



Manual in terms of section 51 of the Promotion of Access to Information Act 2 of 2000

Objects of the Act

The objects of this act, in accordance to section 9 of the act, are to give effect to the constitutional right of access to any information held by the State; and any information that is held by another person and that is required for the exercise or protection of any rights, whilst still adhering to and not violating other constitutional rights which safeguard such rights as privacy, commercial confidentiality and effective, efficient and good governance. It is the States intention, that the effect of such rights to information, will enable persons to obtain access to records of public and private bodies as swiftly, inexpensively and effortlessly as reasonably possible; and generally to promote transparency, accountability and effective governance of all public and private bodies by empowering and educating people to better understand their rights in terms of this Act, and thus better exercise their rights in relation to those public and private bodies.

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

Section 51 Manual of A Rudy Attorneys (Registration number: NOT APPLICABLE)

1. Contact particulars

Head of business:	Aggie Rudy	Information officer:	Aggie Rudy
Postal address:	P O Box 18380 Wynberg 7824	Physical address:	807, 8 th Floor 47 Strand Street Cape Town 8001
Telephone number:	(021) 422 0139	Fax number:	(086) 228 9746
E-mail address:	arudy@arudyattorneys.co.za		

2. Introduction

Attorneys.

3. Guide in terms of Section 10 of the Act

Any person who wishes to exercise any right contemplated in The Act may obtain a copy of the information guide issued by the Human Rights Commission, from the Human Rights Commission, postal address: Private Bag 2700, Houghton, 2041, tel. (011) 877 3600 and email info@sahrc.org.za .

4. Facilitation of a request for access to information

Information which is not readily available as indicated in this manual may be requested in accordance with the procedure prescribed in terms of the Act as well as subject to Attorney-Client Privilege. Copies of the prescribed forms to be completed for submitting a request are available from A Rudy Attorneys.

5. Information available in terms of other legislation

Information is available in terms of certain provisions of the following legislation:

- 5.1 Attorneys Act 53 of 1979
- 5.2 Basic Conditions of Employment Act 75 of 1997
- 5.3 Broad-Based Black Economic Empowerment Act of 2003
- 5.4 Close Corporations Act 69 of 1984
- 5.5 Companies Act 71 of 2008
- 5.6 Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- 5.7 Consumer Protection Act of 2008
- 5.8 Employment Equity Act of 1998
- 5.9 Income Tax Act 58 of 1962
- 5.10 Insolvency Act 24 of 1936
- 5.11 Labour Relations Act 66 of 1995
- 5.12 National Credit Act of 2005
- 5.13 Occupational Health & Safety Act 85 of 1993
- 5.14 Promotion of Access to Information Act 2 of 2000
- 5.15 Skills Development Levies Act 9 of 1999
- 5.16 Skills Development Act 97 of 1998
- 5.17 Trust Property Control Act 57 of 1998
- 5.18 Unemployment Contributions Act 4 of 2002
- 5.19 Unemployment Insurance Act 63 of 2001
- 5.20 Value Added Tax Act 89 of 1991

6. Information automatically available

The following categories of records are automatically available for inspection, purchase or photocopying:

- 6.1 Newsletters
- 6.2 Pamphlets/Brochures
- 6.3 Marketing and promotional material
- 6.4 www.arudyattorneys.co.za website

7. Information available in terms of The Act

The subjects on which the business holds records and categories on each subject are as listed below. Please note that a requestor is not automatically allowed access to these records and that access to them may or must be refused in accordance with section 62 to 69 of The Act.

7.1 Accounting Records

- 7.1.1 Annual financial statements and working papers
- 7.1.2 General ledger
- 7.1.3 Subsidiary ledgers (receivables, payables etc.)
- 7.1.4 Bank statements, cheque books, cheques
- 7.1.5 Deposit slips
- 7.1.6 Cash books and petty cash books
- 7.1.7 Fixed asset register
- 7.1.8 Tax returns and assessments
- 7.1.9 VAT returns
- 7.1.10 Lease of instalment sale agreements
- 7.1.11 Insurance records

7.2 Client Records

- 7.2.1 Records provided by a client
- 7.2.2 Records provided by a client to a third party acting for or on behalf of A Rudy Attorneys
- 7.2.3 Records provided by third parties
- 7.2.4 Records generated by or within A Rudy Attorneys
- 7.2.5 Fee structures and agreements

7.3 Information Technology

- 7.3.1 Internet
- 7.3.2 Intranet
- 7.3.3 Licenses
- 7.3.4 LAN Installations
- 7.3.5 Operating systems
- 7.3.6 Software packages
- 7.3.7 Telephone exchange equipment
- 7.3.8 Telephone lines, leased lines and data lines

7.4 Insurance

- 7.4.1 Insurance policies

7.5 Legal, Agreements and Contracts

- 7.5.1 Agreements with customers

7.6 Personnel Records

- 7.6.1 Correspondence relating to personnel
- 7.6.2 Disciplinary records
- 7.6.3 Employee evaluation and performance records
- 7.6.4 Employee information records
- 7.6.5 Employee loans
- 7.6.6 Employee applications
- 7.6.7 Employment contracts
- 7.6.8 Employee conditions of employment
- 7.6.9 IRP5 and IT3 certificates
- 7.6.10 Letters of appointment
- 7.6.11 Leave applications
- 7.6.12 Maternity leave policy
- 7.6.13 Medical aid records
- 7.6.14 Payroll
- 7.6.15 Personnel files
- 7.6.16 Personnel records provided by employees
- 7.6.17 Policies and procedures
- 7.6.18 Salary and wage registers
- 7.6.19 Salary slips and wage records
- 7.6.20 SETA records
- 7.6.21 Time records
- 7.6.22 Training and development
- 7.6.23 UIF, PAYE and SDL returns
- 7.6.24 Workmen's Compensation documents

7.7 Sales and Marketing

- 7.7.1 Brochures, newsletters and marketing material
- 7.7.2 Service and product information

7.8 Statutory and/or Partner Records

- 7.8.1 List of Partners
- 7.8.2 Minutes of partners meetings
- 7.8.3 Partnership agreement

7.9 Other Records

- 7.9.1 Databases
- 7.9.2 Law Society Records
- 7.9.3 Marketing Records
- 7.9.4 Internal correspondence
- 7.9.5 External correspondence
- 7.9.6 Commercial agreements

8. Requesting Procedures

A person who wants access to the records must complete the necessary request form, which is available at the offices of A Rudy Attorneys, or can be accessed on www.sahrc.org.za. The completed request form must be sent to the address and fax number provided in this manual, and marked for the attention of the Information Officer.

9. Fees

The information officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the relevant fee before further processing the request. A personal requester does not pay such fee. The requester may lodge an application to the court against the tender or payment of the request fee. The information officer will then make a decision on the request and notify the requester 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 had exceeded the prescribed hours to search and prepare the record for disclosure.

9. Availability of the Manual

Copies of this manual are available for inspection, free of charge, at the offices of A Rudy Attorneys, from the South African Human Rights Commission, and at www.arudyattorneys.co.za.