

VAUGHAN ULYATE ATTORNEYS INC.

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. LIST OF ACRONYMS AND ABBREVIATIONS

1.1 "IO"	Information Officer
1.2 "DIO"	Deputy Information Officer
1.3 "Minister"	Minister of Justice and Correctional Services
1.4 "PAIA"	Promotion of Access to Information Act No. 2 of 2000 (as Amended)
1.5 "POPIA"	Protection of Personal Information Act No.4 of 2013
1.6 "Regulator"	Information Regulator
1.7 "Republic"	Republic of South Africa

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 and Deputy 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

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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. VAUGHAN ULYATE ATTORNEYS INC.

3.1 Vaughan Ulyate Attorneys Inc. is a personal liability company registered in accordance with the laws of South Africa with the CIPC registration number: 2022/458321/21.

3.2 This PAIA manual of Vaughan Ulyate Attorneys Inc. will be made available in two official languages and the English version can be viewed at its premises: Unit 5, Canal Edge 4, Fountain Street, Tyger Waterfront, Bellville, 7530. A copy of this manual will be made available in two South African official languages and if reasonably practical and required, the manual can be explained in any other of the official languages of South Africa to any requester upon completion of Form 1 in Annexure A below.

4. CONTACT DETAILS OF THE PARTNERS (SECTION 51(1)(A))

Director/Owner	Mr. Vaughan Henry Ulyate
Registered Address	Unit 5, Canal Edge 4, Fountain Street, Tyger Waterfront, Bellville, 7530
Postal Address	PO Box 3277, Tygervally, 7536
Telephone Number	021 9141686 (Switchboard)
Website	www.vaughanulyate.co.za

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

5.1 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.

5.2 The Guide is available in each of the official languages and in braille.

5.3 The aforesaid Guide contains the description of

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- 5.3.1** the objects of PAIA and POPIA;
- 5.3.2** the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 5.3.2.1** the Information Officer of every public body, and
 - 5.3.2.2** every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 5.3.3** the manner and form of a request for-
 - 5.3.3.1** access to a record of a public body contemplated in section 113; and
 - 5.3.3.2** access to a record of a private body contemplated in section 504;
- 5.3.4** the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 5.3.5** the assistance available from the Regulator in terms of PAIA and POPIA;
- 5.3.6** 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-

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.

- 5.3.7** 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;
- 5.3.8** the provisions of sections 157 and 528 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

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5.3.9 the notices issued in terms of sections 229 and 5410 regarding fees to be paid in relation to requests for access; and

5.3.10 the regulations made in terms of section 9211.

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.”

5.4 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.

5.5 The Guide can also be obtained-

5.5.1 upon request to the Information Officer;

5.5.2 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

5.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

5.6.1 English and Afrikaans

6. THE INFORMATION OFFICER (SECTION 51(1)(B))

6.1 The Act prescribes the appointment of an Information Officer for Private Bodies where such Information Officer is responsible to, inter alia, assess requests for access to information. The Head of a Private Body fulfils such a function in terms of section 51. Vaughan Ulyate Attorneys Inc. has opted to appoint an Information Officer to assess requests for access to information as well as to oversee its required

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functions in terms of the Act.

6.2 The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013. The Information Officer oversees the functions and responsibilities as required for in terms of both this Act as well as the duties and responsibilities in terms of section 55 of the Protection of Personal Information Act 4 of 2013 after registering with the Information Regulator.

6.3 The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of the Act as well as section 56 of the Protection of Personal Information Act 4 of 2013. This is in order to render Vaughan Ulyate Attorneys Inc. as accessible as reasonably possible for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of the Protection of Personal Information Act 4 of 2013. All requests for information in terms of the Act must be addressed to the Information Officer.

