

## **PAIA – MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 20 OF 2000 (“THE ACT”)**

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## 1. Introduction

MacRobert Incorporated ("the Company") is an incorporated entity which conducts business as a law firm. MacRobert has offices in Pretoria, Cape Town and Durban. Mr. A. Dormehl has been duly appointed as Information Officer, to act as the person to whom requests for access to information must be made in terms of the Act.

## 2. Contact Details of Information Officer

**Information Officer:** Mr A Dormehl – General Manager

**Postal Address:**

Private Bag x18  
Brooklyn Square  
0075

**Docex Address**

Docex 43  
Pretoria

**Physical Address**

MacRobert Building  
1062 Jan Shoba Street  
Brooklyn, Pretoria  
South Africa

**Telephone and email**

Telephone: +27 (12) 425 3400  
adormehl@macrobert.co.za

### **3. Information on the Access to Information Guide (section 51(1)(b))**

The South African Humans Rights Commission has compiled the guide contemplated in Section 10 of the Act, which guide must be updated and made available by the Information Regulator. The guide contains such information as may reasonably be required by a person who wishes to exercise any right contemplated in the Act, as well as in the Protection of Personal Information Act, 2013. Any enquiries regarding this guide should be directed to:

#### **The Information Regulator**

Postal Address:

P. O Box 31533

Braamfontein

2017

#### **Physical Address:**

27 Stiemens Street

Braamfontein

2001

#### **Telephone Number and Facsimile Number:**

Office - (010) 023 5200

Fax - (011) 403 0625

#### **Website:**

<https://www.justice.gov.za/inforeg>

#### **E-mail Address**

[inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)

Alternatively, you can contact the Company's information officer, as set out above, to provide you with a copy of the Guide.

#### **4. Notice in Terms of Section 52(2) (section 51(1)(b)(iii))**

##### Section 52(2) Notice

Promotion of Access to Information Act (PAIA), Act 2 of 2000

MacRobert Attorneys

In accordance with Section 52(2) of the Promotion of Access to Information Act, MacRobert Attorneys hereby confirms that the following categories of records are available for public access without a formal request:

- a) At this stage no notices have been published by the Regulator on the categories of records automatically available without a person having to request access thereto in terms of PAIA.
- b) The records that are located on the MacRobert Attorneys website, however, are automatically available and are freely accessible to any person requesting this information. It is therefore not necessary to apply for access thereto in terms of PAIA. MacRobert Attorneys' website address is <https://www.macrobert.co.za/>.

##### Access Method:

The above records can be accessed via the firm's official website at [PAIA | MacRobert Attorneys - Your strategic partner at law](#) or by contacting the Information Officer directly at the details provided below.

##### Contact Information for the Information Officer:

- Name: Alwyn Dormehl
- Email: [adormehl@macrobert.co.za](mailto:adormehl@macrobert.co.za)
- Phone Number: 012 425 3400
- Office Address: 1060 Jan Shoba Street, Brooklyn, Pretoria, 0181.

For further details or queries regarding this notice, please contact the Information Officer.

#### **5. Description of Records that are Available (section 51(1)(b)(iii))**

The Company maintains records in terms of the following legislation, as far as required:

- Income Tax Act 58 of 1962
- The Unemployment Insurance Act 30 of 1966
- Income Tax Act 95 of 1967
- The Attorneys Act 53 of 1979
- The Legal Practice Act 28 of 2014
- Value Added Tax Act 89 of 1991
- Occupational Health and Safety Act 85 OF 1993
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- The Employment Equity Act 55 of 1998
- The Skills and Development At 97 of 1998
- Promotion of Access of Information Act 2 of 2000
- Electronic Communications and Transactions Act 25 of 2002

- The Protection of Personal Information Act 4 of 2013
- Legal Practice Act 28 of 2014

## **6. Description of Available Records (section 51(1)(b)(iv))**

The Company has the following records:

### Communication

- Public Product Information
- Media Releases
- Promotion of Access to Information Act Manual
- Internal and external correspondence
- Financial Information

### Financial Statements

- Financial and Tax Records (Company & Employees)
- Asset Register & Insurance information
- Banking details
- Human Resources

### Employee Records

- Employment Contracts
- Personnel Guidelines, Policies and Procedures

### Operational Information

- Director information
- Client Information
- General Contract Documentation
- Company Guidelines, Policies and Procedures
- Trade Marks
- Statutory Records
- General Operational Information

### Website

- Organisational structure
- Organisation and personal profiles
- News and Publications

## **7. Process to Apply for Access to Information (section 51(1)(b)(iv))**

A requester must complete the application form and submit same to the Company's information officer, at the particulars indicated above.

