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MANUAL

IN ACCORDANCE WITH

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



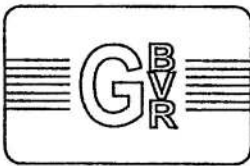
AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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**MANUAL PREPARED IN ACCORDANCE WITH SECTION
51 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT NO 2 OF 2000
("the Act")**

**FOR
GREYLING, BOTHA & VAN RENSBURG**



Greyling, Botha & Van Rensburg

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1. Firm's Particulars

GREYLING, BOTHA & VAN RENSBURG ATTORNEYS is a professional firm practicing as such as attorneys, notaries and conveyancers admitted to practice as such in the High Court of South Africa and governed by *inter alia* the Attorneys Act, 1979.

Physical address: 17 Peter Graham Street, White River
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Telephone No.: 013 – 751 2321/2/3
Fax No.: 013 – 750 1252
E-Mail address: gbvr@mweb.co.za

2. Guide in terms of Section 10 of the Act

The Human Rights Commission must compile a guide on how to use the Act in terms of Section 10 of the Act no later than August 2003 and queries must be directed to:

The South African Human Rights Commissioner
PAIA Unit, The Research and Documentation Department
Private Bag X 2700
Houghton
2041

Tel: (011) 484 8300

Fax: (011) 484 1360

Website: www.sahrc.org.za

E-Mail: PAIA@sahrc.org.za

3. Manual

A copy of this manual is available at the Human Rights Commission and at the Law Society of the Northern Provinces and will be published in the Government Gazette.

This Manual is available for inspection at the offices of GREYLING, BOTHA & VAN RENSBURG ATTORNEYS : free of charge.

Copies of the manual may be obtained, subject to the payment of the prescribed fee (Annexure B) at the offices of GREYLING, BOTHA & VAN RENSBURG ATTORNEYS

4 Notice published in terms of Section 52(2)

NONE PUBLISHED

GREYLING, BOTHA & VAN RENSBURG ATTORNEYS holds no information that is freely available without a requestor having to request access in terms of the Act.

5. **Statutory Legislation in terms whereof records is kept**

- 5.1 Companies Act 61 of 1973;
- 5.2 Attorneys Act 53 of 1979;
- 5.3 Income Tax Act 58 of 1962
- 5.4 Value Added Tax Act 89 of 1997;
- 5.5 Regional Services Council Act 109 of 1985;
- 5.6 Unemployment Insurance Act 63 of 2001;
- 5.7 Labour Relations Act 66 of 1995;
- 5.8 Basic Conditions of Employment Act 75 of 1997;
- 5.9 Employment Equity Act 55 of 1998;
- 5.10 Skills Development Levies Act 9 of 1999;
- 5.11 Pension Funds Act 24 of 1956;
- 5.12 Medical Schemes Act 131 of 1998;

6.

Records relating to the commercial, financial and professional interests of GREYLING, BOTHA & VAN RENSBURG ATTORNEY, including but not limited to its client data base, fee structures, commercial contracts with third parties and its business plans, systems and procedures;

7.

Records of personal information of present, past and prospective employees and management of GREYLING, BOTHA & VAN RENSBURG ATTORNEYS;

8.

Records of clients of GREYLING, BOTHA & VAN RENSBURG ATTORNEYS containing personal information, commercial and financial information, information pertaining to contemplated, existing and past information on agreements, proposals and other property of such clients.

All information requested shall only be made available subject to the provisions of the Act and subject to Attorney-Client Privilege.

9. **Manner of Access**

The Requester must use the prescribed form to make the request (Annexure A)

No request other than a personal request, will be processed without payment of the prescribed request fee. (Annexure B)

If a request is granted an access fee must be paid (Annexure B)

The requester will, subject to the provisions of the Act, be notified within 30 (THIRTY) days of receipt of the request whether the request is granted or refused.

