

Document Name:	PAIA Manual
Document Type:	MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 (AS AMENDED)
Document Classification:	Public External
Document Owner:	Conrad Van Der Vyver/VNA
Approved By:	Conrad Van Der Vyver
Approved Date:	26 September 2025
Effective Date:	26 September 2025
Review Date:	August 2026
Version Number:	Version 1

***This document is strictly confidential and is issued for internal purposes only.
Distribution of this document is prohibited to
external third parties unless the prior written consent of the Directors, Head
of Compliance, or Information Officer is obtained.***

Prepared in terms of section 51 of the Promotion of Access to Information Act
2 of 2000 (as amended) and Cybercrimes Act 19 of 2020

Table of Contents

1. Interpretation and List of acronyms and abbreviations
2. Purpose of the manual
3. Contact Details to Access Information
4. Guidance of PAIA
5. Records Held by Van Niekerk Attorneys Inc.
6. Processing Personal Information
7. How to Request Access to a Record
8. Payment of Fees
9. Applicable Time Periods
10. Outcome of Request
11. Grounds for Refusal of Request
12. Remedies for Refusal
13. Availability of the Manual
14. Updating of the Manual
15. Revision Record
16. Cybercrimes Act 19 of 2020

1. Interpretation and List of acronyms and abbreviations

In this document, clause headings are for convenience and shall not be used in its interpretation unless the context clearly indicates a contrary intention:

1.1 an expression which denotes -

1.1.1 Any gender includes the other genders;

1.1.2 A natural person includes a juristic person and vice versa;

1.1.3 The singular includes the plural and vice versa;

1.2 The following expressions shall bear the meanings assigned to them below, and cognate expressions bear corresponding meanings -

1.2.1 "Information Officer" - the designated Information Officer as described in this Manual;

1.2.2 "Manual" - this document, together with all of its annexures, as amended from time to time, and published in terms of section 51 of PAIA;

1.2.3 "PAIA" - Promotion of Access to Information Act 2 of 2000, as amended from time to time, including the regulations promulgated in terms of PAIA;

1.2.4 "POPIA" - Protection of Personal Information Act 4 of 2013, as amended from time to time, including the regulations promulgated in terms of POPIA;

1.2.5 "POPIA Regulations" - the regulations relating to the protection of personal information, GG 42110, GNR.1383 of 2018;

1.2.6 "Regulator" - the Information Regulator of South Africa, established in terms of section 39 of POPIA; and

1.2.7 "VNA" – Van Niekerk Attorneys Inc., a corporate and commercial law firm incorporated in terms of the laws of South Africa.

2. Purpose of this Manual

This Manual is beneficial for the public to:

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

2.2 Have a sufficient understanding of how to request access to a record of the body, by describing 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 under any other legislation;

2.4 Access all the relevant contact details of the 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 Information 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 that is to be processed.

3. Key contact details

3.1. Information Officer

Name: Conrad Van Der Vyver

Tel: +27 (0) 12 819 1285

Fax number: +27 (0) 086 614 0879

3.2. Access to information:

Email reception@vnattorneys.net or

Conrad@vnattorneys.net

3.3. Office

Van Niekerk Attorneys Inc

Reg Number: 2015/380154/21

Fisant Street/Straat

Plot 87, Kameeldrift, Pretoria

Telephone: +27 (0) 12 819 1285

4. Guide on how to use PAIA and how to obtain access to the Guide

4.1. The Information Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised guide on how to use PAIA (the 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, or the Cybercrimes Act.

4.2. The Guide is available in the official language of English and may be interpreted on request of the subject.

4.3. The aforesaid Guide contains the description of:

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number, and, if available, the electronic mail address of

4.3.2.1. The information officer of the 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 PAIA¹ and section 56 of POPIA²;

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 11³; and

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.

4.3.3.2. access to a record of a private body contemplated in section 50⁴;

4.3.4. The assistance available from the Information Officer of a public body in terms of PAIA and POPIA;

4.3.5. The assistance available from the Information 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 Information 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, a decision by the Information Regulator or a decision of the head of a private body;

4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and a private body, respectively, to compile a manual, and how to obtain access to a manual;

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.

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.

4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and a private body, respectively;

4.3.9. The notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

4.3.10. The regulations made in terms of section 92¹¹.

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 Information 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 Information Regulator:

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

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 of Justice and Correctional Services] 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.”

5. Records held by Van Niekerk Attorneys Inc.

The records that are located on the Van Niekerk Attorneys Inc. 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.