The prescribed form must be completed with enough detail to at least enable the Information Officer to identify the record, the identity of the requester; which form of access is required and the postal address or fax number of the requester.

The requester must identify the right that needs to be exercised or protected and specify why the record is necessary to exercise or protect such a right.

The Information Officer will process the request within 30 days, unless the requestor has stated special reasons which would satisfy the Information Officer that circumstances dictate that the above time periods not be complied with.

The requester will be informed in writing whether access is granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he or she must state the manner and the particulars so required.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

The application form is attached hereto.

The completed form must be accompanied by proof of payment of the prescribed application fee, as described below.

Upon receipt of the application form and proof of payment, as aforesaid, the Information Officer will consider the request. If the request is approved, the Information Officer will provide the applicant with a summary of fees payable in respect of the application. Upon receipt of payment the requested information will be supplied.

In the event of the application being denied, the Information Officer will inform the applicant and provide reasons for the decision.

## **8. Protection of Personal Information Act, 2013 (section 51(1)(c)(i-iv))**

In terms of the Protection of Personal Information Act, 2013, the Company is required to detail how and what personal information it processes. The details of this is available on the Company's website under the Website POPIA Policy.

The Company does not plan to transfer personal information across borders out of SA, but it may do so to secure or backup the data, or for operational or technical reasons. The nature of cloud computing means that some data may be transferred across borders. Where it is within the Company's control, it will only transfer data to other countries who have similar privacy and data protection laws as our own.

## **9. Information Security (section 51(1)(c)(v))**

The Company is committed to ensuring that your personal information is secure. In order to prevent unauthorised access or disclosure to such information, the Company has put in place appropriate physical, electronic and managerial procedures to safeguard and secure the information we collect.

The Company secures its data by maintaining reasonable measures to protect personal information from loss or misuse and unauthorised access, disclosure, alteration, and destruction.

The Company also takes reasonable steps to keep personal information accurate, current, complete, and reliable for its intended use.

## **10. Fees (section 54)**

The fees applicable to an application for information shall be as per the prescribed fees. A schedule of these fees is attached hereto. The schedule attached is subject to change in accordance with changes to the prescribed fees.

An application fee of R140.00 is payable in respect of each application for information. Proof of payment of the said fee must accompany the completed application form.

No fees are payable by persons who request information pertaining to their own affairs.



## **11. Grounds for Refusal (section 55 and Chapter 4)**

- The main grounds for the Company to refuse a request for information relates to the -
- records that cannot be found or that do not exist
- mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
  - mandatory protection of the commercial information of a third party, if the record contains
  - trade secrets of that third party;
  - financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
  - information disclosed in confidence by a third party to the Company, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
  - mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
  - mandatory protection of the safety of individuals and the protection of property;
  - mandatory protection of records which would be regarded as privileged in legal proceedings;
- the commercial activities of the Company, which may include –
  - trade secrets of the Company;
  - financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of the Company;
  - information which, if disclosed could put the Company at a disadvantage in negotiations or commercial competition;
  - a computer program which is owned by the Company, and which is protected by copyright.
- the research information of the Company or a third party, if its disclosure would disclose the identity of the Company, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

## **12. Remedies Available when the Company Refuses a Request for Information (section 77A)**

### **Internal Remedies (section 77A(1))**

The Company does not have internal appeal procedures. As such, the decision made by the information officer is final, and requestors will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the information officer.

### **External Remedies (section 77A(2))**

A requestor that is dissatisfied with the information officer's refusal to disclose information, may within 180 days of the decision, submit a complaint to the Information Regulator, or apply to a Court for relief, after exhausting the complaints procedure submitted to the Information Regulator.

Likewise, a third party dissatisfied with the information officer's decision to grant a request for information, may within 180 days of notification of the decision, submit a complaint to the Information Regulator, or apply to a Court for relief, after exhausting the complaints procedure submitted to the Information Regulator. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court, or another court of similar status.

## **13. Availability of Manual (section 51(3))**

This manual is available on <https://www.macrobot.co.za/legal/paia>, as well as at the principal place of business of the Company for public inspection during normal business hours.

This manual is available to any person and upon payment of the prescribed amount.

This manual is available to the Information Regulator upon request.


## 14. Validity and document management

This document is valid as of 1 April 2025.

The owner of this document is the Information Officer and the reviewer is the Practice Manager, who must check and, if necessary, arrange for the update of the document at least once a year.

The Chairman of MacRobert Attorneys Board approves Policies.

