

STATUTORY PAIA MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2 of 2000 (PAIA)

(The Entity is a private body, either a company, close corporation, partnership or sole proprietorship)

1. CONTACT DETAILS (Section 51(1)(a)(i) of the PAIA)

Name of Entity	ALAN LEVY ATTORNEYS INC.
CK/Reg. No.	2016/146578/21
Head of Body/Entity (Information Officer)	ALAN PAUL LEVY
Postal Address	P O BOX 28840 SANDRINGHAM 2131
Street Address	GROUND FLOOR 21 SCOTT STREET WAVERLEY JOHANNESBURG
Telephone No.	010 0018209
Fax No.	N/A
Email Address	alan@alattorneys.co.za

2. INTRODUCTION

This Manual has been prepared in terms of Section 51 of the PAIA which aims to give effect to the constitutional right of access to information which is required to exercise or protect any rights.

The aim of the manual is to assist potential requestors as to the procedure to be followed when requesting access to records of the Entity as contemplated in terms of the PAIA. The manual may be amended from time to time and as soon as any amendments have been finalised, the latest version of the manual will be made public.

Any requestor is advised to contact the Information Officer in section 1 above, should he/she require any assistance in respect of the utilisation of this manual and/or the requesting of records from the Entity.

3. DESCRIPTION OF THE GUIDE IN TERMS OF SECTION 10 OF THE ACT AND HOW TO ACCESS THE GUIDE (Section 51(1)(b)(i) of the PAIA)

In terms of Section 10 of the PAIA, the Information Regulator must update and make available the existing guide that has been compiled by the South African Human Rights Commission (“SAHRC”) containing such information as may be required by a person who wishes to exercise any right contemplated in the PAIA and the POPIA. The guide will be made available in all official languages and may be accessed from the SAHRC. Contact details of the Gauteng Provincial Office, South African Human Rights Commission are as follows:

Physical Address: 27 Stiemans Street Braamfontein

Postal Address: 31533 Braamfontein, 2017

Tel: 011 877 3600/3750 Fax: 011 403 0668
 Contact Person: Hilda Pule (Head of corporate support services)
 Email: hpule@sahrc.org.za

4. **NOTICE(S) IN TERMS OF SECTION 52(2) OF THE PAIA** (Section 51(1)(b)(ii) of the PAIA)

Currently no notices have been issued.

5. **RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION** (Section 51(1)(b)(iii) of the PAIA)

The Entity keeps records in accordance with the following legislation. These records may be administrative, compliance related, financial, etc. (please note that this is not an exhaustive list):

Companies Act 71 of 2008/Close Corporations Act 69 of 1984
Legal Practice Act 28 of 2014
Alienation of Land Act 68 of 1981
Deeds Registries Act 47 of 1937
Financial Intelligence Centre Act 38 of 2001
Labour Relations Act 66 of 1995
Basic Conditions of Employment Act 75 of 1997
Employment Equity Act 55 of 1998
Skills Development Act 97 of 1998
Skills Development Levies Act 9 of 1999
Income Tax Act 58 of 1962
Unemployment Insurance Act 63 of 2001
Unemployment Insurance Contributions Act 4 of 2002
Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
Occupational Health and Safety Act 85 of 1993

6. **HOW TO REQUEST ACCESS TO A RECORD/DESCRIPTION OF THE SUBJECTS ON WHICH THE ENTITY HOLDS RECORDS AND THE CATEGORIES OF RECORDS** (Section 51(1)(b)(iv) of the PAIA)

The Entity confirms that all records requested shall only be available to a requestor subject to the PAIA. No information is automatically available without having to request access in terms of the PAIA. A request for information should be in the prescribed form

C, attached marked J1 (and available on the website of the SAHRC – www.sahrc.org.za) addressed to the Information Officer at its address, fax number or electronic mail address.

The requester must provide sufficient particulars to enable the Information Officer to identify the records requested and the identity of the requester, which form of access is required and to identify the right the requestor is seeking to exercise or protect. The requestor must also provide an explanation of why the requested record is required for the exercise or protection of that right and if the requestor wishes to be informed of the decision of the request in a manner other than by written reply, must state the manner he wishes to be informed by. If a request is made on behalf of a person, proof of the capacity in which the requester is making the request must also be submitted to the satisfaction of the Information Officer.

The request fee must be paid before further processing of the request takes place. The Information Officer may require a deposit to be paid, if the request is granted. The prescribed fees that the Entity can charge are set out on Annexure K1 attached to this Manual and on the website of the SAHRC – www.sahrc.org.za

All requests in the prescribed format will be considered by the Entity in terms of the PAIA. Access may be refused in terms of S62 to S69 of the PAIA.

The Entity holds records on the following subjects and in the following categories.

COMPLIANCE

Client's contracts, client's documentation, clients statutory documentation, minutes of Executives and shareholder's meetings, written contracts, decisions of adjudicators/courts and legal opinions, budgets and financial statements, insurance policies, correspondence sent and received, reports, books of account.

LABOUR AND TAX

Contracts of employment, payroll and payslips, PAYE, UIF and SDL, workman's compensation, medical-aid, pension fund and other deductions and returns, income tax returns.

