

MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT



LIDDLE & ASSOCIATES INC.

The company may update this manual at such intervals as may be necessary.

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1. INTRODUCTION

Liddle & Associates Inc conducts business as a incorporated Law Firm. We are a registered law firm who provide legal services.

2. AIM OF THE MANUAL

This manual aims to set out the procedure to be followed when facilitating a request for access to records of Liddle and Associates Inc. This Manual finds application in all situations and must be read together with The Promotion Of Access To Information Act 2 of 2000 ("PAIA" hereinafter).

3. DEFINITIONS AND INTERPRETATION

If any provision in a definition is a substantive provision conferring rights or imposing obligations on any party, notwithstanding that it is only in the definition clause, effect will be given to it as if it were a substantive provision in the body of the agreement.

Headings of the clauses in this agreement are for the purpose of convenience and reference only and will not be used in the interpretation of nor modify nor amplify the terms of this agreement nor any clause hereof.

Any reference to a day, week, month or year will be construed as a Gregorian day, week, month or year, as the case may be.

Where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next business day.

Any reference to any statute, regulation or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date thereof, and as amended or substituted from time to time

Where any term is defined within the context of any particular clause, the term so defined, unless it is clear from the clause in question that the term so defined has limited application to the relevant clause, will bear the meaning ascribed to it for all purposes in terms of this agreement, notwithstanding that that term has not been defined in this interpretation clause.

Where an expression denotes:

- any gender, it includes the other genders;
- a natural person, it includes an artificial or juristic person and vice versa; or
- the singular, it includes the plural and vice versa.

The following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings:

This Manual	means this document together with all of its annexures, as amended from time to time;
The company	means Liddle and Associates Inc;
PAIA (The Act)	means the Promotion of Access to Information Act No. 2 of 2000, as amended from time to time including the regulations promulgated in terms of the Act;

4. LIDDLE & ASSOCIATES INC. CONTACT DETAILS

Directors	QUINTIN ZIMMERMANN (MANAGING DIRECTOR) ROBYN BRONWYN ZIMMERMANN (DIRECTOR)
Company registration number	2009/017131/21

Postal Address	7 Chenin Blanc Street Oude Westhof Bellville 7530
Physical Address	7 Chenin Blanc Street Oude Westhof Bellville 7530
Telephone Number	087 138 3275
Website	www.liddlesinc.com
Email	quintin@liddlesinc.com robyn@liddlesinc.com
Information Officers' Contact Details	ROBYN BRONWYN ZIMMERMANN 0871383275 robyn@liddlesinc.com

5. THE HUMAN RIGHTS COMMISSION GUIDE IN TERMS OF SECTION 51(1)(b)

PAIA grants a requestor access to the records of a private body, if such records are required for the exercise or protection of any legally recognised rights or interest. If a public body lodges a request to access information or records, the public body must be acting in the public interest.

Any request to access records or information must be made in line with the prescribed forms, procedures and processes, and at the rates provided. The forms, procedures and processes are dealt with in PAIA.

Requesters are herewith referred to the guide in terms of section 10 of PAIA, which has been compiled by the South African Human Rights Commission and which will contain all the information pursuant to the exercising of constitutional rights. The guide can be found on the South African Human Rights Commission website.

The contact details of the South African Human Rights Commission are:

Postal address	Private Bag 2700 Houghton 2041
Telephone :	0 11 484 8300
Telefax :	0 11 484 0582
Website :	www.sahrc.org.za

6. ACCESS TO RECORDS OR INFORMATION

<p>Records that are automatically available</p>	<p>The following records are automatically available to all employees and need not be requested in accordance with the procedure outlined in this manual:</p> <ul style="list-style-type: none"> - Employment records (available to the employee concerned) - Records relating to disciplinary hearings and related matters (available to the employee concerned) <p>The following records are automatically available to all and need not be requested in accordance with the procedure outlined in this Manual:</p> <ul style="list-style-type: none"> - Liddle & Associates Inc policies, procedures and manuals - Liddle & Associates Inc marketing material (limited to materials in the public domain)
<p>Records that are not automatically available in terms of section 51(1)(d)</p>	<p>RECORDS HELD BY THE COMPANY IN TERMS OF OTHER LEGISLATION IN TERMS OF 51(1)(D) OF THE ACT</p> <p>The following records are not automatically available without a request in terms of the Act:</p> <ul style="list-style-type: none"> - workmen's compensation; - UIF; - regional services levies; - skills development levies; and - documents concerning compliance by the company, insofar as it may be necessary, with legal obligations in terms of the Legal Practice Act 28 of 2014, the Occupational Health and Safety Act No. 85 of 1993, Basic Conditions of Employment Act 75 of 1997, Employment Equity Act 55 of 1998, Labour Relations Act 66 of 1995, Promotion of Access to Information Act 2 of 2000 and any other applicable legislation. <p>RECORDS HELD BY THE COMPANY IN TERMS OF OTHER LEGISLATION IN TERMS OF 51(1)(C) OF THE ACT</p> <p>The following records are not automatically available without a request in terms of the Act:</p> <ul style="list-style-type: none"> - Personnel information including personal information, employment history and health records that the company may hold from time to time; - Training and development information; - General files containing information on employee benefits and employee recruitment and selection information; - Usage statistics; - Equipment details; - Costings of hardware and software; - Financial records; - A list of the company's creditors and debtors; - Salary information; - Bank account information; - Fixed assets register; - Delivery and collection sheets; and - List of suppliers.

