

MINITZERS ATTORNEYS

Manual Prepared In Accordance With Section 51 of The Promotion Of Access To Information Act, No 2 Of 2000

PART I

CONTACT DETAILS

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PART II

GUIDE OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION

This guide will be available from the South African Human Rights Commission.

Kindly direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700

Houghton

2041

Telephone: +27 11 484 8300

Fax: +27 11 484 0582

E-mail: PAIA@sahrc.org.za

Website: www.sahrc.org.za

PART III

NOTICE IN TERMS OF SECTION 52(2)

The Minister has at the date of printing hereof not yet published a notice in terms of Section 52(2).

Minitzers Attorneys holds no information that is freely available without a requestor having to request access in terms of the Act.

PART IV

INFORMATION AVAILABLE

Minitzers Attorneys hold records on the following subjects and categories:

PERSONNEL RECORDS

Personal records provided by employees

Records provided by individuals and other employees

Employment agreements and conditions of employment

Disciplinary and evaluation records

Correspondence relating to personnel

Training material
Requests for leave
Absence record
Personnel file

CLIENT RECORDS

Records provided by a client
Records provided by a client to a third party acting for or on behalf of Minitzers Attorneys
Records provided by third parties
Records generated by or within Minitzers Attorneys
Fee structures and agreements

GENERAL

Financial records
Insurance records
Asset register
Databases
Law Society Records
Marketing Records
Internal Correspondence
External Correspondence
Securities
Commercial Agreements

All information requested will only be made available subject to the provisions of the Act and subject to Attorney-Client Privilege.

PART V

MANNER OF ACCESS

The requester must use the prescribed form to make the request.

No request, other than a personal request, will be processed without payment of the prescribed fee.

If a request is granted, an access fee must be paid.

The requester will, subject to the provisions of the Act, be notified within 30 days of receipt of the request whether the request is granted or refused.

PART VI

GROUNDINGS FOR REFUSAL OF ACCESS TO INFORMATION

In terms of Sections 62 to 69 of the Act, access to a record may be refused on one or more of the following grounds:

Mandatory protection of the privacy of a third party who is a natural person

Mandatory protection of the commercial information of a third party

Mandatory protection of certain confidential information of a third party

Mandatory protection of the safety of individuals and the protection of property

Mandatory protection of records privileged from production in legal proceedings

The commercial information of Minitzers Attorneys

Despite any provisions of the Act, a request must be granted if the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with, the law or imminent and serious public safety or environmental risk, and the public interest in the disclosure of the record clearly outweighs the harm contemplated. (Section 70 of the Act)

PART VII

LEGISLATION

Minitzers holds information in accordance with the following legislation. (Please note that this is not an exhaustive list)

Income Tax Act, No 58 of 1962 (Section 75)

Value-Added Tax Act, No 89 of 1991 (Section 65)

Unemployment Insurance Act, No 30 of 1996 (Section 32)

Basic Conditions of Employment Act, No 75 of 1997 (Section 31)

Employment Equity Act, No 55 of 1998 (Section 26)

Compensation for Occupational Injuries and Diseases Act, No 130 of 1993 (Section 97)

Insolvency Act, No 24 of 1936 (Sections 134 and 155)

Occupational Health and Safety Act, No 85 of 1993

Attorneys Act, No 53 of 1979

Skills Development Act, No 97 of 1998

PART VIII

AVAILABILITY OF THE MANUAL

This manual will be published in the Government Gazette and will also be available on the Minitzers website.

Dennis Frank Minitzer

Senior Partner