

# **PAIA MANUAL**

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

## **1. ISMAIL-KHAN, SOOBRAMONEY & ASSOCIATES**

Ismail-Khan, Soobramoney & Associates (the Practice) is a partnership which conducts business as a law firm. The Legal Practice has offices in Johannesburg. Miss K Soobramoney has been duly appointed, as the Information Officer for the Legal Practice and is the person to whom requests for access to information must be made in terms of PAIA and in terms of the Protection of Personal Information Act 4 of 2013 ("POPIA").

## **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 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 THE PRACTICE**

- 3.1 Name: Miss Krishnaveni Soobramoney (Information officer)  
Contact: 0820412321  
Email: rani.soob@gmail.com

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

- 4.1 The South African Human Rights Commission (SAHRC) compiled a guide on how to use PAIA ("the Guide"). From 1 July 2021, the Information Regulator assumed the functions of the SAHRC. Accordingly, the Information Regulator has in terms of section 10(1) of PAIA updated and made available the Guide compiled by the SAHRC, in an easily comprehensible form and manner as may be reasonably required by a person who wishes to exercise any right contemplated by PAIA and POPIA. The Guide is available for inspection at the offices of the Information Regulator and on its website (<https://inforegulator.org.za/>). Copies of the Guide (in English and other languages) are also available for inspection at the Practice, Johannesburg office during normal working hours. The Guide can also be obtained upon request to the Information Officer.

Any queries regarding the Guide must be directed to the Information Regulator on the following details:

- |                   |   |
|-------------------|---|
| Physical address: | Woodmead North Office Park, 54, Maxwell Drive, Woodmead<br>Johannesburg, 2191 |
| Postal address:   | P.O. Box 31533, Braamfontein, Johannesburg, 2017                              |
| Telephone Number: | 010 023 5200  |

Website: <https://inforegulator.org.za/>  
Email (complaints): [PAIAComplaints.IR@justice.gov.za](mailto:PAIAComplaints.IR@justice.gov.za)  
Email (general enquiries): [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za)

- 4.2 The aforesaid Guide contains the description of-
- 4.2.1 the objects of PAIA and POPIA.
  - 4.2.2 the postal and street address, contact number and email address of the Information Officer of every public body, and
  - 4.2.3 the manner and form of a request for-
    - 4.2.3.1 access to a record of a public body contemplated in section 11<sup>1</sup>; and
    - 4.2.3.2 access to a record of a private body contemplated in section 50<sup>1</sup>;
  - 4.2.4 the assistance available from the IO of a public body in terms of PAIA and POPIA.
  - 4.2.5 the assistance available from the Regulator in terms of PAIA and POPIA.
  - 4.2.6 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-
    - 4.2.6.1 an internal appeal.
    - 4.2.6.2 a complaint to the Regulator; and
    - 4.2.6.3 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.
  - 4.2.7 the provisions of sections 14<sup>2</sup> and 51<sup>3</sup> requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual.
  - 4.2.8 the provisions of sections 15<sup>4</sup> and 52<sup>5</sup> providing for the voluntary disclosure of categories of records by a public body and private body, respectively.
  - 4.2.9 the notices issued in terms of sections 22<sup>6</sup> and 54<sup>7</sup> regarding fees to be paid in relation to requests for access; and
  - 4.3.10 the regulations made in terms of section 92<sup>8</sup>.

- 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://www.justice.gov.za/inforeg/>).
- 4.6 A copy of the Guide is also available in English, for public inspection during normal office hours-

## **5. RECORDS AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

- 5.1 Publicly available information made available about the Practice:
  - 5.1.1 On the Practices website including the Practices profile, areas of expertise, specialist profiles; news and publications, press releases and the Practices terms of the Practice.
  - 5.1.2 brochures and marketing material; and
  - 5.1.3 B-BBEE certificate.

## **6. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION**

Records include but are not limited to:

- 6.1 Companies Act 71 of 2008.
- 6.2 Basic Conditions of Employment Act 75 of 1997.
- 6.3 Broad-Based Black Economic Empowerment Act 53 of 2003.
- 6.4 Electronic Communications and Transactions Act 25 of 2002.
- 6.5 Financial Intelligence Centre Act 38 of 2001.
- 6.6 Income Tax Act 58 of 1962; Labour Relations Act 66 of 1995.
- 6.7 Legal Practice Act 28 of 2014.
- 6.8 Promotion of Access to Information Act 2 of 2000.
- 6.9 Protection of Personal Information Act 4 of 2013.

## **7. SUBJECTS AND CATEGORIES OF INFORMATION HELD BY THE PRACTICE**

The subjects and categories of records held by the Practice are as follows: Note: This section of the Manual sets out the subject and categories of records held by the Practice. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under PAIA. Certain grounds of refusal set out in PAIA may be applicable to a request for such records.

- 7.1 Incorporation and constitutional documents of the Practice's Partnership agreement of the Practice.
- 7.2 List of the partners of the Practice.

