclosure agreements (NDAs).
- Operational Mandates: Job specifications, talent requirement profiles, company culture notes, and salary benchmarks.
- Financial Data: Client billing details, VAT numbers, credit application forms, invoices issued, and statements of account.
- Contact Information: Corporate profiles, addresses, and contact details of hiring managers, HR representatives, and finance personnel.

7.3. Internal Personnel (Human Resources) Records

This subject covers permanent staff, temporary contractors, interns, and former employees of Theo Smit Recruitment.

- Employment Documents: Employment contracts, codes of conduct, signed policies, and job descriptions.
- Financial & Payroll Records: Salary details, banking details, IRP5 tax certificates, payslips, medical aid or pension contributions, and UIF/PAYE declarations.





- Performance & Discipline: Performance appraisals, training records, disciplinary warnings, and dispute resolution records.
- Statutory HR Data: Employee attendance registers, leave records, equity profiling data, and emergency contact details.

7.4. Operational, Corporate, and Financial Records

This subject covers records relating to the corporate governance, daily operations, and financial administration of the business itself.

- Statutory Company Data: Certificate of Incorporation, Memorandum of Incorporation (MOI), share registers, and minutes of board meetings.
- Financial Administration: Audited financial statements, management accounts, general ledgers, tax returns, and bank statements.
- Asset & Facilities Management: Fixed asset registers, office lease agreements, equipment rental agreements, and insurance policies.

7.5. Supplier, Vendor, and Third-Party Records

This subject covers records relating to external suppliers, service providers, IT vendors, and job board platforms.

- Procurement Agreements: Service contracts with job portals, background screening vendors, software providers, and accountants.
- Financial & Tax Records: Supplier invoices, proof of payments, bank verification letters, and B-BBEE certificates.
- Operator Agreements: Data processing agreements (DPAs) governing how third-party vendors handle personal information on behalf of the agency.

7.6. Information Technology (IT) Records

This subject covers records related to the management, security, and infrastructure of digital systems.

- System Infrastructure: Network diagrams, hardware inventories, system user logs, and software licenses.
- Security & Access Control: User authentication data, password policies, firewall logs, encryption standards, and data breach registers.

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

Theo Smit Recruitment (Pty) Ltd processes personal information to fulfil its core business operations as a talent acquisition and recruitment service provider. We only collect and process personal information that is relevant, adequate, and necessary for specific, explicitly defined, and lawful purposes in accordance with the Protection of Personal Information Act (POPIA).

We process personal information for the following purposes:





8.1.1. Delivering Recruitment and Placement Services

- Candidate Matching: To assess, evaluate, and match candidate profiles, qualifications, and experience against active client vacancies.
- Application Processing: To submit candidate files, CVs, and assessment results to prospective employers for hiring consideration.
- Verification Screening: To conduct mandatory pre-employment background screening, including qualification, credit, criminal, and reference checks.
- Talent Pool Management: To maintain an active database of job seekers for future employment opportunities.

8.1.2. Managing Client and Supplier Relationships

- Service Execution: To onboard corporate clients and conclude Terms of Business, Service Level Agreements (SLAs), and mandate forms.
- Vendor Procurement: To manage relationships with external service providers, including background check vendors, job boards, and IT support.
- Business Communication: To manage ongoing operational correspondence regarding job briefs, interview coordination, and placement feedback.

8.1.3. Human Resources and Talent Management

- Staff Administration: To recruit, onboard, pay, and manage internal employees, consultants, and contractors.
- Performance Management: To administer internal performance reviews, training, development plans, and disciplinary procedures.
- Benefits Administration: To process payroll, tax deductions, medical aid, and provincial fund contributions (UIF/COIDA).

8.1.4. Financial and Commercial Administration

- Invoicing and Billing: To issue placement invoices, process client payments, manage accounts receivable, and collect outstanding debts.
- Vendor Payment: To process payments to suppliers and service providers for goods or services rendered.
- Financial Reporting: To maintain accurate financial ledgers, compile management accounts, and perform audits.

