



# PROMOTION OF ACCESS TO INFORMATION ACT

ACT 2 of 2000

*SECTION 51 MANUAL*

**The Development Company**  
Registration No: 2023/118118/07



## Introduction and Purpose

This Manual has been compiled in accordance with Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 (PAIA) and the Promotion of Access to Information Act Regulations. It is designed to inform members of the public of the categories of records held by The Development Company (Pty) Ltd (hereinafter referred to as "TDC" or "the Company") and to describe the procedures to be followed when requesting access to such records.

PAIA gives effect to the constitutional right of access to information held by both public and private bodies, as enshrined in Section 32 of the Constitution of the Republic of South Africa, 1996. The right of access to information is subject to justifiable limitations, including limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective, good governance.

TDC is committed to transparency and accountability in all its dealings and will endeavour to respond to information requests in a timely, fair, and lawful manner.

## Company and Information Officer Details

The following details pertain to TDC as a private body for purposes of PAIA:

<b>Company Name</b>	The Development Company (Pty) Ltd
<b>Trading Name</b>	TDC
<b>Registration Number</b>	2023/118118/07
<b>Registered Address</b>	17 Ennisdale Drive, Durban North, KwaZulu-Natal, 4051
<b>Postal Address</b>	17 Ennisdale Drive, Durban North, KwaZulu-Natal, 4051
<b>Telephone Number</b>	+27 87 802 9469
<b>Email Address</b>	info@tdc.co.za
<b>Website</b>	www.tdc.co.za
<b>Date Founded</b>	2011 (formerly operating as SOFTICE)
<b>Nature of Business</b>	Technology innovation, software development, idea development, database and reporting solutions



### Information Officer

TDC has designated an Information Officer who is responsible for encouraging compliance with PAIA, dealing with requests for access to records, and exercising the powers and performing the duties as contemplated in PAIA.

<b>Information Officer</b>	Ian Edwards (Director)
<b>Telephone</b>	+27 87 802 9469
<b>Email Address</b>	info@tdc.co.za
<b>Physical Address</b>	17 Ennisdale Drive, Durban North, KwaZulu-Natal, 4051

In the event that the designated Information Officer is unavailable, requests may be directed to any of the Directors at the contact details provided above, with reference to PAIA access request in the subject line.

### Guide on How to Use PAIA

The South African Human Rights Commission (SAHRC) has compiled a guide containing information to assist persons wishing to exercise any right contemplated in PAIA (Section 10 Guide). This guide is available from:

<b>Organisation</b>	South African Human Rights Commission (SAHRC)
<b>Physical Address</b>	29 Princess of Wales Terrace, Parktown, Johannesburg, 2193
<b>Telephone</b>	011 877 3600
<b>Email</b>	paia@sahrc.org.za
<b>Website</b>	www.sahrc.org.za

The SAHRC may update the guide from time to time, and requesters are encouraged to obtain the most current version directly from the SAHRC.



## Records Available Without Formal Request

Certain records and information held by TDC are automatically available to the public without the submission of a formal PAIA request. These include, but are not limited to, the following:

### Publicly Available Records

- Company information published on the TDC website ([www.tdc.co.za](http://www.tdc.co.za))
- General descriptions of services offered by TDC
- Information published on TDC social media platforms
- Public marketing and promotional materials
- PAIA Manual (this document), as required by Section 51(3) of PAIA

### Information Available on Request Without Formal Process

TDC endeavours to promote openness and transparency. Where information does not fall within a ground of refusal and is not confidential in nature, TDC will make reasonable efforts to provide it informally before a formal PAIA request is lodged.

Requesters are encouraged to contact the Information Officer in the first instance to determine whether records are available without formal process.



## Categories of Records Held

TDC holds records in the following categories. These records are not all automatically available and may be subject to a formal PAIA request and the applicable grounds of refusal:

### Corporate and Statutory Records

- Certificate of Incorporation and Memorandum of Incorporation (MOI)
- Minutes of meetings of directors and shareholders
- Shareholder registers and share certificates
- Annual financial statements and management accounts
- Tax registration certificates and tax returns
- VAT registration documentation
- UIF registration and declarations
- COIDA registration and letters of good standing
- Company resolutions and special resolutions
- B-BBEE certificates and related records

### Human Resources and Employment Records

- Employee personal records (employment contracts, identity documents, CVs)
- Payroll records, payslips, and leave records
- Performance appraisals and disciplinary records
- Training and development records
- Employee benefit and pension fund records
- Recruitment and selection records
- Health and safety compliance records

### Financial Records

- General ledger and trial balance
- Bank account records and bank statements
- Accounts payable and accounts receivable records
- Asset registers and depreciation schedules
- Invoices, purchase orders, and delivery notes
- Expense claims and reimbursement records
- Audit files and management letters

