



**Our Manual in terms of Section 51 of the
Promotion of Access to Information Act**

PREAMBLE

The Promotion of Access to Information Act (Act 2 of 2000) ("the Act") came into operation on 23 November 2001. Section 51 of this Act requires that we as a private body compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

SECTION A – OUR DETAILS

Full name : Cox Yeats Attorneys

Physical Address : Ncondo Chambers
Vuna Close
Umhlanga Ridge
Durban

Postal Address : P O Box 913
Umhlanga Rocks
4320

Telephone Number : 031 536 8500

Fax Number : 031 536 8088

Head/CEO : Andrew Clark

Designated Information Officer : Andrew Clark

Email Address of Information Officer: c/o Unisha Maharaj
umaharaj@coxyeats.co.za

Website : www.coxyeats.co.za

SECTION B – THE OFFICIAL GUIDE

In accordance with section 10 of the Act, the South African Human Rights Commission (SAHRC) has published a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act. This Guide appears on the South African Human Rights Commission's website.

Enquiries regarding the Guide can be addressed to the SAHRC:

<u>Post</u>	<u>Telephone:</u>	011 877-3600
South African Human Rights Commission	<u>Fax:</u>	011 403-0625
Promotion of Access to Information Act Unit	<u>Website:</u>	www.sahrc.org.za
Research and Documentation Department		
Private Bag 2700		
Houghton, 2041		

SECTION C – INFORMATION AVAILABLE IN TERMS OF THE ACT

1. **Categories of information**

We hold the following categories of information:

(a) ACCOUNTING RECORDS

- (i) Books of Account including journals and ledgers;
- (ii) Invoices, statements, receipts, vouchers, cheques and other like financial records;
- (iii) Annual Financial Statements.

(b) EMPLOYEE RECORDS

- (i) Statutory employee records;
- (ii) Employee contracts;
- (iii) Legal Provident Fund including Group life and disability benefits records.

(c) PENSION AND RETIREMENT FUNDING RECORDS

- (i) Legal Provident Fund Rules and correspondence with the Legal Provident Fund.

(d) FIXED PROPERTY

- (i) Leases and correspondence with Lessors.

(e) MOVABLE PROPERTY

- (i) Asset register.

(f) AGREEMENTS AND CONTRACTS NOT LISTED ELSEWHERE

- (i) Agreements concerning provision of services or materials;

- (ii) Sale agreements.

(g) TAXATION

- (i) Copies of VAT and levy returns.

(h) LEGAL

- (i) Client documents and records relevant to legal services being rendered.

- (i) INSURANCE
 - (i) Insurance policies and correspondence with insurers.
- (j) INFORMATION TECHNOLOGY
 - (i) Software Packages;
 - (ii) Licences.

2. **Procedure for requesting access to the above information**

If you wish to request access to any of the above categories of information, you are required to complete a request form. These forms are available from:

- our information officer (whose contact details are on page 3 of this manual);
- the SAHRC website (www.sahrc.org.za);
- the Department of Justice and Constitutional Development website (www.doj.gov.za).

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether or not your request has been approved.

SECTION D – INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is also available in terms of certain provisions of the following statutes:

- (a) Administration of Estates Act No. 66 of 1965 (Section 28(5));
- (b) Basic Conditions of Employment Act No. 75 of 1997 (Sections 29, 33, 66 and 79);
- (c) Financial Intelligence Centre Act No. 38 of 2001 (Section 37);

- (d) Labour relations Act No. 66 of 1995 (Sections 5, 189 and 197B);
- (e) Occupational Health and Safety Act No. 85 of 1993 (Section 36);
- (f) Prevention of Organised Crime Act No. 121 of 1998 (Section 7);
- (g) Unemployment Insurance Act No. 63 of 2001 (Section 63).

We also retain records and documents in terms of the following statutes:

- (a) Basic Conditions of Employment Act No. 75 of 1997 (Sections 29 and 31);
- (b) Compensation for Occupational Injuries and Diseases Act No. 130 of 1993 (Section 81);
- (c) Employment Equity Act No. 55 of 1998 (Section 26);
- (d) Labour Relations Act No. 66 of 1995 (Section 205);
- (e) Sectional Titles Act No. 95 of 1986 (Section 55).

SECTION E – INFORMATION AUTOMATICALLY AVAILABLE

The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotion of Access to Information Act. These documents can be obtained from our information officer.

- 1. Newsletters.
- 2. Booklets.
- 3. Pamphlets / Brochures.
- 4. Other literature intended for public viewing.

SECTION F – PROTECTION OF PERSONAL INFORMATION ACT

This manual is to be read together with the Cox Yeats policy in terms of the Protection of Personal Information Act 4 of 2003 (POPI) (the POPI manual). The POPI manual is published together with this PAIA manual and is furthermore available upon request from the information officer.

The POPI manual contains, amongst other things, information pertinent to:

- 1. The purpose for which we process personal information;
- 2. The categories of data subjects in respect of which we process personal information, and the categories of information relating thereto;
- 3. The categories of recipients to whom we supply personal information;
- 4. Any planned transborder flows of personal information; and

5. A description of the information security measures which we implement to ensure the confidentiality, integrity and availability of the personal information which we process.