CONTACT DETAILS OF THE INFORMATION OFFICER

Information Officer	Mr. Vaughan Ulyate Attorneys Inc.
Physical Address	Unit 5, Canal Edge 4, Fountain Street, Tyger Waterfront, Bellville, 7530
Telephone	021 914 1686 (Switchboard)
Email	vaughan@vaughanulyate.co.za

7. RECORDS AVAILABLE WITHOUT A REQUEST TO ACCESS IN TERMS OF THE ACT

TYPE OF RECORD	DETAILS OF RECORD
7.1 Corporate and Statutory Information	- Company Information Available on Website - CIPC Registration Certificate - Details of Directors & Contact Information - Memorandum of Incorporation (MOI) or Constitution
7.2 PAIA & POPIA Compliance Documents	- PAIA Manual - POPIA Privacy Policy - Information Officer Contact Details - Deputy Information Officer Contact Details - Data Subject Request Procedures
7.3 Marketing & Promotional Material	- Brochures and Flyers - Service Offerings - Website Content - Newsletters / Public Circulars
7.4 Human Resources (Generic Information)	- Vacancies or Recruitment Adverts
7.5 Policies and Notices	- Health and Safety Policy - IT/Website Terms and Conditions - PAIA and POPIA Consent Notices

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8. RECORDS AVAILABLE ONLY ON REQUEST TO ACCESS IN TERMS OF THE ACT (SECTION 51(1)(D))

8.1 Records held by Vaughan Ulyate Attorneys Inc.

8.1.1 This clause serves as a reference to the categories of information that Vaughan Ulyate Attorneys Inc. holds. The information is classified and grouped according to records relating to the following subjects and categories:

TYPE OF RECORD	DETAILS OF RECORD
8.1.1.1 Personnel Records	- Employment Contracts - Employee Personal Details - Employee Payroll & Salary Information - Leave Records - Employee Performance Reviews - Disciplinary Records - UIF and Workmen's Compensation Records "Personnel" refers to any person who works for, or provides services to or on behalf of Vaughan Ulyate Attorneys Inc., and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of Vaughan Ulyate Attorneys Inc.. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.
8.1.1.2 Client Records	- Client Application Documents - Correspondence with clients - Billing and Payment History - FICA Documentation - KYC Onboarding Records - Personal Information Collected for Service Provision A "client" refers to any natural or juristic entity that receives services from Vaughan Ulyate Attorneys Inc.
8.1.1.3 Financial and Accounting Records	- Bank Statements - Customer Invoices, Payments and Statements - Creditors' Invoices & Payments - Annual Financial Statements - Company Audit and Internal Review Reports - Tax Returns and SARS Correspondence
8.1.1.4 Company Secretarial / Statutory Records	- CIPC Registration Documents - Memorandum of Incorporation (MOI) - Share Certificates & Share Register - Beneficial Ownership Register and Related Records - Board Meeting Minutes and Resolutions - Company Policies and Procedures

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8.1.1.5 Legal and Contractual Records	- Signed Contracts - Leases - Insurance Policies and Claims - Legal Opinions and Correspondence - Litigation and Dispute Records
8.1.1.6 Operational Records	- Supplier and Vendor Details - Health and Safety Records - IT Systems and Software Licenses
8.1.1.7 Records Related to POPIA & PAIA	- PAIA and POPIA Compliance Documents - Information Officer Appointments and Training Records - Data Subject Access Request Logs - Privacy Notices and Consent Forms - Security Incident Logs or Breach Reports - Records relating to Requests for Access.
8.1.1.8 Other Party Records	- Personnel, customer or private body records which are held by another party, as opposed to the records held by Vaughan Ulyate Attorneys Inc. itself. - Records held by Vaughan Ulyate Attorneys Inc. pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors/suppliers. - Vaughan Ulyate Attorneys Inc. may possess records pertaining to other parties, including without limitation contractors, suppliers, subsidiary/holding/sister companies, joint venture companies, and service providers. Alternatively, such other parties may possess records that can be said to belong to Vaughan Ulyate Attorneys Inc.

These records include, but are not limited to, the records which pertain to Vaughan Ulyate Attorneys Inc. own affairs.

8.2 Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA Manual. Amongst others, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before Vaughan Ulyate Attorneys Inc. will consider access.

9. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

9.1 Where applicable to its operations, Vaughan Ulyate Attorneys Inc. also retains records and documents in terms of the legislation listed below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act; the below mentioned legislation, and applicable internal

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policies and procedures, should such interested parties be entitled to such information. A request to access must be done in accordance with the prescriptions of the Act.