## **8. FINANCIAL RECORDS OF THE PRACTICE**

- 8.1 Accounting records,
- 8.2 books and documents of the Practice.
- 8.3 Interim and annual financial reports of the Practice.
- 8.4 Details of auditors of the Practice.
- 8.5 Auditors' reports in respect of audits conducted on Webber Wentzel. Invoices in respect of both creditors and debtors of the Practice.
- 8.6 Tax returns of the Practice.
- 8.7 Other documents and agreements relating to taxation.
- 8.8 Other financial records of the Practice.

## **9. BANKING DETAILS OF THE PRACTICE**

- 9.1 Bank statements
- 9.2 Other banking records

## **10. INTELLECTUAL PROPERTY HELD BY THE PRACTICE**

- 10.1 Licences relating to intellectual property rights
- 10.2 Trademarks
- 10.3 Copyright and designs

## **11. INFORMATION PERTAINING TO CLIENTS**

- 11.1 Correspondence with clients.
- 11.2 Documentation and other information received from clients, including documentary information required in compliance with the Financial Intelligence Centre Act 38 of 2001. Documentation and other information received from third parties.
- 11.3 Third party correspondence.
- 11.4 Opinions
- 11.5 Records relating to legal proceedings involving clients represented by the Practice
- 11.6 Any other information relating to or held on behalf of the clients of the Practice.

## **12. INFORMATION TECHNOLOGY**

- 12.1 Computer software, support and maintenance agreements.
- 12.2 Any other documentation or computer tools held by the Practice.

## **13. WEBSITE INFORMATION**

Website Information contained on our website: **Ismail-Khan, Soobramoney & Associates** (<https://perspiring.github.io/IKS-associates/>)

## **14. PERSONAL INFORMATION IN TERMS OF POPIA**

The Practice processes personal information in accordance with its Privacy Policy, which is available on our website: **Ismail-Khan, Soobramoney & Associates** (<https://perspiring.github.io/IKS-associates/>)

## **15. REQUEST PROCEDURE**

A request for access to a record in terms of PAIA must correspond with Form A to the Regulations Relating to the Promotion of Access to Information Act, 2021, see annexure A. The requestor may access the request from on <https://info regulator.org.za/paia-forms/>. The request must be directed to the Information Officer, providing sufficient details to the Information Officer to identify the requester and the record required.

The requester must be able to explain why the requested record is required, either to exercise or protect a right. Should a request be made on behalf of a person, the requester must provide proof of the capacity in which the requester is making the request.

Forms for other requests can be found on [POPIA other forms](#)

## **16. FEES**

Other than a personal requester, the Information Officer, shall by notice require the requester to pay a prescribed fee before processing the required information.

If the request for access has been refused, delayed, granted due to unreasonable fees, or in an unacceptable form, the requester may lodge an application to the court against the tender or payment of the request fee. If the request is granted then a further access fee must be paid for the search, reproduction, preparation and time more than prescribed hours to search and prepare the record for disclosure.

## **17. AVAILABILITY OF MANUAL**

- 17.1 A copy of the Manual is available-

  - 17.1.1 on ((<https://perspiring.github.io/IKS-associates/>),
  - 17.1.2 to any person upon request and upon the payment of a reasonable prescribed fee; and to the Information Regulator upon request.

- 17.2 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.

## **17 UPDATING OF THE MANUAL**

The Information Officer will on a regular basis update this manual.

*Issued by*

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***Krishnaveni Soobramoney (Information Officer)***

## APPENDIX A PRESCRIBED FORMS

### FORM A

#### REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

**(Section 18 (1) of the Promotion of Access to Information Act, 2000)**

**Act No.2 of 2000**

**[Regulation 6]**

For Departmental Use:

Reference No: \_\_\_\_\_

Request Received by: \_\_\_\_\_

Name, Surname and designation of Information Officer: \_\_\_\_\_

Date and Place: \_\_\_\_\_

Request Fee (if required): \_\_\_\_\_

Deposit (if required): \_\_\_\_\_

Access Fee: \_\_\_\_\_

A.      Particulars of Public Body

The Information Officer

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B.      Particulars of the person requesting access to record

*a. The particulars of the person who requests access to the record must be given below.*

*b. The address and/or fax number in the Republic to which the information is to be sent, must be given.*

*c. Proof of the capacity in which the request is made, if applicable must be attached.*

Full names and Surnames: \_\_\_\_\_

Identity Number: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Capacity in which request is made, should the request be made on behalf of another person  
\_\_\_\_\_

C. Particulars of person on whose behalf the request is made

Full Names: \_\_\_\_\_

Surname: \_\_\_\_\_

Identity Number: \_\_\_\_\_

D. Particulars of Record

Description of record or relevant part of the record  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reference number if available  
\_\_\_\_\_  
\_\_\_\_\_

Any further particulars of the record  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E. Fees

- a. A request for access to a record, other than a record pertaining to personal information about yourself, will be processed only after a request fee has been paid.
- b. You will be notified on the amount required to be paid on the request fee.
- 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 payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fee

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F. Notice of Decision regarding request for access

You will be notified in writing if your request has been approved/declined, if you wished to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed on the decision regarding your request to access to the record.

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Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Signature of Requestor or person on whose behalf the request is made

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