### Client and Project Records

- Client agreements, contracts, and service level agreements
- Project documentation, specifications, and deliverables
- Correspondence with clients (email, letters, proposals)
- Statements of work and project plans
- Non-disclosure agreements and confidentiality undertakings
- Post-implementation review records



### Operational and Technical Records

- Software development documentation, code repositories, and technical specifications
- System architecture and database design documents
- Data processing records and data management policies
- Third-party vendor contracts and supplier agreements
- IT infrastructure records, licences, and maintenance logs
- Quality assurance records and testing documentation

### Intellectual Property Records

- Software products and proprietary platforms developed by TDC
- Trademarks, patents, and copyright registrations
- Licencing agreements
- Research and development records

### Legal and Compliance Records

- Legal opinions and advice
- Litigation and dispute records
- Regulatory correspondence and submissions
- Compliance policies and procedures (including POPIA compliance records)
- Insurance policies and claims records

### Correspondence Records

- General correspondence with third parties
- Regulatory and government correspondence
- Internal communications and memoranda



## Procedure for Requesting Access to Records

Any person wishing to request access to records held by TDC must follow the procedure set out below, which is prescribed by PAIA and the PAIA Regulations:

### Who May Request Access?

Any person (a requester) may submit a request for access to records held by TDC. However, the grounds for access differ depending on whether the requester is:

- A requester seeking access to a record containing their own personal information (no specific motivation required); or
- A requester seeking access to a record containing information about a third party or information necessary to exercise or protect a right (requester must demonstrate necessity).

### Form of Request

All requests for access to records must be submitted using the prescribed Form C (Request for Access to Records of a Private Body), available from:

- The Information Officer of TDC at the contact details in “Company and Information Officer” section(s) above
- The SAHRC website: [www.sahrc.org.za](http://www.sahrc.org.za)
- The Department of Justice and Constitutional Development website: [www.justice.gov.za](http://www.justice.gov.za)

The request form must be completed in full and submitted together with proof of identity (a certified copy of the requester's identity document or passport).

### Where to Submit the Request

Completed Form C and all supporting documentation must be submitted to:

<b>Information Officer</b>	Ian Edwards
<b>Physical Address</b>	17 Ennisdale Drive, Durban North, KwaZulu-Natal, 4051
<b>Email Address</b>	info@tdc.co.za
<b>Subject Line</b>	PAIA Access Request – [Your Name] – [Date]

### Request Fee

Section 54(6) of PAIA provides that a requester may be required to pay a request fee before the request is processed. TDC will notify the requester of any applicable fees prior to processing the request. The prescribed fees are set by the Minister of Justice and Constitutional Development and are published in the Government Gazette.

Persons who are seeking access to records containing their own personal information are exempt from the payment of the request fee.

Where a request fee is required, TDC will notify the requester in writing of the amount payable and the payment method. Processing of the request will only commence upon confirmation of receipt of payment.



## Information to Be Provided in the Request

The requester must provide the following information:

- Full name and surname of the requester
- Identity number or passport number
- Postal address, fax number, or email address for correspondence
- Whether the requester requests access in their personal capacity or on behalf of another person or entity
- A description of the record(s) to which access is requested
- The form in which access is requested (e.g., copy of the record, inspection, or summary)
- If the request is not for the requester's own information, the right the requester is seeking to exercise or protect and an explanation of why access to the record is necessary.



## Processing of Requests and Decision Timeframes

Upon receipt of a complete request, TDC will process the request in accordance with the timeframes prescribed by PAIA:

Stage	Description	Timeframe
Acknowledgement	TDC acknowledges receipt of the request in writing	Within 5 business days
Processing	TDC considers the request and determines whether access may be granted	Within 30 days of receipt
Extension	In exceptional circumstances TDC may extend the response period	Additional 30 days (with notice)
Third-Party Notice	Where the record concerns a third party, TDC will notify that party	Within 21 days of receipt of request
Decision	TDC communicates its decision in writing (grant, partial grant, or refusal)	Within the processing period
Access Provided	Where access is granted, TDC provides access in the agreed form	Within 30 days of decision

Failure by TDC to respond within the prescribed period is deemed a refusal of the request and the requester may exercise the remedies described in Section 8 of this Manual.