LEGISLATION	DETAILS OF RECORD
Companies Act, 71 of 2008	Company registration documents, share registers, director registers, annual returns
Income Tax Act, 58 of 1962	Income tax returns, IRP5 certificates, supporting schedules, PAYE records
Value-Added Tax Act, 89 of 1991	VAT invoices, VAT 201 returns, input/output tax schedules
Basic Conditions of Employment Act, 75 of 1997	Employee contracts, salary records, working hours, leave records
Labour Relations Act, 66 of 1995	Disciplinary records, retrenchment notices, collective agreements
Employment Equity Act, 55 of 1998	Employment equity plans, EEA2 & EEA4 reports
Skills Development Act, 97 of 1998	Workplace skills plans, training records, annual training reports
Unemployment Insurance Act, 63 of 2001	UIF declarations, staff resignation/termination notices
Occupational Health and Safety Act, 85 of 1993	Safety audits, incident registers, health and safety policies
National Credit Act, 34 of 2005	Credit agreements, statements of account (if applicable)
FICA – Financial Intelligence Centre Act, 38 of 2001	Client identification and verification documents, risk rating, source of funds
Protection of Personal Information Act, 4 of 2013	Consent forms, data subject requests, breach registers, privacy policy
Promotion of Access to Information Act, 2 of 2000	PAIA Manual, annual reports submitted, access request records

9.2 It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in this PAIA Manual.

10. PROCESSING OF PERSONAL INFORMATION

10.1 Purpose of Processing Personal Information

The private body processes personal information for the following purposes:

- 10.1.1** To manage employment relationships (recruitment, payroll, leave, disciplinary actions)
- 10.1.2** To facilitate and administer client and supplier relationships
- 10.1.3** For communication and marketing purposes
- 10.1.4** For financial management, reporting, and auditing
- 10.1.5** To comply with legal and regulatory obligations
- 10.1.6** For security, monitoring, and access control
- 10.1.7** To improve service delivery and operational effectiveness

10.2 Description of the Subjects on which the Body holds Records and Categories of Records held on each Subject

SUBJECTS ON WHICH THE BODY HOLDS RECORDS	CATEGORIES OF RECORDS
10.1 Finance	- Annual financial statements - General ledger and trial balances - Tax returns and supporting documentation - Invoices and receipts - Bank statements and reconciliations
10.2 Supply Chain Management (SCM)	- Supplier and vendor contracts - Purchase orders - Delivery notes and goods received vouchers
10.3 Human Resources (HR)	- Employee personal files - Employment contracts - Leave and attendance records - Payroll records - Training and development records - Disciplinary and grievance records
10.4 Legal and Compliance	- Company registration documents - Contracts and agreements - Litigation documents - Intellectual property documents - Licenses and permits - Statutory compliance records
10.5 Information Technology	- IT policy documents - Software licenses - System and network configurations - Security protocols - Asset registers - Email and usage logs
10.6 Marketing and Communications	- Marketing strategies and plans - Client mailing lists - Campaign results and reports - Social media content and logs - Advertising and promotional materials
10.7 Operations / Administration	- Internal policies and procedures - Asset registers - Office maintenance and service contracts - Travel and logistics records - General correspondence

10.3 Description of the Categories of Data Subjects and of The Information or Categories of Information Relating thereto

CATEGORY OF DATA SUBJECT	CATEGORIES OF PERSONAL INFORMATION
12.1 Employees	- Full name, ID number, contact details

(current and former)	- Employment history and qualifications - Remuneration and payroll details - Performance appraisals - Disciplinary records - Banking details - Tax numbers
12.2 Job Applicants	- CVs and qualifications - Employment history - Contact details - References - Interview notes
12.3 Clients and Customers	- Full name, contact details, ID/passport numbers - Billing and payment information - Contractual agreements - Transaction records - Correspondence history
12.4 Suppliers / Service Providers	- Company registration and tax numbers - Contact person details - Banking and payment information
12.5 Directors / Shareholders / Trustees	- ID documents - Contact details - Shareholding or interest details - Resolutions and related records
12.6 Website Users / Data Subjects interacting electronically	- Name and email address - IP address and device data - Browsing behavior (cookies and analytics data)