10. **Grounds for refusal of access**

10.1 Mandatory protection of the privacy of a third party who is a natural person.

10.2 Mandatory protection of the commercial information of a third party

10.3 Mandatory protection of certain confidential information of a third party

10.4 Mandatory protection of the safety of individuals and the protection of property

10.5 Mandatory protection of records privileged from production in legal proceedings

10.6 The commercial information of GREYLING, BOTHA & VAN RENSBURG ATTORNEYS

10.7 Mandatory protection of research information of a third party

11. **Dissatisfaction with decision of Head of GREYLING, BOTHA & VAN RENSBURG ATTORNEYS**

A requester that is dissatisfied with the decision of the Head of GREYLING, BOTHA & VAN RENSBURG ATTORNEYS, may subject to the provisions of the Act within 30 (THIRTY) days of notification of the decision, apply to the Court for appropriate relief.

ANNEXURE A**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: _____

_____**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 : _____
_____Postal Address: _____
_____Fax Number: _____

Telephone Number: _____ E-Mail Address: _____

Capacity in which the request is made, when made on behalf of
another person: _____

C. Particulars of person on whose behalf request is made

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

Full names and surname: _____

Identity Number : _____

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.

Description of record or relevant part of the
record: _____

Reference number, If available: _____

Any further particulars of record: _____

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: _____

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 hereunder, state your disability and indicate in which form the record is required.

Disability: _____	Form in which record is required: _____
_____	_____

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request 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 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:			
	Copy of record		Inspection of record

2. If the record consists of visual Images (this includes photographs, slides, video recordings, computer-generated images, sketches etc.):			
	View the images		Copy of the images
			Transcription of the images

3. If record consists of recorded words or information which can be reproduced in sound:			
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack (written or printed document)

4. If the record is held on computer or in an electronic or machine readable form:			
	Printed copy of record	Printed copy of information derived from the record	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	NO

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.

Indicate which right is to be exercised or protected: _____

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

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?

Signed at _____ this _____ day of _____

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B

FEES IN RESPECT OF PRIVATE BODIES

PART A

Fees payable for the disclosure of voluntarily available information

- | | | |
|----|--|--------|
| 1. | For every photocopy of an A4-size page or part thereof | R1.10 |
| 2. | For every printed copy of an A4-size page or part thereof
Held on a computer or in electronic or machine-readable
Form | R0.75 |
| 3. | For a copy in a computer-readable form on: | |
| | (a) stiffy disc | R7.50 |
| | (b) compact disc | R70.00 |
| 4. | For a transcription of visual images, | |
| | (a) for an A4-size page or part thereof | R40.00 |
| | (b) for a copy of visual images | R60.00 |
| 5. | For a transcription of an audio record, | |
| | (a) for an A4-size page or part thereof | R20.00 |
| | (b) for a copy of an audio record | R30.00 |

PART B

Request and access fees for information requested (other than voluntarily available information)

- | | | |
|----|---|--------|
| 1. | The request fee payable by requester, other than personal
Requester | R50.00 |
| 2. | Access fee for the cost of making a copy, the time required
To search and prepare record (unless exempted) | |
| | (a) for every photocopy of an A4-size page or part thereof | R1.10 |
| | (b) for every printed copy of an A4-size page or part
thereof held on a computer or in electronic or machine-
readable form | R0.75 |
| | (c) a copy in a computer-readable form on- | |
| | (i) stiffy disc | R7.50 |
| | (ii) compact disc | R70.00 |
| | (d) for a transcription of visual images, | |

- | | |
|--|---------------|
| (i) for an A4-size page or part thereof | R40.00 |
| (ii) for a copy of visual images | R60.00 |
| (e) for a transcription of an audio record, | |
| (i) for an A4-size page or part thereof | R20.00 |
| (ii) for a copy of an audio record | R30.00 |
| (f) To search for and prepare the record for disclosure, | |
| R30.00 for each hour or part of an hour reasonably | |
| required for such search and preparation. | |
| 3. The postal fee payable when a copy of a record must be | Actual postal |
| posted to the requester | fee |
| 4. Fee payable when the preparation for the record exceeds | |
| six hours | 1/3 of access |
| | is payable as |
| | deposit by |
| | the requester |

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