5.1 Categories of records which are available without a person having to request access:

Category of Records	Types of Records	Availability
Product information	Information relating to our products and services	Freely available
Public-facing policies and notices	Privacy Policy, Cookie Policy, Terms and Conditions, Processing Notice, Copyright notice, PAIA Manual	Freely available

5.2 Description of the records 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
BCEA	Broad-Based Black Economic Empowerment Act 53 of 2003
Companies Act	Companies Act 71 of 2008

Occupational Health and Safety Act	Occupational Health and Safety Act 85 of 1993
Labour Relations Act	Legal Practice Act 28 of 2014
Electronic Communications	Electronic Communications and Transactions Act 25 of 2002
VAT	Value Added Tax Act 89 of 1991
FIC	Financial Intelligence Centre Act 38 of 2001

5.3 Description of the subject on which the body holds records and categories of records held on each subject:

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	- HR policies and procedures - Advertised posts - Employees records

6. Processing of Personal Information

6.1 Purpose of Processing Personal Information

The purposes for which we process personal information include, but are not limited

to:

6.1.1. rendering of services to our customers;

6.1.2. employee administration;

6.1.3. transacting with our suppliers and third-party service providers;

6.1.4. maintaining records;

6.1.5. recruitment;

6.1.6. general administration;

6.1.7. financial requirements;

6.1.8. compliance with legal and regulatory requirements; and

6.1.9. facilities management

6.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto

The categories of Data Subjects and of the information or categories of information relating thereto include, but is not limited to, those set out in our:

6.2.1. Privacy Policy, which is available at the Head Office

6.2.2. Processing Notice, which is available at: The Head Office

6.3 The recipients or categories of recipients to whom the personal information may be supplied

The recipients or categories of recipients to whom the personal information may be supplied include, but are not limited to, those set out in our:

6.3.1 Privacy Policy, which is available at: The Office

6.3.2 Processing Notice, which is available at: The Office

6.4 Planned transborder flows of personal information

Planned transborder flows of personal information include, but are not limited to, those set out in our:

6.4.1 Privacy Policy, which is available at: The Office

6.4.2 Processing Notice, which is available at: The Office

6.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity, and availability of the information

6.6 The types of security measures implemented by us to ensure that personal information is respected and protected are set out in our security statement. This is not an exhaustive list and is subject to change. Our security statement is available at: The Head Office

6.7 Van Niekerk Attorneys Inc. may disclose your personal information to third parties such as our associates and service providers, for legitimate business purposes, in accordance with applicable law and subject to the applicable professional and regulatory requirements regarding confidentiality.

6.8 Should Van Niekerk Attorneys Inc. disclose your information to third parties, the latter will be obliged to use that personal information for the reasons and purposes for which the information was disclosed. To this end, we have agreements in place with the relevant third parties to ensure that an adequate level of security and confidentiality is adopted by the third parties to which your personal information is being transferred.

6.9 Van Niekerk Attorneys Inc. may be obliged to disclose your personal information where we have a duty to disclose in terms of law or where we believe it is necessary to protect our rights. This includes where we are required to disclose your personal information as a result of litigation being instituted by or against us.

6.10 Data Security Measures. Van Niekerk Attorneys Inc. takes reasonable, appropriate and adequate technical and organisational measures to ensure that your personal information is kept secure and is protected against

unauthorised or unlawful processing, accidental loss, destruction, damage, alteration, disclosure or unauthorised access. We contractually mandate any third parties to which your personal information is transferred to do the same.

6.11 Van Niekerk Attorneys Inc. regularly reviews our security controls and related processes to ensure that your personal information is secure. However, where there are reasonable grounds to believe that your personal information has been accessed or acquired by any unauthorised person, we will notify the Regulator and you, unless the Regulator or a public body responsible for the detection, prevention, or investigation of offences informs us that notifying you will impede a criminal investigation.

7. How to Request Access to Records

7.1 To request a record in terms of PAIA, the requester must complete the prescribed form attached to this manual as Annexure A. This request must be sent to the Information Officer at the addresses provided in paragraph 3.1.

7.2 For POPIA-related requests to object to the processing of personal information, correct or delete personal information, the request must be made in writing on the applicable prescribed Form 1 (objection) or Form 2 (correction or deletion), which are attached to this Manual as Annexure B.

7.3 The requester must provide sufficient detail to enable the Information Officer to identify the record(s) requested and the requester. The requester must indicate which form of access is required, identify the right that he/she is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right.

