



ETIENNE DE HEUS
ATTORNEYS
Attorneys, Notaries & Conveyancers



PAIA MANUAL

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



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1. INTRODUCTION TO ETIENNE DE HEUS ATTORNEYS

Etienne de Heus Attorneys is a small law firm based in Johannesburg, established in 2007. We specialize in litigation, conveyancing, estates, contracts and notarial services.

Etienne de Heus, the founder and information officer of Etienne de Heus Attorneys, can be contacted to make a request for access to information in terms of PAIA and the Protection of Personal Information Act 4 of 2013.

2. CONTACT DETAILS FOR THE FIRM

Office address: 32 Sixth Street, Parkhurst, Johannesburg
Website: https://www.edhlaw.biz/
Office contact number: 011 646 7838
Office email address: info@edhlaw.co.za / edeheus@edhlaw.co.za

3. PURPOSE OF THE PAIA MANUAL

The purpose of this PAIA manual is to present the public with the opportunity to check the categories of records held by Etienne de Heus Attorneys without having to submit a formal request.

Furthermore, it helps the public:

- 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 categories held on each subject.
- obtain an overall description of the guide on how to gain access to it and how to use PAIA which is updated by the Regulator.
- by providing contact information for the Information Officer, being the person in charge of providing the public with assistance in obtaining the records they intend to access.
- know if Etienne de Heus Attorneys has planned to transfer or process personal information outside the Republic of South Africa and whether there are appropriate security measures in place to ensure the confidentiality of the personal information to be processed.

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

Guide on how to use PAIA

The Information Regulator has updated and made available the guide on how to use PAIA in an easy manner (in terms of section 10(1) of PAIA) which may be required by a person who wishes to exercise their rights contemplated in PAIA and POPIA. This guide is only available in English.

How to obtain access to the manual

This PAIA manual can be accessed in the following ways:

1. At our offices at no cost (subject to prior arrangement).
2. Copies of this manual may be obtained, subject to the prescribed fees, from these offices.
3. On our website (<https://www.edhlaw.biz/>)
4. Upon request made to the Information Officer (edeheus@edhlaw.co.za)

5. CATEGORIES OF RECORDS HELD

<u>Category of records</u>	<u>Types of the Record</u>	<u>Types of availability</u> (Subject to approval)
Financial records	Audit reports, Tax returns, Invoices, Banking details etc.	☐ Available on Website
		☒ Available upon request
Employee records	Personal particulars, Pay slips, Leave records, Training certificates etc.	☐ Available on Website
		☒ Available upon request
Client records	Mandates and agreements, FICA and compliance records, General correspondence etc.	☐ Available on Website
		☒ Available upon request

Legal records	Matter files, Litigation and transactional documents, Correspondence, Evidence, Research	☐ Available on Website	
		☒ Available upon request	
Commercial contracts	Contracts with service providers	☐ Available on Website	
		☒ Available upon request	
Insurance contracts	Insurance policies taken out for the benefit of Etienne de Heus Attorneys	☐ Available on Website	
		☒ Available upon request	

- Records and information required for the exercise or protection of any rights will be made available subject to the provisions of the Promotion of Access to Information Act 2 of 2000.
- Access to records may be refused on grounds specified in the Act, i.e. legally privileged information, contractually confidential and commercial information and protection of third party privacy.

6. **FORM OF REQUEST**

The requester must use our application form to make a formal request for access to a record. The form is located within the PAIA manual (page 6) and must be sent to edeheus@edhlaw.co.za after it is properly completed and signed.

7. **PRESCRIBED FEES**

The requester who seeks access to a record containing personal information about the requester is not required to pay the request fee. Every other requester must pay the required request fee of R575,00. The fee structure can be obtained on the South African Human Rights Commission (SAHRC) website (<https://sahrc.org.za/>).

8. RECORDS AVAILABLE IN TERMS OF LEGISLATION OTHER THAN THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

Documents are held in accordance with statutory provisions that include those in the followings Acts.

This list is not exhaustive:

- Legal Practice Act, Act 28 of 2014
- Basic Conditions of Employment Act 75 of 1997
- Financial Intelligence Centre Act 38 of 2001
- Occupational Health and Safety Act 85 of 1993
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Unemployment Insurance Act 30 of 1966; Act 4 of 2002
- Income Tax Act 58 of 1962
- Value-Added Tax Act 89 of 1991
- Administration of Estates Act, Act 66 of 1966

9. QUESTIONS THE PUBLIC MIGHT HAVE

- Can this manual be accessed online?

Yes, this manual can be accessed on our website - <https://www.edhlaw.biz/>

- Must a formal request be made for specific records?

Yes, our request form must be completed, signed and sent to Etienne de Heus along with the requested documents (edeheus@edhlaw.co.za).

- Where can I find the form that must be completed?

The request form can be found within this manual on pages 6-8 and on our website.

- Does Etienne de Heus Attorneys have appropriate security measures in place to ensure the confidentiality of the personal information to be processed?

Yes, we require that the above-mentioned form be completed, which includes a section that requests details about why the record was requested along with proper screening done before the information is shared.

- Does Etienne de Heus Attorneys plan on transferring or processing personal information outside the Republic of South Africa?

No, Etienne de Heus Attorneys does not plan on transferring personal information outside the Republic of SA.

REQUEST FOR ACCESS TO RECORDS**PERSONAL INFORMATION**

Full Names	
Identity Number	
Capacity in which the request is made (if made on behalf of another person)	
Street Address	
Postal Address	
Email Address	
Contact Number	
Details of the person on whose behalf the request was made	Name: Street Address: Postal Address: Contact Number: Email Address:

PARTICULARS OF RECORD REQUESTED

Please provide a description of the record you would like to obtain: (also include the type of record – examples include written or printed copy)	
Reasons for submitting a request for this record	
Any other particulars of the record	

FEES

Kindly note the following:

- If you seek to obtain records of personal information about the requester no fee is charged.
- Every other requester must pay the required fee of R575,00
(The above information can also be found in our PAIA manual)
- Should you qualify for exemption of the payment of any fee, please state your reason below:

ADDITIONAL INFORMATION:

- Please state whether you and/or the person on whose behalf the request is made is located outside of South Africa:

YES ☐

NO ☐

If yes was selected, please provide more information:

REQUIRED DOCUMENTATION TO CONSIDER YOUR REQUEST:

1. Completed application (please ensure that this form is signed)
2. Identity document or passport (if located outside of South Africa)
3. Identity document or passport (if located outside of South Africa) of the person on whose behalf the request is made along with proof that authorisation was given to make the request.

Signed at _____ this _____ day of _____ 20 ____

Signature: _____

Please forward the completed and signed application to edeheus@edhlaw.co.za along with the requested documents