Board Chairman  
Gerhardt Van Der Merwe

  
\_\_\_\_\_  
Signature

1 April 2025

\_\_\_\_\_  
Date

## ANNEXURE 1

### Prescribed Form 2

#### REQUEST FOR ACCESS TO RECORDS OF:

**MacRobert Inc.**

**(Section 53(1) of the Promotion of Access to Information Act (Act No of 2000)**

**[Regulation 7]**

#### NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

**TO:** The Information Officer  
Private Bag x18, Brooklyn Square, 0075 Republic of South Africa  
(Address)

E-mail address: adormehl@macrobert.co.za

Fax number: N/a

Mark with an "X"

☐ Request is made in my own name ☐ Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made (when made on behalf of another person)			
Postal Address			
Street Address			
E-mail Address			
	Tel. (B):		Facsimile:

Contact Numbers	Cellular:			
Full names of person on whose behalf request is made (if applicable):				
Identity Number				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
<b>PARTICULARS OF RECORD REQUESTED</b>				
<i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>				
Description of record or relevant part of the record:				
Reference number, if available				
Any further particulars of record				

<b>TYPE OF RECORD</b> <i>(Mark the applicable box with an "X")</i>	
Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	
<b>FORM OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

<b>MANNER OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(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)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED	
<i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
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:	
FEES	
a) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. 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	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature of Requester / person on whose behalf request is made**

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**FOR OFFICIAL USE**

<i>Reference number:</i>	
<i>Request received by: (State Rank, Name And Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

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***Signature of Information Officer***



## ANNEXURE 2

### PAIA Fees Government Gazette No 45057 Notice 757 - 27 August 2021

Item	Description	Amount
1	The request fee payable by every requester	R140-00
2	Photocopy of A4 size page	R2-00 per page or part thereof
3	Printed copy of A4 size page	R2-00 per page or part thereof
4	For a copy in a computer-readable form on: (i) Flash drive (to be provided by requester) (ii) Compact disc <ul style="list-style-type: none"> <li>If provided by requester</li> <li>If provided to requester</li> </ul>	R40-00 R40-00 R60-00
5	For transcription of visual images per A4 size page	Service to be outsourced. Will depend on quotation from service provider
6	Copy of visual images	
7	Transcription of an audio record, per A4 size	R24-00
8	Copy of an audio record on: (i) Flash drive (to be provided by requester) (ii) Compact disc <ul style="list-style-type: none"> <li>If provided by requester</li> <li>If provided to requester</li> </ul>	R40-00 R40-00 R60-00
9	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonable required for such search and preparation. To not exceed a total cost of	R145-00 R435-00
10	Deposit: If search exceed 6 hours	One third of amount per request calculated in terms of items 2 -8
11	Postage, e-mail, or any other electronic transfer	Actual expense if any

## ANNEXURE 3

### PAIA GLOSSARY

<b>Access fee</b>	A fee prescribed for the purpose of reproduction, search, and preparation of records and, if applicable, postal fees.
<b>Date of submission</b>	The date on which the requester submits the PAIA Request. The Deputy Information Officer must respond to the request within 30 days of this date.
<b>Deputy Information Officer (DIO)</b>	The individual in the public body who is responsible for assisting the Information Officer with the PAIA Request.
<b>Grounds for refusal</b>	The Section(s) of PAIA referred to by the Information Officer or Deputy Information Officer in order to refuse a PAIA Request.
<b>Information Officer (IO)</b>	The individual in the public or private body who is responsible for dealing with a PAIA Request.
<b>Inventory</b>	A complete list of items in the custody of a particular public body.
<b>Letter of authorisation</b>	A letter from an individual who requires the requester to submit a PAIA Request on their behalf in terms of PAIA. The letter must state that the individual authorises the requester (and other representatives from the requester's organisation, if necessary) to submit a request to access information in terms of PAIA on their behalf.
<b>PAIA</b>	The Promotion of Access to Information Act 2 of 2000.
<b>PAIA Request</b>	The name given to the document(s) submitted to a public body requesting access to information in terms of PAIA.
<b>PAIA Request reference number</b>	The reference number allocated for an individual PAIA Request. It is advisable to use this reference number throughout all correspondence.
<b>Personal requester</b>	A requester seeking access to a record containing personal information about themselves.
<b>Private body</b>	Generally, any natural person who carries on business, a partnership or a former or existing juristic person, but excludes a public body.
<b>Record</b>	Any recorded information irrespective of form or medium.
<b>Requester</b>	An individual seeking or requesting access to records and/or information held by the State and/or public body.
<b>Request fee</b>	The fee that must be paid by the requester before a request can be processed.