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

7.5 PAIA makes provision for certain grounds upon which a request for access to information must be refused. On this basis, the Information Officer will decide whether or not to grant a request for access to information.

8. Payment of Fees

8.1 PAIA provides for two types of fees, namely –

8.1.1 a request fee, which will be a standard non-refundable administration fee, payable prior to the request being considered; and

8.1.2 an access fee, payable when access is granted, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

8.2 After a request being made, the Information Officer shall, by notice, require the requester, excluding a personal requester, to pay the prescribed request fee (if any) before further processing of the request.

8.3 If the search for and preparation for disclosure of the record has been made, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, Van Niekerk Attorneys Inc. will request the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

8.4 Van Niekerk Attorneys Inc. may withhold a record until the requester has paid the fees as indicated in Annexure C.

8.5 A requester whose request has been granted must pay the applicable access fee for reproduction, search, preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the request form.

8.6 In terms of POPIA, a data subject has the right to request Van Niekerk Attorneys Inc. to confirm, free of charge, whether or it holds personal information about the data subject and request from Van Niekerk Attorneys Inc. the record or a description of the personal information held, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to the information.

8.7 POPIA further provides that where the data subject is required to pay a fee for services provided to them, Van Niekerk Attorneys Inc. must provide the data subject with a written estimate of the payable amount before providing the service and may require that the requester pay a deposit for all or part of the fee.

9. Applicable Time-Periods

9.1 Van Niekerk Attorneys Inc. will inform the requester within 30 days after receipt of the request of its decision whether or not to grant the request.

9.2 The 30-day period may be extended by a further period of not more than 30 days if the request is for a large number of records or requires a search through a large number of records, and compliance with the original period would unreasonably interfere with the activities of Van Niekerk Attorneys Inc., or the records are not located at Van Niekerk Attorneys Inc.'s offices.

10. Outcome of Request

10.1 Should the request be refused, the notice will state adequate reasons for the refusal, including the provisions of the PAIA relied upon, and that the requester may lodge an application with a Court against the refusal of the request.

11. Grounds for Refusal of Access to Records

11.1 In terms of Section 62 to 69 of PAIA access granted to a record may be refused on one or more of the following grounds –

- 11.1.1 protection of privacy to a third party who is a natural person;
- 11.1.2 protection of the commercial information of a third party;
- 11.1.3 protection of certain confidential information of a third person;
- 11.1.4 protection of the safety of individuals and the protection of property;
- 11.1.5 protection of records privileged from production and legal proceedings;
- 11.1.6 The commercial information and activities of Van Niekerk Attorneys Inc.;
- 11.1.7 the protection of research information of a third party; and
- 11.1.8 any other ground legally available on which to refuse access to the information requested.

11.2 Despite any provisions of PAIA, a request must be granted if the disclosure of the record would reveal evidence of substantial contravention of, or failure to comply with the law or imminent and serious public safety or environment risk, and the public interest in the disclosure of the record clearly outweighs the harm contemplated in terms of section 70 of PAIA.

12. Remedies for Refusal

Should the requester be dissatisfied with the Information Officer's decision to refuse access, that person may, within 30 days after notification of the refusal, apply to a Court for the appropriate relief.

13. Availability of the Manual

13.1. A copy of the Manual is available:

- 13.1.1. on website if any;

13.1.2. at the head office of Van Niekerk Attorneys Inc for public inspection during normal business hours;

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

13.1.4. to the Information Regulator upon request.

14. Updating of this Manual

We will update this processing notice from time to time. Any changes will be posted on this page with an updated revision date.

15. Revision Records

As described on the Cover Page of this manual.

16. Cybercrimes Act 19 of 2020

This Act is important for electronic communication service providers, financial institutions, and accountable institutions, as it places an obligation on them to familiarize themselves with the reporting and other obligations imposed on them by the Act. The firm commits to:

16.1. reporting of cybercrime to the South African Police Services (SAPS within 72 hours of becoming aware of it; and

16.2. providing technical and other assistance to a police official or investigator carrying out a search and seizure.

16.3. Place various processes and policies to ensure compliance with the Cybercrimes Act, including the preservation of data and evidence if there has been a cybercrime committed.

Issued by

Name: Conrad Van Der Vyver

Tel: +27 (0) 12 819 1285

Fax number: +27 (0) 086 614 0879

Email reception@vnattorneys.net or

Conrad@vnattorneys.net