8.1.5. Legal, Regulatory, and Statutory Compliance

- Employment Legislation: To comply with South African labour laws, including the Basic Conditions of Employment Act, Employment Equity Act, and Skills Development Act.
- Tax Compliance: To fulfil corporate income TAX, VAT, and PAYE statutory reporting obligations to the South African Revenue Service (SARS).
- Corporate Governance: To maintain company records and director registries as required by the Companies Act.
- Data Security Compliance: To maintain records of data processing activities, consent logs, and security incidents as required by POPIA.

8.1.6. Marketing and Business Development

- Client Acquisition: To market recruitment services, share market insights, and send business proposals to corporate entities.
- Candidate Engagement: To distribute newsletters, job alerts, and career advice to candidates who have opted in to receive marketing communications.





8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Theo Smit Recruitment (Pty) Ltd collects and processes personal information from various categories of data subjects. The table below outlines the specific data subjects we interact with and the precise categories of personal and special personal information we hold about them.

Category of Data Subject	Categories of Personal Information Processed
1. Candidates / Job Applicants	• Contact & Identity Details: Full names, identity or passport numbers, physical addresses, email addresses, and telephone numbers. • Demographic Data: Age, gender, nationality, citizenship, and work permit status. • Professional & Academic History: Curriculum Vitae (CVs), employment histories, qualifications, academic transcripts, professional memberships, and language proficiencies. • Vetting & Verification Records: Credit records, criminal background checks, driver's licenses, and reference check reports. • Psychometric & Competency Data: Assessment scores, interview notes, and skill matrices. • Financial Information: Current salary, salary expectations, and banking details (for temporary placements). • Special Personal Information: Race or ethnic origin (for Employment Equity reporting), physical or mental health status (disability status for inclusive hiring mandates).
2. Clients / Prospective Employers	• Corporate Identity: Company registration names, trading names, registration numbers, and VAT numbers. • Contact Personnel: Names, job titles, direct telephone numbers, and email addresses of hiring managers, HR personnel, and procurement officers. • Financial & Billing Data: Banking details, billing addresses, financial histories, and credit application outcomes. • Operational Mandates: Job specifications, workplace location data, salary bands, and company culture assessments.
3. Internal Employees / Consultants	• Identity & Personal Details: Full names, identity numbers, marital status, nationality, residential addresses, and emergency contact details. • Financial & Tax Data: Bank account details, TAX numbers (PAYE), IRP5 certificates, salary packages, and benefit deductions. • Statutory & Labor Data: Attendance registers, leave cycles, contracts of employment, and performance reviews. • Disciplinary Records: Written warnings, hearing minutes, and dispute resolution outcomes. • Special Personal Information: Trade union memberships, biometric data (for office access control), criminal records, and physical health or medical certificates.
4. Suppliers / Service Providers / Vendors	• Business & Contact Details: Corporate names, physical and postal addresses, website URLs, and general contact numbers. • Representative Contact Data: Names, email addresses, and phone





numbers of account managers and support technicians.

- Financial Administration: Invoices, bank account verification letters, payment histories, and VAT numbers.
- Compliance Documentation: B-BBEE certificates, tax clearance status, and signed Data Processing Agreements (DPAs).

5. Website Visitors / Digital Users
- Digital Identifiers: IP addresses, browser types, cookie identifiers, and tracking tags.
 - User-Submitted Data: Names, email addresses, and phone numbers submitted via digital "Contact Us" or online job application forms.

8.3 The recipients or categories of recipients to whom the personal information may be supplied

Theo Smit Recruitment (Pty) Ltd may share or disclose personal information to specific third parties to execute our recruitment mandates, run our internal business operations, and meet statutory obligations. We only share information with entities that have a lawful basis to receive it and who maintain strict data security protocols.

The table below outlines the categories of personal information we process and the corresponding recipients to whom this information may be supplied:

Category of Personal Information	Recipients or Categories of Recipients to Whom the Personal Information May Be Supplied
Identity numbers, names, and fingerprints	• Managed Integrity Evaluation (MIE) or similar vetting providers
Qualifications, academic transcripts, and professional memberships	• Managed Integrity Evaluation (MIE) or similar vetting providers
Credit histories, payment behaviours, and default judgements	• Managed Integrity Evaluation (MIE) or similar vetting providers
Curriculum Vitae (CVs), professional histories, skills assessments, and interview notes	• Onboarded corporate clients and prospective employers seeking to fill vacancies
Employment history, past performance, and conduct records	• Previous employers listed by candidates (solely for obtaining professional references)
Employee names, tax numbers, and payroll financial figures	• South African Revenue Service (SARS)
Employee registration details, salaries, and employment updates	• Department of Employment and Labour (for UIF, COIDA, and Employment Equity submissions)
Internal employee profiles and bank account details	• Appointed corporate banking institutions (for processing payroll and expense payments)
Corporate client data, invoice histories, and payment logs	• External auditors and accounting firms • Appointed legal advisors or debt collection agencies (in cases of contract breaches or non-payment)
System operational logs, user profiles, and candidate/client database records	• Accredited Information Technology (IT) service providers