7. INsofar AS THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 IS CONCERNED (Section 51(1)(c) of the PAIA)

- (i) The purpose of the processing
To comply with the Act, its governance documentation and other legislation and to effectively manage the affairs of the Entity.
- (ii) A description of the category of data subjects and the information or categories of information relating thereto

Clients - full name, registration no./ID/passport number, physical address, postage address, telephone numbers, email address, written contract/s, statutory information, biometrics, bank details, CCTV footage.

Executives - full name, ID/passport number, physical address, postage address, telephone numbers, email address, minuted opinions, correspondence sent and received, biometrics, bank details, CCTV footage.

Shareholders - full name, ID/passport number, physical address, postage address, telephone numbers, email address, minuted opinions, correspondence sent and received, biometrics, bank details, CCTV footage.

Employees - full name, ID/passport number, physical address, postage address, telephone numbers, email address, written contracts with, biometrics, bank details.

Contractors - full name, ID/passport number, physical address, postage address, telephone numbers, email address, written contracts with, biometrics, bank details.

- (iii) The recipients or categories of recipients to whom the personal information may be supplied

Clients, Executives, Shareholders, Employees, and Contractors.

- (iv) Planned transborder flows of personal information

None

- (v) A general description allowing a preliminary assessment of the suitability of the information security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information which is to be processed.

The Entity has completed a POPIA Compliance Framework, will conduct PIIA's, develop internal measures/systems and conduct internal awareness sessions. Recipients of information will be requested to sign a POPIA non-disclosure document in respect of the personal information inspected/copied by them. Contractors like auditors, insurance companies, attorneys, security companies and computer program operators and all parties who come into possession of personal information will be requested to sign POPIA non-disclosure documents.

8. **UPDATING OF MANUAL** (Section 51(2) of the PAIA)

This manual will on a regular basis be updated in terms of Section 51(2) of the PAIA by the Information Officer.

9. **AVAILABILITY OF THE MANUAL** (Section 51(3) of the PAIA)

This manual or the updated version thereof will be made available on the website of the Entity, if applicable, at the principal place of business of the Entity for public inspection during normal business hours, to any person upon request and upon payment of a reasonable amount (Regulation 9 (2)(c)) and to the Information Regulator, upon request.

TO BE USED BY THE ENTITY TO DETERMINE THE FEES THAT CAN BE CHARGED BY THE ENTITY IN TERMS OF THE PAIA

“Annexure K1”

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R 1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

a) For every photocopy of an A4-size page or part thereof	R 1,10
b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R 0,75
c) For a copy in a computer-readable form on –	
i. Stiffy disc	R 7,50
ii. Compact disc	R 70,00
d) i. For a transcription of visual images, for an A4-size page or part thereof	R 40,00
ii. For a copy of visual images	R 60,00
e) i. For a transcription of an audio record, for an A4-size page or part thereof	R 20,00
ii. For a copy of an audio record	R 30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R 50,00.

4. The access fee payable by a requester referred to in regulation 11(3) are as follows:

(1) (a) For every photocopy of an A4-size page or part thereof	R 1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R 0,75
(c) For a copy in a computer-readable form on –	
i. Stiffy disc	R 7,50

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|-----|-----|--|---------|
| | ii. | Compact disc | R 70,00 |
| (d) | i. | For a transcription of visual images, for an A4-size page or part thereof | R 40,00 |
| | ii. | For a copy of visual images | R 60,00 |
| (e) | i. | For a transcription of an audio record, for an A4-size page or part thereof | R 20,00 |
| | ii. | For a copy of an audio record | R 30,00 |
| (f) | | To search for and prepare the record for disclosure, R 30,00 for each hour or part of an hour reasonably required for such search and preparation. | |
| (2) | | For purposes of section 54(2) of the Act, the following applies: | |
| (a) | | Six (6) hours as the hours to be exceeded before a deposit is payable and | |
| (b) | | One third of the access fee is payable as a deposit by the requester. | |
| (3) | | The actual postage is payable when a copy of a record must be posted to a requester. | |

TO BE USED BY A REQUESTOR REQUESTING A RECORD IN TERMS OF THE PAIA

“Annexure J1”



J752

REPUBLIC OF SOUTH AFRICA

**FORM C
REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 10]**

A. Particulars of private body

The Head:

[Large empty rectangular box for providing particulars of the private body]

B. Particulars of person requesting access to the record

(a) The particulars of the person who requests access to the record must be given below.
(b) The address and/or fax number in the Republic to which the information is to be sent must be given.
(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:

Identity number: [Grid of 13 boxes]

Postal address:

Telephone number: (.....) Fax number: (.....)

E-mail address:

Capacity in which request is made, when made on behalf of another person:
[Large empty rectangular box]

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:

Identity number: [Grid of 13 boxes]



FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

D. Particulars of record

- (a) 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.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

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2. Reference number, if available:

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3. Any further particulars of record:

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E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) 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.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

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FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability: <input type="text"/>	Form in which record is required: <input type="text"/>
Mark the appropriate box with an X.	
NOTES:	
(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.	
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.	
(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
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G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form.
The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

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Signed at this day, of year

.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