7. PROCEDURE TO FOLLOW WHEN REQUESTING INFORMATION OR RECORDS THAT ARE NOT AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 51(1)(e)

Liddle & Associates Inc will only facilitate the processing of your request if the requester:

1. Makes use of the prescribed form, which is attached to this manual, and readily available on the South African Human Rights Commission website.
2. The request is addressed to the information officer.
3. Sufficient details are provided to enable Liddle & Associates Inc to reasonably identify:
 - The record(s) requested;
 - The capacity of the requester to request is verified;
 - The access is required to protect a legally recognised right or interest;
 - The requester provides his/her/their particulars of the manner in which they wish to be informed (postal address, email, etc.); and
 - The right which the requester is seeking to exercise or protect is set out fully and accompanied by an explanation or reason as to why the record is required to exercise or protect said right.

The attention of the requester is drawn to the provisions of Chapter 4 of Part 3 of the Act in terms of which Liddle & Associates Inc. may refuse, on certain specified grounds, to provide information to a requester.

7.1. FEES PAYABLE BY THE REQUESTER

A requester is required to pay the prescribed fees before a request will be processed. If the preparation of the record requested requires more than the prescribed six (6) hours, a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted). Liddle & Associates Inc. may withhold the records or information requested until the fees have been paid.

The fees for reproduction of a record as referred to in section 52(3) are as follows:

R1,10	for every photocopy of an A4 size page or part thereof
R0,75	for every printed copy of an A4-size page or part thereof
R70,00	for a copy of a compact disc
R40,00	for a transcript of visual images for an A4 size page or part thereof
R60,00	for a copy of visual images
R20,00	for a transcript of an audio record, for an A4-size page or part thereof
R30,00	for a copy of an audio record
R50, 00	for request fee payable by a requester



REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank,
name and surname of information officer/deputy information officer) on (date)
at(place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

.....

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer

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:

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Postal address:

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

E-mail address:

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

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:

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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:
.....
.....

2. Reference number, if available:

3. 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 below, 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 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:				
	copy of record*	inspection of record		
2. If 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*	

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

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 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
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Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record?

G. 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 year

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



REPUBLIC OF SOUTH AFRICA

FORM B
NOTICE OF INTERNAL APPEAL
(Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 8]

STATE YOUR REFERENCE NUMBER:

A. Particulars of public body

The Information Officer/Deputy Information Officer:

B. Particulars of requester/third party who lodges the internal appeal

- | |
|--|
| <p>(a) The particulars of the person who lodge the internal appeal must be given below.
 (b) Proof of the capacity in which appeal is lodged, if applicable, must be attached.
 (c) If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be given at C below.</p> |
|--|

Full names and surname:

Identity number:

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Postal address:

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

E-mail address:

Capacity in which an internal appeal on behalf of another person is lodged:

C. Particulars of requester

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal.

Full names and surname:

Identity number:

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D. The decision against which the internal appeal is lodged

Mark the decision against which the internal appeal is lodged with an X in the appropriate box:

	Refusal of request for access
	Decision regarding fees prescribed in terms of section 22 of the Act
	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act
	Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester
	Decision to grant request for access

E. Grounds for appeal

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

State the grounds on which the internal appeal is based:

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State any other information that may be relevant in considering the appeal:

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F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner:

Particulars of manner:

Signed at this day of year.....

.....
SIGNATURE OF APPELLANT

FOR DEPARTMENTAL USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on (date) by

..... (state rank, name and surname of information officer/deputy information officer).

Appeal accompanied by the reasons for the information officer's/deputy information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer/deputy information officer on (date) to the relevant authority.

OUTCOME OF APPEAL:

DECISION OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER CONFIRMED/NEW DECISION SUBSTITUTED

NEW DECISION:

DATE RELEVANT AUTHORITY

RECEIVED BY THE INFORMATION OFFICER/DEPUTY INFORMATION OFFICER FROM THE RELEVANT AUTHORITY ON (date):

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:

.....

.....

.....

.....

2. Reference number, if available:

.....

.....

.....

.....

3. 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 below, 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 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:					
	copy of record*		inspection of record		
2. If 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 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.

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

.....

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.....

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

.....

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.....

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..... ofyear

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