

 MATERIAL HANDLING AUTOMATION ELECTRICAL & INSTRUMENTATION CONTRACTORS				Document Title: PAIA Manual	
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1. INTRODUCTION

1.1 Material Handling Automation's (MHA's) Promotion of Access to Information Act Manual ("Manual") is published in terms of Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 ("PAIA") and section 23-25 of the Protection of Personal Information Act No.4 of 2013 ("POPIA").

1.2 PAIA gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information. This is information held by the State but also information held by any another person. A person that is entitled to exercise a right or who needs information for the protection of any right, is entitled to access that information, subject to certain restraints.

1.3 Section 51 of PAIA creates a legal right to access records (as defined in section 1 of PAIA) of a private body (both natural and juristic), however this right may be negated in circumstances as set out under Chapter 4 of Part 3 of PAIA. In addition, in compliance with POPIA a responsible party who processes personal information must notify the person to whom personal information relates ("Data Subject") of the way in which the Data Subject can access their personal information held by the responsible.

2. PURPOSE OF PAIA MANUAL

2.1. The purpose of this Manual is to facilitate requests for access to records of Material Handling Automation.

2.2. A person requesting access to records ("the Requester") from Material Handling Automation is advised to familiarise themselves with the provisions of PAIA before making any requests to Material Handling Automation in terms of PAIA.

2.3. Where this Manual does not deal with a procedure provided for in PAIA, the Requester or any other interested party is to look at the Act for guidance in relation thereto.

2.4. Material Handling Automation makes no representation and gives no undertaking or warranty that any record provided by it to a Requester is complete or accurate, or that such record is fit for any purpose. All users of such records shall use such records entirely at their own risk, and Material Handling Automation shall not be liable for any loss, expense, liability, or claims, howsoever arising, resulting from the use of this Manual or of any record provided by Material Handling Automation or any error therein.

2.5. All users and Requesters irrevocably agree to submit to the law of the Republic of South Africa and to the exclusive jurisdiction of the Courts of South Africa in respect of any dispute arising out of the use of this Manual or any records provided by Material Handling Automation.

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3. Key contact details for access to information of Material Handling Automation

3.1. Chief Information Officer:

Name: TJ Pillay (CEO)

Tel: 011 672 6223 / 083 642 3160

Email: tj@mhauto.co.za

3.2. Deputy Information Officer:

Name: Valquiria Pillay (Director of Administration)

Tel: 011 672 6223

Email: val@mhauto.co.za

3.3 Access to information general contacts

Email: mhauto@mweb.co.za

3.4 Head Office

Postal Address: Postnet Suite 89, Private Bag X1, Florida Hills, 1716

Physical Address: 458 Ontdekkers Road, Florida Park, Roodepoort, 1710

Telephone: 011 672 6223 Email: mhauto@mweb.co.za

Website: www.mhauto.co.za

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4. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

The following legislation creates the obligation for Material Handling Automation to keep certain records:

- Basic conditions of Employment No. 75 of 1997
- Broad Based Black Economic Empowerment Act No. 53 of 2003
- Companies Act No. 71 of 2008
- Consumer Protection Act No. 68 of 2008
- Copyright Act No.98 of 1978
- Electronic Communication and Transaction Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 95 of 1967
- Insolvency Act No. 24 of 1936
- Labour Relations Act No. 66 of 1955
- National Credit Act No. 34 of 2005
- Occupational Health and Safety Act No. 85 of 1993
- Skills Development Act No. 97 of 1998
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

Such records will be made available to only those individuals/entities authorised to request access to such records in terms of the legislation. Any other persons must follow the request for access of records procedure as outlined in this Manual.

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5. SUBJECTS AND CATEGORIES OF RECORDS HELD BY MATERIAL HANDLING AUTOMATION

A description of the subjects on which Material Handling Automation holds records and the categories of the records held by each subject can be found below.

