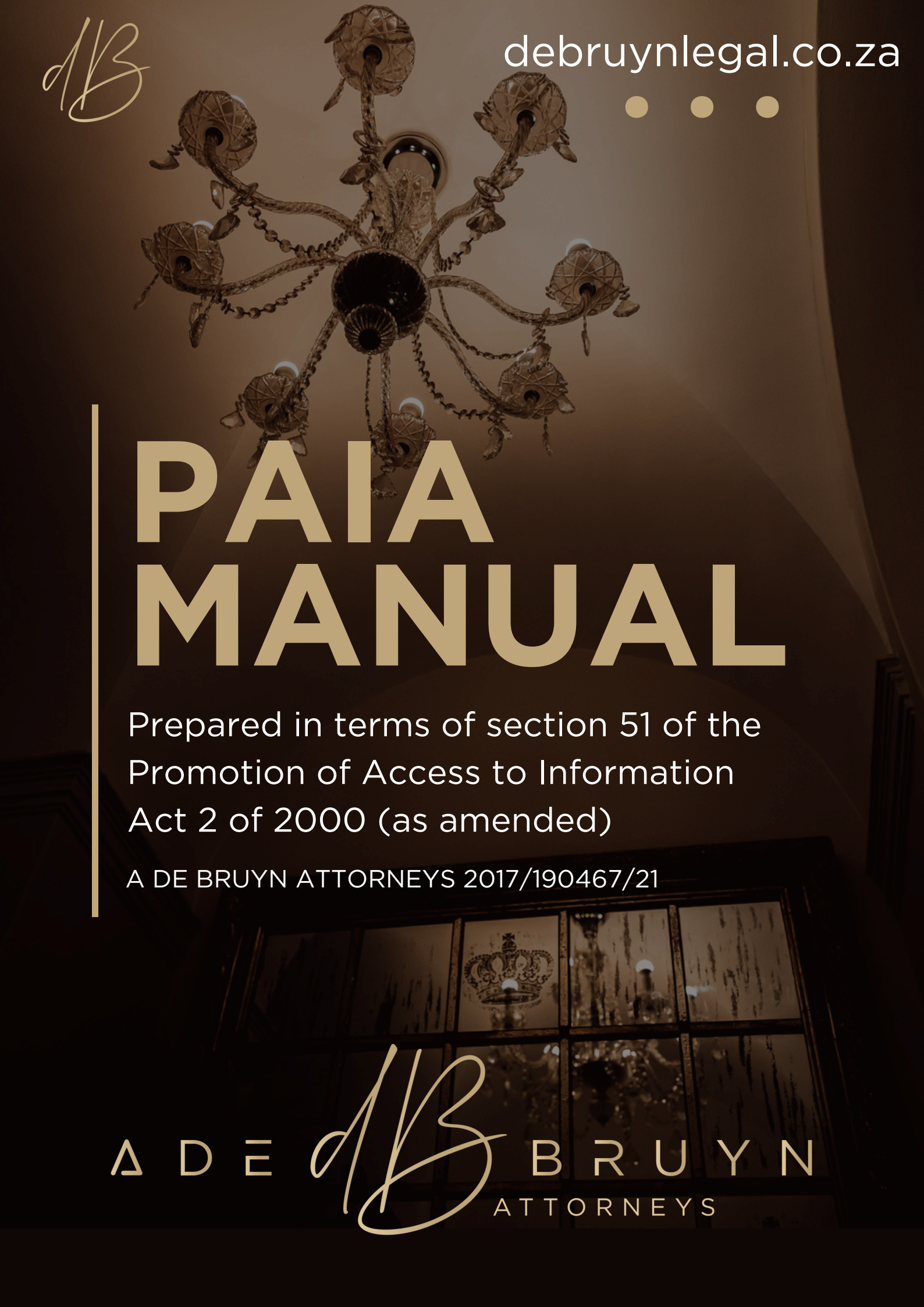
debruynlegal.co.za



PAIA MANUAL

Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended)

A DE BRUYN ATTORNEYS 2017/190467/21

A DE BRUYN ATTORNEYS

Introduction

On 9 March 2001, the Promotion of Access to Information Act, No. 2of 2000 ("the Act") became operative, giving effect to the section 32(2) Constitutional right of access to information. One of the main requirements specified in the Act, is the compilation of an information manual that provides information on both the types and categories of records held by a private body. The Act also gives persons the right of access to information that is required for the exercise or protection of any rights. For access to information to be granted, certain requirements must be met. This document serves as the A de Bruyn Attorneys information manual and provides a reference to the records held by A de Bruyn Attorneys and the process to request access to such records.



