

## **MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000**

### **Company Overview:**

*Name of Company:* LAW Deed Solutions (Pty) Ltd (reg no: 2004/004195/07)

*Description of core business:* Information system services and/or intermediary services (as envisaged in terms of Act 25/2002) primarily to the credit granting and/or conveyancing industries, and to provide for all matters ancillary and related thereto.

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### **PART I**

#### **CONTACT DETAILS - SECTION 51(1)(A)**

<i>Name of Body:</i>	LAW Deed Solutions (Pty) Ltd
<i>Physical Address:</i>	Unit B4 Arden Grove Business Park, Race course Road, Montague Gardens
<i>Postal Address:</i>	PO Box 37221, Montague Gardens, 7442
<i>Information Officer:</i>	J C Viljoen
<i>Telephone No:</i>	+0860 44 33 33
<i>Fax No:</i>	+ 27 21 555 3127
<i>E-mail:</i>	<a href="mailto:info@lawdeed.co.za">info@lawdeed.co.za</a>

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### **PART II**

#### **GUIDE ON HOW TO USE THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000**

##### **- SECTION 51(1)(B)**

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection, inter alia, at the office of the offices of the Human Rights Commission at 29 Princess of Wales Terrace, cnr York and St.

Andrews Street, Parktown and on its website at [www.sahrc.org.za](http://www.sahrc.org.za).

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#### **THE LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY):**

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

### **PART III**

#### **RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION - SECTION 51(1)(D)**

Records are kept by the body in accordance with the following legislation:

- Companies Act 61 of 1973
- Insolvency Act 24 of 1936
- Income Tax Act 58 of 1962
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Occupational Health and Safety Act 85 of 1993
- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- Employment Equity Act 55 of 1998
- Skills Development Levies Act 9 of 1999
- Medical Schemes Act 131 of 1998
- Pension Fund Act 24 of 1956
- Unemployment Insurance Contribution Fund Act 4 of 2000

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### **PART IV**

#### **ACCESS TO THE RECORDS HELD BY LAW DEED - SECTIONS 51(1)(C) & 51(1)(E)**

##### **A: Records which are available without a person having to request them in terms of the Act - SECTION 51(1)(C)**

- i Product and Services Brochures
- ii Booklets
- iii Newsletters

##### **B: Records that may be Requested**

- i Companies Act Records

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers
- Share Register and other statutory registers

ii **Financial Records**

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
- Bank Statements
- Paid Cheques
- Electronic banking records
- Asset Register
- Rental Agreements
- Invoices

iii **Income Tax Records**

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
  - VAT
  - Regional Services Levies
  - Skills Development Levies
  - UIF
  - Workmen's Compensation

iii **Personnel Documents And Records**

- Employment contracts
- Employment Equity Plan (if applicable)
- Medical Aid records
- Pension Fund records
- Disciplinary records
- Salary records
- SETA records

- Disciplinary code
- Leave records
- Training records
- Training Manuals
- Operational Information

Such information as is required for the day-to-day running of LAW Deed (Pty) Ltd. For instance: internal phone lists; address lists; company policies; contracts; employee records; licences; general "house keeping" information.

#### iv **Information Technology Records**

Training Manuals.

### **C: The Request Procedures**

#### **Form of request:**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- If a request is made on behalf of a another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [s 53(2)(f)].

#### **Fees:**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [s 54(1)].

- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].
  - After the head of the private body has made a decision on the request, the requester must be notified in the required form.
  - If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].
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## **PART VI**

### **OTHER INFORMATION AS MAY BE PRESCRIBED [SECTION 51(1)(F)]**

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

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## **PART VII**

### **PART VI. AVAILABILITY OF THE MANUAL - SECTION 51(3)**

- Available from the Human Rights Commission
- LAW Deed Websites at [www.searchworks.co.za](http://www.searchworks.co.za), [www.lawdeed.co.za](http://www.lawdeed.co.za) and [www.lawtech.co.za](http://www.lawtech.co.za)
- Available in printed format at LAW Deed's premises