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MANUAL

IN ACCORDANCE WITH

**THE PROMOTION OF ACCESS TO
INFORMATION ACT (NO. 2 OF 2000)**



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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**MANUAL PREPARED IN TERMS OF SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT NO 2 OF 2000**

CRAIG VAN DER MERWE ATTORNEYS

1. INTRODUCTION

The aim of the manual is to assist potential requestors as to the procedure to be followed when requesting access to information / documents from Craig Van Der Merwe Attorneys as contemplated in terms of the Act.

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 Mr. Craig Van Der Merwe should he / she require any assistance in respect of the utilisation of this manual and / or the requesting of information/documents from Craig Van Der Merwe Attorneys.

The following words will bear the following meaning in this manual:-

“the Act” shall mean the Promotion of Access to information Act, No. 2 of 2000, together with all relevant regulations published;

“the / this manual” shall mean this manual together with all annexures thereto as available at the offices of Craig Van Der Merwe Attorneys from time to time;

“CVDM” shall mean Craig Van Der Merwe Attorneys, structured as a sole proprietor which renders legal services including legal advice and legal representation to individual clients and business/organizations;

“SAHRC” shall mean the South African Human Rights Commission.

“Information Officer” Craig Van Der Merwe has been appointed as the Information Officer of Craig Van Der Merwe Attorneys, to which requests for information in terms of the Act, should be addressed.

2. CONTACT DETAILS:

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42 Homestead Avenue
Rivonia

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Rivonia
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3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

Any person who wishes to exercise any right contemplated in the Promotion of Access to Information Act, 2000, may obtain a copy of the information guide issued by the Human Rights Commission in all official languages, from the Human Rights Commission:

Contact details of the South African Human Rights Commission are as follows:

PAIA Unit
The Research and Documentation Department
Private Bag 2700
HOUGHTON
2041

Telephone: +27 11 484 8300
Fax +27-11 484 0582/1360
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

4. **FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION, SUBJECTS ON WHICH CVDM HOLDS RECORDS AND THE CATEGORIES OF RECORDS HELD:**

Information which is not readily available as indicated in paragraph 5 of this manual, may be requested in accordance with the procedure prescribed in terms of the Promotion of Access to Information Act. Copies of the prescribed forms to be completed for submitting a request, are available from CVDM.

5. **NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT**

At this stage no notice(s) has / have been published.

6. **INFORMATION HELD:**

6.1 **INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION:**

CVDM keeps information / documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- 6.1.1 Income Tax Act, Act No. 58 of 1962 (Section 75)
- 6.1.2 Value-Added Tax Act, Act No. 89 of 1991 (Section 65);
- 6.1.3 Unemployment Insurance Act, Act No. 30 of 1966 (Section 32);
- 6.1.4 Basic Conditions of Employment Act, Act 75 of 1997 (Section 31);
- 6.1.5 Employment Equity Act, Act No. 55 of 1998 (Section 26);
- 6.1.6 Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993 (Section 97);
- 6.1.7 Insolvency Act, Act No. 24 of 1936 (Sections 134 and 155);
- 6.1.8 Occupational Health and Safety Act, Act No. 85 of 1993;
- 6.1.9 Attorneys Act, Act No. 53 of 1979;
- 6.1.10 Skills Development Act, Act No. 97 of 1998.

The above records, in so far as it being of a public nature are available automatically without a person having to request access thereto in terms of the Act, as envisaged in Section 52.

6.2 **DOCUMENTS / INFORMATION HELD BY CVDM IN TERMS OF THE ACT (SECTION 51(1)(E) OF THE ACT)**

CVDM holds the information / documents listed herein below:

- Details relating to the operational, commercial and financial interests of CVDM
- Commercial contracts
- Client data base (personal information of clients, commercial and financial information, information on contemplated, existing and past litigation, information on agreements, proposals and intellectual property of such clients)
- Standard Employment Contracts
- Skills Development Report
- CVDM Personnel Report
- Human Resources (personal information of past, present and prospective employees and partners / directors)
- List of trademarks and pending applications
- Insurance policies
- Rules and regulations relating to the pension fund

It is recorded that any and all documents / information requested pertaining to the aforesaid shall only be made available to a requestor subject to the provisions of the Act. None of the information held by CVDM is automatically available without a person having to request access in terms of and subject to the provisions of the Act.

A request for information should be in the prescribed form, addressed to the Information Officer and submitted against payment of the prescribed fee.

6.3 **OTHER INFORMATION (SECTION 51(1)(F) OF THE ACT)**

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this Section.

6.4 **AVAILABILITY OF THE MANUAL**

- 5.1 This manual is available for inspection at the offices of CVDM, free of charge;
- 5.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of CVDM;
- 5.3 The manual can also be accessed on the websites of the SAHRC (www.sahrc.org.za) and will be published in the Government Gazette;
- 5.4 It should be noted that the manual accessible on the website of the SAHRC and in the Government Gazette, does not include the request forms or fee structure. The request forms and fee structure can be obtained on the SAHRC website (www.sahrc.org.za) or the website of the Department of Justice and Constitutional Development (www.doi.gov.za) (under "regulations").

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