Industry:

Legal Services

Nature of Business:

A de Bruyn Attorneys is a full-service law firm establishment, providing comprehensive legal services to individuals, businesses and public entities. The firm specialises in various areas of law, ensuring a tailored solution to meet client's needs. Our core business activities are as follows: Debt Counselling Attorneys, Correspondent Services, Labour Law, Will and Estates, Family Law, Alternative Dispute Resolution, Notarial Services, Data Protection, Property Law, Debt Review and Judgement removals, Intellectual Property, Contract Services.

DATE OF COMPILATION: 25/11/2021
DATE OF REVISION: 25/11/2024

1. LIST OF ACRONYMS AND ABBREVIATIONS

NB: Please insert relevant applicable acronyms and abbreviations

1.1 "CEO" - Chief Executive Officer

1.2 "DIO" - Deputy Information Officer;

1.3 "IO" - Information Officer;

1.4 "Minister" - Minister of Justice and Correctional Services;

1.5 "PAIA" - Promotion of Access to Information Act No. 2 of 2000(as Amended)

1.6 "POPIA" - Protection of Personal Information Act No.4 of 2013;

1.7 "Regulator" - Information Regulator; and

1.8 "Republic" - Republic of South Africa

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;

2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records, and the categories of records held on each subject;

2.3 know the description of the records of the body which are available in accordance with any other legislation;

2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;

2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;

2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;

2.8 know the recipients or categories of recipients to whom the personal information may be supplied;

2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and

2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF A DE BRUYN ATTORNEYS

Chief Information Officer

NAME: Adri de Bruyn
TEL: 021 200 5644
EMAIL: adri@debruynlegal.co.za

Deputy Information Officer

NAME: Bernice Bradley
TEL: 021 200 5644
EMAIL: bernice@debruynlegal.co.za

Access to information general contacts

EMAIL: info@debruynlegal.co.za

National or Head Office

POSTAL ADDRESS: 30 Main Road, Paarl, 7646

PHYSICAL ADDRESS: 30 Main Road, Paarl, 7646

TEL: 021 200 5644

EMAIL: info@debruynlegal.co.za

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1 The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

4.2 The Guide is available in each of the official languages and in braille.

4.3 The aforesaid Guide contains the description of-

4.3.1 the objects of PAIA and POPIA;

4.3.2 the postal and streetaddress, phone and fax numberand, if available, electronic mail address of-

4.3.2.1 the Information Officer of every public body, and

4.3.2.2 .every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA[1] and section 56 of POPIA [2];

4.3.3 the manner and form of a request for-

4.3.3.1 access to a record of a public body contemplated in section 11 [3]; and

4.3.3.2 access to a record of a private body contemplated in section 50[4] ;

---

[1] Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

[2] Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

[3] Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

[4] Section 50(1)of PAIA- *A requester must be given access to any record of a private body if-*
a)that record is required for the exercise or protection of any rights;
b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
c)access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

4.3.4 the assistance available from the IO of a public body in terms of PAIA and POPIA;

4.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;

4.3.6 all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

4.3.6.1 an internal appeal;

4.3.6.2 a complaint to the Regulator; and

4.3.6.3 an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

4.3.7 the provisions of sections 14[5] and 51[6] requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

4.3.8 the provisions of sections 15 [7] and 52[8] providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

4.3.9 the notices issued in terms of sections 22 [9] and 54[10] regarding fees to be paid in relation to requests for access; and

4.3.10 the regulations made in terms of section 92.[11]

---

[5] Section 14(1) of PAIA- *The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.*

[6] Section 51(1) of PAIA- *The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.*

[7] Section 15(1) of PAIA- *The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access*

[8] Section 52(1) of PAIA- *The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access*

[9] Section 22(1)of PAIA- *The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.*

[10] Section 54(1) of PAIA- *The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.*

[11] Section 92(1) of PAIA provides that –*"The Minister may, by notice in the Gazette, make regulations regarding-*
(a)any matter which is required or permitted by this Act to be prescribed;
(b)any matter relating to the fees contemplated in sections 22 and 54;
(c) any notice required by this Act;
(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
(e)any administrative or procedural matter necessary to give effect to the provisions of this Act."

4.4 Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

4.5 The Guide can also be obtained-

4.5.1 upon request to the Information Officer;

4.5.2 from the website of the Regulator https://inforegulator.org.za

4.6 A copy of the Guide is also available in English, for public inspection during normal office hours – 8:00 am to 16:00 pm.

4.7 How to request access to record, in terms of Regulation 7.1 of the Regulations relating to the Promotion of Access to Information, 2021, all requests for access to records in terms of section 18(1) (public bodies) or section 53(1) (private bodies) of PAIA must be made using Form 2 of Annexure A to the Regulations.

The prescribed form must be completed and submitted to the Information Officer at the contact details provided in this Manual.