10.4 The Recipients or Categories of Recipients to Whom the Personal Information may be Supplied

CATEGORY OF RECIPIENT	PURPOSE FOR DISCLOSURE / JUSTIFICATION
13.1 Government departments and regulatory bodies (e.g., SARS, CIPC, Department of Labour, UIF)	- Statutory reporting and compliance - Tax, employment, and business registration purposes
13.2 Third-party service providers (e.g., payroll administrators, IT service providers, auditors)	- To carry out contracted services on behalf of the company - Systems hosting and data processing
13.3 Financial institutions	- Payment processing - Verification of banking details
13.4 Legal representatives and advisors	- Legal compliance, dispute resolution, and contract drafting
13.5 Credit bureaus and background check agencies	- Verification of qualifications and creditworthiness (where legally applicable)
13.6 Business partners or affiliates	- For joint services, contractual obligations, or regulatory compliance
13.7 Law enforcement and courts	- Where required by law, subpoena, or legal process

13.8 Auditors and accounting professionals

- Annual auditing and financial reporting

10.5 Planned transborder flows of personal information

Personal information may be transferred across borders for the following reasons:

- 10.5.1** Cloud-based data storage and processing (e.g., hosted on international servers)
- 10.5.2** Use of third-party service providers located outside South Africa
- 10.5.3** International communication with clients or stakeholders based in other jurisdictions

All transborder flows of personal information are subject to:

- 10.5.4** Compliance with Section 72 of the Protection of Personal Information Act (POPIA)
- 10.5.5** Ensuring the recipient country or entity has adequate data protection laws
- 10.5.6** Binding contractual agreements to ensure privacy and security safeguards

10.6 General description of Information Security Measures to be implemented by Vaughan Ulyate Attorneys Inc. to ensure the confidentiality, integrity and availability of the information

Vaughan Ulyate Attorneys Inc. implements appropriate, reasonable technical and organizational measures to safeguard personal and confidential information against loss, damage, unauthorized access, disclosure, alteration, or destruction. These include:

10.6.1 Physical Security Measures

- 10.6.1.1** Restricted physical access to offices and server rooms
- 10.6.1.2** Alarm systems
- 10.6.1.3** Secure document storage (e.g., lockable cabinets for physical records)

10.6.2 Access Control

- 10.6.2.1** Role-based access to electronic systems, ensuring employees only access information necessary for their job function
- 10.6.2.2** Password-protected systems and devices
- 10.6.2.3** Multi-factor authentication for sensitive systems and applications
- 10.6.2.4** Termination protocols to revoke access for former employees

10.6.3 Data Protection and Network Security

- 10.6.3.1** Firewalls and antivirus software on all systems
- 10.6.3.2** Encryption of data during transmission and storage
- 10.6.3.3** Regular backups stored securely and offsite/cloud-based
- 10.6.3.4** Secure disposal and deletion of old or redundant data (digital and physical)

10.6.4 IT Governance and Monitoring

- 10.6.4.1** Regular monitoring of systems for security breaches or suspicious activity
- 10.6.4.2** Logging of access to critical systems and data
- 10.6.4.3** Use of licensed, regularly updated software
- 10.6.4.4** Incident response procedures in place for data breaches

10.6.5 Organizational Measures

- 10.6.5.1** Confidentiality agreements with employees and third parties
- 10.6.5.2** Ongoing training and awareness programs on data protection and POPIA compliance
- 10.6.5.3** Appointment of an Information Officer and Deputy Information Officer(s)
- 10.6.5.4** Regular audits and assessments of security practices

10.6.6 Policy and Legal Safeguards

- 10.6.6.1** Documented IT and information security policies
- 10.6.6.2** POPIA compliance framework in place
- 10.6.6.3** Contracts with service providers include data protection clauses
- 10.6.6.4** Privacy notices published and made available to data subjects

11. REQUEST PROCEDURE

11.1 Procedural Requirements

- 11.1.1** The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- 11.1.2** The requester must complete the prescribed form enclosed herewith (refer to Form 1 in Annexure A) and submit same as well as payment of a request fee and a deposit (if applicable) to the Information Officer or the Deputy Information Officer at the postal or physical address, fax number or electronic mail address as noted in clause 6 above.
- 11.1.3** The prescribed form must be filled in with sufficient information to enable the Information Officer to identify:
 - 11.1.3.1** the record or records requested; and
 - 11.1.3.2** the identity of the requester.
- 11.1.4** The requester should indicate which form of access is required and

specify a postal address or fax number of the requester in the Republic.

