




**PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000 (PAIA)  
READ WITH THE  
PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (POPIA)  
ANNUAL REPORT 2024/2025**

**FOR**

**PETRONELLA CATHARINA VERSTER t/a PMV ATTORNEYS & NOTARIES**

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## 1. Aim

This manual has been compiled in accordance with the Promotion of Access to Information Act No. 2 of 2000 ("the Act") and serves as the manual for PMV ATTORNEYS & NOTARIES.

Section 51 of the Act requires that we as a private body compile a manual giving information to the public regarding the procedures to be followed in requesting information from us for the purpose of exercising or protecting rights. The aim of this manual is to assist potential requesters, who intend to obtain documents or records from the company in terms of the Act, by providing them with the processes to be followed in initiating such requests.

## 2. Introduction

### Main Business

PMV ATTORNEYS & NOTARIES, is a registered legal practice, duly registered with the Legal Practice Council. Our service includes and are not limited to providing legal advice and other legal consulting services.

## 3. Application and Responsibilities

PMV ATTORNEYS & NOTARIES conducts business in the Legal Practice Sector .

Company	Registration Number
PETRONELLA CATHARINA VERSTER t/a PMV ATTORNEYS & NOTARIES	SOLE PROPRIETOR

## 4. Particulars in terms of the Section 51 manual

### Contact details (Section 51(1) (a) of the Act)

The responsible person of PMV ATTORNEYS & NOTARIES, PETRO VERSTER, is tasked to receive and address all requests for information that have been made in accordance with the Act.

All requests for information made in terms of the Act, directed to the company, should be addressed to:-

Company: **PMV ATTORNEYS & NOTARIES**

Contact Person: **PETRO VERSTER**

Designation: **Information Officer**

Postal address: **P.O. BOX 17287, RANDHART, 1457**

Street Address: **Archimedix Corner, Block C, Suite 006, 64 Nelson Mandela Avenue, Alberton, Johannesburg**

Telephone number: **072 543 6172 / 010 006 8366**

Fax number: **n/a**


Email address: [admin@pmvattorneys.co.za](mailto:admin@pmvattorneys.co.za)

Company Registration Number: **n/a**

Website: [www.pmvattorneys.co.za](http://www.pmvattorneys.co.za)

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## 5. Description of guide referred to in section 10: section 51(1) (b)

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest. For purposes of PAIA, PMV ATTORNEYS & NOTARIES is a private body.

Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in sections 9 & 11 of this Manual.

Section 23 of POPIA (read with sections 18 and 53 of PAIA), grants a data subject (a customer, employee or third party) a right to request confirmation of records containing their personal information being held by PMV ATTORNEYS & NOTARIES, which confirmation shall be provided free of charge. The requester can subsequently request a copy of the record or a description of the personal information contained within the record, subject to the fees prescribed by PAIA. Requesters are referred to the Guide in terms of Section 10 of PAIA which has been compiled by the South African Human Rights Commission (“SAHRC”), which contains information for the purposes of exercising Constitutional Rights. The Guide is available for inspection, *inter alia*, at the office of the Human Rights Commission at Braampark Forum 3, 33 Hoofd Street, Braampark, Johannesburg and on its website at [www.sahrc.org.za](http://www.sahrc.org.za).

Responsibility for the Guide will transfer to the Information Regulator under the Protection of Personal Information Act 4 of 2013 (POPIA) in terms of section 114 of POPIA after 30 June 2021.


## 6. Applicable Legislation – Automatic Availability of Certain Records (Section 51 (1) (c))

Records are available in accordance with the following current South African legislation and any amendments thereof and regulations thereto (only to the extent that the relevant Act is applicable, and which therefore makes disclosure of records compulsory):

Number	Reference	Act
1.	No 26 of 2005	Auditing Professions Act
2.	No. 75 of 1997	Basic Conditions of Employment Act
3.	No. 53 of 2003	Broad-Based Black Economic Empowerment Act
4.	No. 71 of 2008	Companies Act
5.	No. 130 of 1993	Compensation for Occupational Injuries and Diseases Act
6.	No. 89 of 1998	Competition Act
7.	No 108 of 1996	Constitution of the Republic of South Africa
8.	No. 68 of 2008	Consumer Protection Act
9.	No 36 of 2005	Electronic Communications Act
10.	No. 25 of 2002	Electronic Communications and Transactions Act