The prescribed Form 2 can be:

4.7.1 Requested directly from the Information Officer.

4.7.2 Downloaded from the information Regulators website using the following link: https://inforegulator.org.za/paia-forms/ or

4.7.3 Accessed as Annexure A to this PAIA manual.



5. CATEGORIES OF RECORDS OF THE A DE BRUYN ATTORNEYS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of the Record	Available on Website	Available upon request
Manuals, Privacy Policy	• PAIA Manual • A de Bruyn Attorneys Privacy Policy	X	

6. DESCRIPTION OF THE RECORDS OF A DE BRUYN ATTORNEYS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY A DE BRUYN ATTORNEYS

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	- HR / Internal policies and procedures - Employment contracts - Employees records / history - Employment tax information - Payroll records - Leave record - Disciplinary records - Employment Equity Plan - Performance and development plans - KPI records
Financial Record	- Accounting records - Audit reports - Invoices - Insurance Records - Lease records
Company Records	-Share Register and other statutory registers - List of Employees
Client, Third Party and Supplier Information	-Agreements with clients and service providers -Files relating to client matters - Client documents in terms of the Financial Intelligence Centre Act No. 38 of 2001 -Research documents conducted on behalf of clients -Correspondence with clients, service providers and third parties
Licenses and Intellectual Property	-Records relating to domain names -Software Licenses

8. PROCESSING OF PERSONALINFORMATION

1. PURPOSE OF PROCESSING PERSONALINFORMATION

A de Bruyn Attorneys processes personal information to provide legal services to clients and to fulfil legal and regulatory obligations. A de Bruyn Attorneys will predominantly use personal information only for the purpose for which it was originally collected for. A de Bruyn Attorneys may process personal information for an additional purpose, only if such purpose constitutes a legitimate interest and if its closely related to the original primary purpose for which the personal information was collected. Please refer to A de Bruyn Attorneys Privacy Policy accessible on https://debruynlegal.co.za/privacy-policy/ for more details on the purpose of the processing of personal information.

2. DESCRIPTION OF THE CATEGORIES OF DATA SUBJECTS AND OF THE INFORMATION OR CATEGORIES OF INFORMATION RELATING THERETO

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	First name and last name, title, phone number, address, email address, demographic information, gender, date of birth, identity number, passport number, nationality, language preferences, utility provider, banking details
Service Providers	Names, registration number, vat numbers, address, trade secrets and bank details
Employees	First names, last names, phone numbers, identity numbers, gender, address, qualifications, gender and race, banking details

3. THE RECIPIENTS OR CATEGORIES OF RECIPIENTS TO WHOM THE PERSONAL INFORMATION MAY BE SUPPLIED

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

4. PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION

A de Bruyn Attorneys may cause personal information to be subjected to cross border transfer when it comes to the storing of data collected by the data subject. These countries have data laws, regulations and/or legislation that offers similar protection in respect of personal information as the POPI act.

5. GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES TO BE IMPLEMENTED BY THE RESPONSIBLE PARTY TO ENSURE THE CONFIDENTIALITY, INTEGRITY AND AVAILABILITY OF THE INFORMATION

A de Bruyn Attorneys will ensure that appropriate physical, technical and administrative measures are in place for the protection of personal information. A de Bruyn Attorneys will ensure that its hosting service provider (s) attends to the hosting of its server (s), website and other applications on the basis that they use firewalls and other applicable security measures to prevent interference and unauthorised assess to the data subject's personal information.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 On https://debruynlegal.co.za/, if any;

9.1.2 head office of A de Bruyn Attorneys for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The head of A de Bruyn Attorneys will on a regular basis update this manual.

ISSUED BY



ADRI DE BRUYN
CHIEF EXECUTIVE OFFICER

FORM 2

REQUEST FOR ACCESS TO RECORD

[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

_____
_____
_____
_____
(Address)

E-mail address: _____

Fax number: _____

*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				
Contact Numbers	Tel. (B):		Facsimile:	
	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			

PARTICULARS OF RECORD REQUESTED

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.)*

Description of record or relevant part of the record:	
Reference number, if available	
Any further particulars of record	

TYPE OF RECORD
*(Mark the applicable box with an "**X**")*

Record is in written or printed form	
Record comprises virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)*	
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	

FORM OF ACCESS *(Mark the applicable box with an "**X**")*	
Printed copy of record *(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)*	
Written or printed transcription of virtual images *(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)*	
Transcription of soundtrack *(written or printed document)*	
Copy of record on flash drive *(including virtual images and soundtracks)*	
Copy of record on compact disc drive*(including virtual images and soundtracks)*	
Copy of record saved on cloud storage server	

MANNER OF ACCESS *(Mark the applicable box with an "**X**")*	
Personal inspection of record at registered address of public/private body *(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)*	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format *(including transcriptions)*	
E-mail of information *(including soundtracks if possible)*	
Cloud share/file transfer	
Preferred language *(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)*	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED *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.*	
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

---

FOR OFFICIAL USE

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

_____

Signature of Information Officer