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VAT REGISTRATION NO.: 4490279355

COMPANY REGISTRATION NUMBER: 2017/234834/21

PAIA MANUAL FOR MOORS & HARDY INCORPORATED AND MOORS & DLAMINI ATTORNEYS

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

DATE OF COMPILATION: 02/06/2025

DATE OF REVISION: 02/06/2025

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- 1.1 “**DIR**” Director
- 1.2 “**DIO**” Deputy Information Officer;
- 1.3 “**IO**” Information Officer;
- 1.4 “**Minister**” Minister of Justice and Correctional Services;
- 1.5 “**PAIA**” Promotion of Access to Information Act No. 2 of 2000 (as amended);
- 1.6 “**POPIA**” Protection of Personal Information Act No.4 of 2013;
- 1.7 “**Regulator**” Information Regulator; and
- 1.8 “**Republic**” Republic of South Africa
- 1.9 “**Guide**” refers to the Guide implemented by the Regulator in terms of section 10(1) of PAIA

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1. 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;
- 2.2. know the description of the records of the body which are available in accordance with any other legislation;
- 2.3. access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.4. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.5. 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;
- 2.6. know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7. know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.8. 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 ENTITIES

- 3.1. Chief Information Officer
Name: RYAN MOORS
Telephone: 039-682 2403
Email address: ryan@moorshardy.co.za
- 3.2. Deputy Information Officer

Name: ELENOR HANSEN
Telephone: 039-682 2403
Email address: elenor@moorshardy.co.za

- 3.3. Access to information general contact
Email address: reception@moorshardy.co.za

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

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2. The Guide is available in each of the official languages and in braille.
- 4.3. The aforesaid Guide contains the description of **PAIA**
 - 4.3.1. the objects of PAIA and POPIA;
 - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.3.2.1. the Information Officer of every public body, and
 - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
 - 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 4.3.6. 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-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. 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;

¹ Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

² Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

³ Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁴ Section 50(1) of PAIA- A requester must be given access to any record of a private body if

- a) that record is required for the exercise or protection of any rights;
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

- 4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92¹¹.
- 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 the following two official languages, for public inspection during normal office hours-
 - 4.6.1. English;
 - 4.6.2. Afrikaans

5. RECORDS WHICH ARE AVAILABLE IN ACCORDANCE WITH LEGISLATION

- Income Tax Act 58 of 1962
- The Unemployment Insurance Act 30 of 1966
- Income Tax Act 95 of 1967
- The Attorneys Act 53 of 1979
- The Legal Practice Act 28 of 2014
- Value Added Tax Act 89 of 1991
- Occupational Health and Safety Act 85 OF 1993
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- The Employment Equity Act 55 of 1998
- The Skills and Development At 97 of 1998

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

(a) any matter which is required or permitted by this Act to be prescribed;

(b) any matter relating to the fees contemplated in sections 22 and 54;

(c) any notice required by this Act;

(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and

(e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

- Promotion of Access of Information Act 2 of 2000
- Electronic Communications and Transactions Act 25 of 2002
- The Protection of Personal Information Act 4 of 2013
- Legal Practice Act 28 of 2014

6. DESCRIPTION OF THE SUBJECTS ON WHICH WE HOLD RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT

Subjects on which the entities hold records	Categories of records, <i>inter alia</i>
Client information	- Personal information; - Court records; - Mandate agreements; - FICA compliance.
Human Resources	- CVs; - Employee contracts; - Employee information; - HR policies and procedures.
Finance	- Financial records; - Annual Financial Statements; - Invoices. - Budgets.

7. PROCESSING OF PERSONAL INFORMATION

7.1. Purpose of Processing Personal Information

Attorneys, by the nature of their practices, typically process vast amounts of personal information. Along with our professional duties of client confidentiality and the more limited but critically important attorney and client privilege requirements, the importance of properly protecting personal information entrusted to us cannot be underestimated. In addition, we have an obligation of creating and fostering a culture which promotes and enhances our constitutional values. In the context of privacy, our obligation is to assist our clients in ensuring that their right of privacy is protected by third parties processing their information and that they can enforce their rights against those third parties who fail to do so.

However, in order to complete our mandate given by our clients, we are obligated to collect, store and process our clients' personal information. We do so in accordance with our policies and procedures, and legislation.

7.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of data subjects	Personal information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status, SARS income tax numbers, bank details, etc.

Service Providers	names, registration number, SARS numbers, vat numbers, address, bank details, etc.
Employees	address, qualifications, gender and race, etc.

- 7.3. General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

- 7.3.1. Client files are stored away from public accessibility;
- 7.3.2. Computers are password protected and not accessible to the public;
- 7.3.3. Information requested by a third party must be justified and reasonable, and is only provided upon client consent.

8. AVAILABILITY OF THE MANUAL

- 8.1. A copy of the Manual is available-

- 8.1.1. At our office of the for public inspection during normal business hours;
- 8.1.2. to any person upon request and upon the payment of a reasonable prescribed fee; and
- 8.1.3. to the Information Regulator upon request.

- 8.2. 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 (please refer to the Guide).

9. UPDATING OF THE MANUAL

The Director of Moors & Hardy Incorporated and Moors & Dlamini Attorneys will update this manual yearly or sooner should there be legislative changes.

SIGNED



RYAN MOORS – DIRECTOR

DATE: 2nd JUNE 2025