- 11.1.5** The requester must state that he / she requires the information in order to exercise or protect a right and clearly state what the nature of the right is so to be exercised or protected. The requester must clearly specify why the record is necessary to exercise or protect such a right (section 53(2)(d)).
- 11.1.6** Vaughan Ulyate Attorneys Inc. will process the request within 30 (thirty) days, unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate that the above time periods not be complied with.
- 11.1.7** The requester shall be advised whether access is granted or denied in writing. If, in addition, the requester requires the reasons for the decision in any other manner, the requester will be obliged to state which manner and the particulars required.
- 11.1.8** If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer (section 53(2)(f)).
- 11.1.9** If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 11.1.10** The requester must pay the prescribed fee, before any further processing can take place.
- 11.1.11** All information as listed in clause 11 herein should be provided and failing which the process will be delayed until the required information is provided. The prescribed time periods will not commence until the requester has furnished all the necessary and required information. The Information Officer shall sever a record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.

12. REFUSAL OF ACCESS TO RECORDS

12.1 Grounds to Refuse Access

A Private Body such as Vaughan Ulyate Attorneys Inc. is entitled to refuse a request for information.

- 12.1.1** The main grounds for Vaughan Ulyate Attorneys Inc. to refuse a request for information relates to the:
- 12.1.2** mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63) or a juristic, as included in the Protection of Personal Information Act 4 of 2013, which would involve the unreasonable disclosure of personal information of that natural or juristic person;
- 12.1.3** mandatory protection of the commercial information of a third party (section 64), if the record contains:
 - 12.1.3.1** trade secrets of the third party;
 - 12.1.3.2** financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;

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- 12.1.3.3** information disclosed in confidence by a third party to Vaughan Ulyate Attorneys Inc. if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- 12.1.3.4** mandatory protection of confidential information of third parties (section 65) if it is protected in terms of any agreement;
- 12.1.3.5** mandatory protection of the safety of individuals and the protection of property (section 66);
- 12.1.3.6** mandatory protection of records which would be regarded as privileged in legal proceedings (section 67).

12.1.4 The commercial activities (section 68) of a Private Body, such as Vaughan Ulyate Attorneys Inc., which may include:

- 12.1.4.1** trade secrets of Vaughan Ulyate Attorneys Inc.;
 - 12.1.4.2** financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Vaughan Ulyate Attorneys Inc.;
 - 12.1.4.3** information which, if disclosed could put Vaughan Ulyate Attorneys Inc. at a disadvantage in negotiations or commercial competition;
 - 12.1.4.4** a computer program which is owned by Vaughan Ulyate Attorneys Inc., and which is protected by copyright;
 - 12.1.4.5** the research information (section 69) of Vaughan Ulyate Attorneys Inc. or a third party, if its disclosure would disclose the identity of Vaughan Ulyate Attorneys Inc., the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- 12.1.5** Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.
- 12.1.6** All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.
- 12.1.7** If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record. Such a notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of the Act. If the record should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such record.

13. REMEDIES AVAILABLE WHEN VAUGHAN ULYATE ATTORNEYS INC. REFUSES A REQUEST

13.1 Internal Remedies

As a Private Body, Vaughan Ulyate Attorneys Inc. does not have an internal appeal procedure. The decision made by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if the request for information is

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refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

13.2 External Remedies

- 13.2.1** A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief.
- 13.2.2** A third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief. Refer to Form 5 in Annexure A.

For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status and a Magistrate's Court designated by the Minister of Justice and Constitutional Development and which is presided over by a designated Magistrate.

14. ACCESS TO RECORDS HELD BY VAUGHAN ULYATE ATTORNEYS INC.

14.1 Prerequisites for Access by Personal/Other Requester

- 14.1.1** Records held by Vaughan Ulyate Attorneys Inc. may be accessed by requests only once the prerequisite requirements for access have been met.
- 14.1.2** A requester is any person making a request for access to a record of Vaughan Ulyate Attorneys Inc.. There are two types of requesters:

14.1.3 Personal Requester

- 14.1.3.1** A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- 14.1.3.2** Vaughan Ulyate Attorneys Inc. will voluntarily provide the requested information or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

14.1.4 Other Requester

- 14.1.4.1** The requester (or another requester acting on behalf of the requester) is entitled to request access to information on third parties. Refer to Form 2 in Annexure A.
- 14.1.4.2** In considering such a request, Vaughan Ulyate Attorneys Inc. will adhere to the provisions of the Act. Section 71 requires that the Information Officer take all reasonable steps to inform a third party to whom the requested record relates of the request, informing him / her that he /she may make a written or oral representation to the Information Officer why the request should be refused or, where required, give written consent for the disclosure of the Information.