- Cloud storage and Customer Relationship Management (CRM) platform hosts

8.4 Planned transborder flows of personal information

We may send personal information outside of South Africa to various countries. We will only transfer data to other countries who have similar privacy laws to South Africa's or recipients who can guarantee the protection of personal information to the same standard we must protect it.

For more information on this, please see our Privacy Policy: <https://tsrecruitment.co.za/privacy-policy/>

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

Theo Smit Recruitment (TSR) is committed to safeguarding the confidentiality, integrity and availability of all personal information under its care, in accordance with section 19 of POPIA. TSR implements both technical and organisational measures to protect personal information throughout its lifecycle. All information transmitted over networks is encrypted using Transport Layer Security (TLS), with IPSec tunnels or Secure FTP (SFTP) used where TLS is not applicable. Personal information transported on physical media must be encrypted with a minimum of 128-bit AES encryption, and portable safes are used when transporting such devices externally.

Organisational controls include a clean-desk policy requiring that all sensitive information is secured or locked away when workstations are unattended. Mass storage devices are stored in locked drawers, file cabinets are kept locked when not in use, and passwords may not be recorded in any accessible written form. Documents containing personal information are destroyed using cross-cut shredders, and physical transmission of sensitive documents is limited to hand-delivery or reputable door-to-door courier services only.

From a governance perspective, TSR conducts annual management reviews of its data protection programme, covering control effectiveness, incident reviews, and Data Protection Impact Assessments (DPIAs) for any new processing activities. Internal backups are managed through Acronis and retained for five years, while client data is deleted immediately upon termination of the relationship. All staff, contractors and affiliates are required to comply with this policy, and conduct is subject to monitoring by authorised representatives.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available:

9.1.1 On <https://tsrecruitment.co.za/> ;

9.1.2 head office of Theo Smit Recruitment (Pty) Ltd for public inspection during normal business hours;

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

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The head of Theo Smit Recruitment (PTY) Ltd will on a regular basis update this manual.

11. FORMS AND FEES

11.1 A request for access to information must be made in the prescribed form, addressed to the Information Officer and submitted with the prescribed fee as described in the PAIA Regulations.

To request access to a record, please complete Form 02 ([prescribed form](#)) which is available on the website of the Information Regulator: Form 02.

11.2 Form of request

11.2.1 The requester must use the [prescribed form](#) to make the request for access to a record. This request must be made to the address or electronic mail address of the information Officer and must contain the requester's postal address within South Africa.

11.2.2. The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record requested and the requester. The requester should also indicate which form of access is required. The requester should indicate if notice of the decision of the Information Officer is required in any manner, other than in writing, and if so, the necessary particulars to be so informed.

11.2.3. In the request form, 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.

11.2.4. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

11.2.5. The Information Officer will either use the prescribed form (Form 03) or a substantially similar manner to let the requester know the outcome of the request and the fees payable. Form 03 is available from: <https://info regulator.org.za/wp-content/uploads/2020/07/Form-3-PAIA.pdf>).

11.3. Fees

11.3.1. 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.

11.3.2. The Information Officer must by notice, require the requester to pay the prescribed fee (as described in the PAIA Regulations) if any, set out in the notice, before further processing the request.

11.3.3. The requester may complain to the Information Regulator or lodge an application with a court against the payment of the prescribed request fee.

11.3.4. After the Information Officer has made a decision on the request, the requester must be notified in the required form.



11.3.5. If the request is granted then a further access fee (as described in the PAIA Regulations) must be paid for the search, reproduction, preparation and for any time, in excess of the prescribed hours, required to search and prepare for the record disclosure.

Issued by



T.A. Smit
Chief Executive Officer

