

PAIA MANUAL - AS REQUIRED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000.

This manual contains information required to request access to the records of: Thinus Nortje Incorporated t/a HTN Attorneys ("HTN") – Reg no: 2008/008582/21

INTRODUCTION

HTN is an incorporated legal practice, registered as such in terms of the company laws of the Republic of South Africa.

The Promotion of Access to Information Act No. 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. We as a private body have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

You will be able to view the categories of information, which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

CATEGORIES OF RECORDS AND SUBJECTS IN RESPECT OF WHICH RECORDS ARE HELD:

1. Company
 - Incorporation documents
 - Financial statements
 - Minutes of general meetings
 - Employment Equity Plans and Reports
 - Any other records required to be kept in terms of the Companies Act or other applicable legislation
2. Employees
 - Contracts of employment
 - Performance appraisals
 - Disciplinary records
 - Leave records
 - Policy and Procedures Manual
 - Safety and Security Document
 - Product applications and account and transactional records
 - Insurance quotes and policies
3. Applicable legislation

All records kept in terms of legislation as below:

- Companies Act, 61 of 1973
- The Attorneys Act, 53 of 1979
- Basic Conditions of Employment Act, 97 of 1997
- The Magistrate's Court Act, 32 of 1944
- Unemployment Contributions Act, 4 of 2002
- Unemployment Insurance Act, 63 of 2001
- Skills Development Act, 97 of 1998
- Skills Development Levies Act, 9 of 1999
- Value Added Tax Act, 89 of 1991
- Financial Intelligence Centre Act, 38 of 2002
- National Credit Act, 34 of 2005

- Electronic Communications and Transactions Act, 25 of 2002
- Consumer Protection Act, 68 of 2008
- Compensation for Occupational Injuries and Health Diseases Act, 130 of 1993
- Employment Equity Act, 55 of 1998
- Labour Relations Act, 66 of 1995
- Occupational Health & Safety Act, 85 of 1993

NOTICE IN TERMS OF SECTION 52 (2) OF THE ACT: VOLUNTARY DISCLOSURE AND AUTOMATIC AVAILABILITY OF CERTAIN RECORDS

No Notice in terms of Section 52 (2) of the Act has been published.

PROCEDURES TO BE FOLLOWED TO REQUEST ACCESS TO THE RECORDS:

1. To request records, the following procedures must be followed:
 - 1.1 The prescribed FORM C must be used to make the request for access to a record.
 - 1.2 The form can be downloaded from the Department of Justice website at http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf
 - 1.3 A request must be made to the Information Officer:

The Information and Compliance Officer
Thinus Nortje Incorporated t/a HTN Attorneys
PO BOX 55637
Northlands
2116
Tel : (+27) 011 359 7003
Fax : (+27) 087 943 1787
E-mail : info@htnattorneys.co.za
 - 1.4 Sufficient detail of the request made must be provided on the request form to enable the Information Officer to clearly identify the record as well as the requester's specific identity, and positive proof of identification must be provided by the requester.
 - 1.5 A requester must indicate which form of access they require.
 - 1.6 A requester must indicate if they wish to be informed in any other manner and if so, they must state the necessary particulars required to be so informed.
 - 1.7 A requester must identify the right that they are seeking to protect or that they wish to exercise and they must provide an explanation as to why the requested record is required for the protection or exercise of that right.
 - 1.8 If a requester is making the request on behalf of another person, they must submit proof, to the satisfaction of the Information Officer, of their authority to make such a request, by means of a legally binding Power of Attorney in their favour. Failure to do so will result in the request being rejected.
 - 1.9 The prescribed fee must be paid as set out below.
2. **Prescribed fees**
 - 2.1 The prescribed fee of R50.00 must be paid before a request will be processed.
 - 2.2 Payment of this fee is to be made as directed by the Information Officer.
 - 2.3 Please note that if you earn below R14 712 a year or you and your partners combined income is less than R27 192 per year, you will not have to pay a request fee with your application.

- 2.4 You will also not have to pay a request fee if your request for information is a request for your personal information.
- 2.5 The Information Officer will then make a decision in respect of your request and will notify you of his/her decision.
- 2.6 Should a request be refused, the requester may lodge an application at court against the tender or payment of the requested fee as will be advised in the Notice to them.
- 2.7 If a request is granted then the requester will have to pay a further access fee for the search, reproduction and preparation of the record as well as for any time, which has exceeded the prescribed hours, to search and in order to +prepare the record for disclosure to them.

AVAILABILITY OF THIS MANUAL

This manual is available for inspection, free of any charge, at the offices of the private body. Copies are also available from our website and the Human Rights Commission by writing to the following address with effect from August 2011:

PRIVATE BAG 2700
HOUGHTON
2041

TEL : (+27 11) 484 8300
FAX : (+27 11) 484 0582

THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE (SEC. 10 OF THE ACT):

The Human Rights Commission has compiled a guide containing such information as may reasonably be required by any person who wished to exercise any right contemplated in the Act. An electronic version of the Guide will be kept on the website of the South African Human Rights Commission: www.sahrc.org.za