Vaughan Ulyate Attorneys Inc. is not obliged to voluntarily grant access to such records. The requester must fulfil the prerequisite requirements, in accordance with the requirements of the Act and as stipulated in Chapter 5; Part 3, including the payment of a request and access fee.

15. FEES

15.1 Fees Provided by the Act

15.1.1 The Act provides for two types of fees, namely:

- 15.1.1.1** A request fee, which is a form of administration fee to be paid by all requesters except personal requesters, before the request is considered. The request fee is not refundable; and
- 15.1.1.2** An access fee, which is paid by all requesters in the event that a request for access is granted. This fee is inclusive of costs involved by the Private Body in obtaining and preparing a record for delivery to the requester.

Refer to Form 3 in Annexure A.

- 15.1.2** When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request (section 54(1)).
- 15.1.3** If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay, as a deposit, the prescribed portion of the access fee which would be payable if the request is granted.
- 15.1.4** The Information Officer shall withhold a record until the requester has paid the fees as indicated below.
- 15.1.5** A requester whose request for access to a record has been granted, must pay an access fee that is calculated to include, where applicable, the request fee, the process fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- 15.1.6** If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.



15.2 PAIA Prescribed Fees (Private Bodies)

TYPE OF FEE	DESCRIPTION	AMOUNT
Request Fee	Payable upfront for a formal request (non-personal requester only)	R140.00
Access Fee – Photocopy	Per A4 page photocopied	R1.10 per page
Access Fee – Printed Copy	Printed from electronic source (A4)	R0.75 per page
Copy on Flash Drive/CD	Transfer of data to CD or storage media	R70.00 per disc
Copy on Stiffy Disk	For old media format (rare)	R7.50 per disk
Transcription (Visual)	Transcription of visual images to paper (A4)	R40.00 per page
Copy of Visual Image	Copy of any visual image	R60.00 per image
Transcription (Audio)	Transcription of visual images to paper (A4)	R20.00 per page
Copy of Audio Recording	Copy of recorded audio (e.g. voice files)	R30.00 per item
Search & Preparation Fee	If more than 6 hours needed for search or preparation	R30.00 per hour
Postage / Delivery	Physical delivery of documents	Actual cost
Deposit (Large Requests)	If access fees will exceed R600	1/3 of total fee
VAT	If the body is VAT registered	Add 15% where applicable

15.3 Notes to Prescribed Fees

15.3.1 First 6 hours of search/prep time are free.

15.3.2 Deposit must be refunded if access is ultimately denied.

15.3.3 A data subject requesting their own personal info is not charged the R50 request fee.

15.4 Request Fees

Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R140.00 or less may be payable up-front before the institution will further process the request received.

15.5 Access Fees

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of Section 54(8).

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- 15.6** All fees are subject to change as allowed for in the Act and as a consequence such escalations may not always be immediately available at the time of the request being made. Requesters shall be informed of any changes in the fees prior to making a payment.

16. DECISION

16.1 Time Allowed to Institution

- 16.1.1** Vaughan Ulyate Attorneys Inc. will, within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 16.1.2** The 30 (thirty) day period within which Vaughan Ulyate Attorneys Inc. has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days if the request is for a large number of information, or the request requires a search for information held at another office of Vaughan Ulyate Attorneys Inc. and the information cannot reasonably be obtained within the original 30 (thirty) day period.
- 16.1.3** Vaughan Ulyate Attorneys Inc. will notify the requester in writing should an extension be sought

17. AVAILABILITY AND UPDATING OF THE PAIA MANUAL

17.1 Regulation Number R.187 of 15 February 2002

- 17.1.1** This PAIA Manual is made available in terms of Regulation Number R.187 of 15 February 2002. Vaughan Ulyate Attorneys Inc. will update this PAIA Manual at such intervals as may be deemed necessary.
- 17.1.2** This PAIA Manual of Vaughan Ulyate Attorneys Inc. is available to view at its premises: Unit 5, Canal Edge 4, Fountain Street, Tyger Waterfront, Bellville, 7530, as well as on its website.

Issued by



VH Ulyate

Director and Information Officer of Vaughan Ulyate Attorneys Inc.