Subjects on which Material Handling Automation holds records	Categories of Records
Companies Act Records	Documents of Incorporation; Memorandum of Incorporation; Minutes of Board of Directors Meetings; AGM Minutes; Appointment of directors/auditors/secretary and other officers; Codes of Conduct; Policies; B-BBEE Affidavits; Legal Compliance Records
Personnel Records	Contact details, work experience, educational history, race, gender; CVs; qualifications; Employment Contracts; Correspondence; Attendance Registers; Disciplinary Records; Employment Equity Records; Leave Records; Salary Records; SETA Records, Sick leave records, email profiles
Quality Assurance & Quality Control	Policies & procedure communication Registers Audits Non- Conformances
Supplier Records	Company and contact details of relevant individuals; Description of goods or services; Service agreements; Invoices; Receipts, BBBEE Certificates
Member Records	Personal information such as name, contact details; Company contacts details; Statutory returns; Correspondence; email profiles
Training & Development	Delegates personal information such as names, contact details, attendance records, feedback forms; Training Manuals; Training Records; Trainers profiles
Insurance Records	Public Liability Vehicle Building
Email Communication and Transactions Records	Records pertaining to of the specific purpose of the communications or transactions
HR & Payroll	Employee personal details, payslips, next of kin, sick leave records, retrenchments, severance agreements, tax directives, pension fund details, certificates of service, Income tax certificates, UI-19 forms



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Finance & Accounting	Accounting Records; Annual Financial Statements; Asset Registers; Auditors' Report; Detail of Auditors; Electronic Banking Records; Bank Statements; Invoices; Rental Agreements; Tax Returns
Income Tax Records	Documents issued to employees; PAYE Records; Records of payments made to SARS on behalf of employees; VAT Clearance Certificates All other statutory compliances:- Value Added Tax- Skills Development Levies- Unemployment Insurance Fund
Tendering/ Commercial Records	Workings, final bids, technical data
Clients & Projects	Client contact details, Project descriptions, duration of contracts, value of contracts, status of projects
Health & Safety Records	Communication registers, incident & accident records, training records, client safety files, checklists, inspections, PPE issue registers, risk assessments, Employee medical records

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6. PROCESSING OF PERSONAL INFORMATION

6.1 Categories of Data Subjects and Personal Information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Members	Juristic persons: Company or close corporation identity/registration number and name, business logo, personal/business email addresses, physical and postal address, VAT registration number, telephone number and location information. Natural persons: Identity number, full name, email addresses, physical and postal address, VAT registration number, telephone number and location information.
Employees	Identity number, full name, email addresses, physical and postal address, telephone number, education records, banking details, private and confidential correspondence.
Service Providers	Company or close corporation identity/registration number and name, business logo, personal/business email addresses, physical and postal address, VAT registration number, telephone number and location information, banking details.

6.2 Purpose of Processing Personal Information

6.2.1 Personal information pertaining to customers of Material Handling Automation

Material Handling Automation requires the information collected from its customers to provide them with the support and services they require. Material Handling Automation processes the information necessary to accomplish this. Material Handling Automation may make some of this information available to a few personnel to ensure that the services are provided to the very best of Material Handling Automation abilities and to the highest standards. Such personnel are prohibited from further processing the personal information given to them and will confirm that they have systems in place that make sure that they comply with the requirements of POPIA.

6.2.2 Personal information pertaining to employees of Material Handling Automation

Material Handling Automation is committed to good governance and compliance. No personal information in respect of any employees will be used for any other reason besides what it is provided

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for. Any staff database kept by Material Handling Automation will be for the purpose of managing the employment relationship between Material Handling Automation and its employees only. No personal information pertaining to any employee will be provided to any third person unless in accordance with POPIA, any relevant Labour Law legislation or with the express consent of the employee.

6.2.3 Personal information pertaining to service providers of Material Handling Automation

Material Handling Automation requires the information collected from third party service providers that are both natural and juristic persons to do business with them. Material Handling Automation takes its compliance obligations very seriously and requires the information to be processed to conclude agreements regarding the relationship between Material Handling Automation and its service providers, many of whom may be operators as defined in the POPIA.

Material Handling Automation may make this information available to other operators to ensure that their services are provided to the highest standards for its customers. All operators will sign documentation confirming that personal information received from Material Handling Automation is to be used solely to the purpose for which it is given to them. Such operators are prohibited from further processing the personal information given to them and will confirm that they have systems in place that make sure that they are compliant with the requirements of POPIA.