## Grounds for Refusal of Access

TDC may refuse a request for access to records on one or more of the grounds provided for in PAIA (Sections 62 to 70). The principal grounds for refusal include:

### Mandatory Refusal Grounds

- Protection of personal information of a third party (Section 63)
- Protection of commercial information of a third party, including trade secrets and confidential financial information (Section 64)
- Protection of confidential information of a third party obtained in confidence (Section 65)
- Danger to the life or physical safety of an individual (Section 66)
- Records privileged from production in legal proceedings (Section 67)
- Commercial information of TDC itself, including trade secrets, financial and business information that could prejudice TDC's competitive position (Section 68)
- Information the disclosure of which would constitute an action for breach of a duty of confidence owed to a third party (Section 69)

### Discretionary Refusal Grounds

- Records that are already publicly available elsewhere (Section 70)
- Frivolous or vexatious requests (Section 45)

### Severability

Where a request relates to a record that contains information that must be refused alongside information that may be disclosed, TDC will grant access to the portion of the record that may be disclosed, unless doing so would be unreasonable (Section 28 of PAIA).

## Remedies Available to a Requester

Where TDC refuses a request, whether expressly or by deemed refusal (non-response), the requester has the following remedies available:

### Internal Appeal

PAIA does not provide for a formal internal appeal mechanism for private bodies. However, requesters who are dissatisfied with a decision may seek to engage with the Information Officer to resolve the matter before approaching an external body.

### Application to Court

A requester may approach the High Court (having jurisdiction) for relief in terms of Section 78 of PAIA where:

- TDC has refused access and the requester alleges that TDC is not entitled to refuse on the ground stated
- TDC has failed to respond within the prescribed period (deemed refusal)
- TDC has not complied with any provision of PAIA in respect of the request

## Complaints to the Information Regulator

The Information Regulator of South Africa (established under POPIA) has jurisdiction over PAIA compliance matters. Requesters may lodge a complaint with the Information Regulator at:



<b>Organisation</b>	The Information Regulator (South Africa)
<b>Physical Address</b>	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
<b>Postal Address</b>	P.O. Box 31533, Braamfontein, 2017
<b>Telephone</b>	010 023 5200
<b>Email</b>	info@justice.gov.za
<b>Website</b>	www.info regulator.org.za



## Protection of Personal Information

TDC processes personal information in accordance with the Protection of Personal Information Act, No. 4 of 2013 (POPIA). TDC's processing of personal information is subject to the following principles:

### Data Subjects and Personal Information Processed

TDC processes personal information in relation to the following categories of data subjects:

- Employees and contractors (employment records, remuneration, performance data)
- Clients and prospective clients (contact details, project information, billing records)
- Suppliers and vendors (contact details, banking details, contractual information)
- Website visitors (cookies, analytics data where collected)

### Purpose of Processing

Personal information is processed by TDC for the following lawful purposes:

- To fulfil contractual obligations to clients and employees
- To comply with applicable legal and regulatory obligations
- To manage human resources and payroll functions
- To communicate with clients, suppliers, and stakeholders
- For billing, invoicing, and financial management purposes
- To deliver software development and technology services

### Information Officer (POPIA)

For purposes of POPIA, TDC has designated an Information Officer. The contact details are as set out in the "Company and Information Officer" section(s) above.

### Data Subject Rights

Data subjects have the right to:

- Request access to their personal information held by TDC
- Request correction or deletion of inaccurate, irrelevant, excessive, or unlawfully obtained information
- Object to the processing of their personal information on reasonable grounds
- Submit a complaint to the Information Regulator regarding the processing of their personal information
- Data subject requests may be directed to the Information Officer at the contact details set out in the section "Company and Information Officer" section(s) above.



### Availability of This Manual

This Manual is available at no charge to any person who requests it. It is available in the following formats and locations:

- Electronic copy: available on request by email to [info@tdc.co.za](mailto:info@tdc.co.za)
- Inspection: available at TDC's offices at 17 Ennisdale Drive, Durban North, during normal business hours (Monday to Friday, 08:00 to 17:00), by prior appointment
- Copy: a copy will be provided on request, subject to a reasonable copying charge as prescribed by the PAIA Regulations
- Portable Document Format (PDF): from the TDC website <http://www.tdc.co.za>

A copy of this Manual has been submitted to the SAHRC in accordance with Section 51(3) of PAIA.

### Review and Amendment of This Manual

TDC undertakes to review and update this Manual at least annually or when there is a material change in the business, applicable legislation, or regulatory requirements. The current version of this Manual supersedes all prior versions.

Version	Description	Date
1.0	Initial compilation and publication of PAIA Section 51 Manual	April 2026

### Approval and Adoption

This Manual has been approved and adopted by the Directors of The Development Company (Pty) Ltd.

**DISCLAIMER:** This Manual has been compiled in good faith and reflects TDC's understanding of its obligations under PAIA as at the date of publication. It does not constitute legal advice. TDC reserves the right to amend this Manual at any time. Users are encouraged to verify all legislative references with current legislation.