6.3 Provision of personal information to recipients other than operators

Material Handling Automation will not reveal personal information to anyone outside Material Handling Automation unless:

- It is compelled to comply with legal and regulatory requirements or when it is otherwise allowed by law.
- It is in the public interest.
- Material Handling Automation needs to do so to protect their rights

Material Handling Automation endeavours to take all reasonable steps to keep secure any information which they hold about an individual, and to keep this information accurate and up to date. If at any time, an individual discovers that information gathered about them is incorrect, they may contact Material Handling Automation to have the information corrected. Where information has been disclosed to employees of Material Handling Automation, Material Handling Automation has agreements in place to ensure compliance with confidentiality and privacy conditions. Material Handling Automation recognises the importance of protecting the privacy of information collected about individuals, in particular personal information.

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6.4 Transborder flows of personal information.

Material Handling Automation will not transmit personal information internationally, unless consent has been obtained, or it is necessary to perform Material Handling Automation contractual obligations, and it benefits Material Handling Automation's customers or third-party service providers. If personal information is transmitted internationally, Material Handling Automation will ensure that it is subject to data protection laws that are substantially like POPIA.

6.5 Information Security Measures implemented to ensure the confidentiality, integrity, and availability of the information.

Personal information is stored both electronically and in hard copy in Material Handling Automation filing system(s). Electronic information is encrypted and stored on a hard drive which is protected by anti-virus and anti-malware solutions and backed up to a cloud-based system. Personal information is not deliberately saved on tablets or smartphones. Material Handling Automation has physical and electronic data security policies; these policies are internal and not available to the public save where Material Handling Automation is forced to make same available in terms of law to protect the information held by Material Handling Automation.

6.6 Access to Personal Information

Material Handling Automation's members, employees and third parties have the right to access the personal information Material Handling Automation holds about them. Material Handling Automation's will take all reasonable steps to confirm the identity of the requester before providing details of their personal information or making changes to their personal information.

If Material Handling Automation duly and diligently searches for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified accordingly. This notification will include the steps that were taken the attempt to locate the record. Any of Material Handling Automation's members, employees or third parties who want access to any information held by Material Handling Automation must follow the procedural requirements in terms of section 53 of PAIA.

Any of Material Handling Automation's members, employees or third parties who want access to any information held by Material Handling Automation must follow the procedural requirements in terms of section 53 of PAIA.

The prescribed Form 02: Request for Access to Record (attached hereto as Annexure C) must be completed and returned to the Material Handling Automation Information Officer. When completing Form 02, the following must be made clear to Material Handling Automation:

- The personal information of the requestor
- The particulars of the record requested

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- The type of record requested
- The form of access
- The manner of access
- The particulars of the right to be exercised or protected

Material Handling Automation reserves the right to charge a fee for the request to access of information held by Material Handling Automation.

6.7 Refusal of access to information

Material Handling Automation is entitled to refuse the access to records based on any of the grounds as provided for in Chapter 4 of PAIA. The main grounds of refusal Material Handling Automation may rely on include.

- Mandatory protection of the privacy of a third person who is a natural person
- Mandatory protection of commercial information of a third party
- Mandatory information of certain confidential information of a third party
- Mandatory protection of the safety of individuals and protection of property
- Mandatory protection of records privileged from legal proceedings.
- Commercial information of private body
- Mandatory protection of research information of third party and protection of research information of private body

7. AVAILABILITY OF THE MANUAL

7.1 A copy of the Manual is available.

7.1.1 at the office of Material Handling Automation for public inspection during normal business hours.

7.1.2 to any person upon request and

7.1.3 to the Information Regulator upon request.

7.2 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.

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8. RESOURCES

- Form 01: [Request for a Guide from the Regulator](#) [Regulation 2]
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- Form 02: [Request for Access to Record](#) [Regulation 7]
- Form 03: [Outcome of request and of fees payable](#) [Regulation 8]
- Form 04: [Internal Appeal Form](#) [Regulation 9]
- Form 05: [Complaint Form](#) [Regulation 10]
- Form 13: [PAIA Request for Compliance Assessment Form](#) [Regulation 14(1)]

9. UPDATING OF THE MANUAL

This manual will be updated by Material Handling Automation on an annual basis.

T.J PILLAY
CHIEF EXECUTIVE OFFICER