<b>11.</b>	No. 55 of 1998	Employment Equity Act
<b>12.</b>	No. 4 of 2013	Protection of Personal Information Act - General Data Protection Regulation
<b>13.</b>	No. 15 of 1973	Hazardous Substances Act
<b>14.</b>	No. 58 of 1962	Income Tax Act
<b>15.</b>	No. 24 of 1936	Insolvency Act
<b>16.</b>	No 28 of 2013	Intellectual Property Laws Amendment Act
<b>17.</b>	No. 66 of 1995	Labour Relations Act
<b>18.</b>	No. 131 of 1998	Medical Schemes Act
<b>19.</b>	No. 34 of 2005	National Credit Act
<b>20.</b>	No. 107 of 1998	National Environment Management Act
<b>21.</b>	No. 39 of 2004	National Environmental Management: Air Quality Act
<b>22.</b>	No. 59 of 2008	National Environmental Management: Waste Act
<b>23.</b>	No. 61 of 2003	National Health Act
<b>24.</b>	No. 36 of 1998	National Water Act
<b>25.</b>	No. 85 of 1993	Occupational Health and Safety Act
<b>26.</b>	No. 24 of 1956	Pension Funds Act
<b>27.</b>	No. 4 of 2013	Protection of Personal Information Act
<b>28.</b>	No. 2 of 2000	Promotion of Access to Information Act
<b>29.</b>	No. 26 of 2000	Protected Disclosures Act
<b>30.</b>	No. 70 of 2002	Regulation of Interception of Communications and Provision of Communication – Related Information Act
<b>31.</b>	No. 97 of 1998	Skills Development Act
<b>32.</b>	No. 9 of 1999	Skills Development Levies Act
<b>33.</b>	No. 4 of 2002	Unemployment Insurance Contributions Act
<b>34.</b>	No. 89 of 1991	Value Added Tax Act

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## 7. Schedule of Records (Section 51 (1) (d))

### Records available in terms of any other legislation

The following categories of records are automatically available without a person having to request access in terms of PAIA:

Category	Records
Public Affairs	Product information

Records are subject to PMV ATTORNEYS & NOTARIES' Record Policies, Procedures and Processes, and will be access and version controlled depending on the classification.

The company has in its possession the following categories of records on the subject matters referred to hereunder and for which a request for access needs to be made in terms of PAIA or the POPI Act:


Category	Records
Corporate Finance	Documents of incorporation Share register Annual Financial statements Integrated annual report Appointments/resignation of directors Tax returns Accounting records Rental PAYE records Documents issued to employees for income tax purposes Records of payments to SARS on behalf of employees All other statutory compliance records: -VAT -Skills Development Levies -UIF
Personnel documents and records	Employment contracts Medical aid records Pension Fund records Disciplinary records Salary records Leave records Training records Training manuals

A person (customer, employee or third party) has the right to request access in terms of section 23 of POPIA:

Category	Records
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<b>Personal Information</b>	<ul style="list-style-type: none"> <li>• any recorded piece of information relevant to a data subject, including but not limited to the following, which can be in either electronic format or hard copy: <ul style="list-style-type: none"> <li>• race, gender, pregnancy, sex, nationality, marital status, ethnicity, or social origin; colour; sexual orientation; age; physical or mental health and well-being</li> <li>• belief, religion, conscience, culture, language and birth, education, medical information, financial information, criminal or employment history</li> <li>• an identifying number or symbol</li> <li>• disability, personal opinions, blood type, biometric information</li> <li>• views or preferences of a person, correspondence of private or confidential nature, views, or opinions of another person</li> <li>• name of a person if it appears with other personal information</li> <li>• consumer or purchasing pattern</li> <li>• e-mail address and physical address, location information or online identifier and telephone number and mobile number.</li> </ul> </li> </ul>
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## 8. Form of Request (Section 51 (1) (e))

Kindly complete Form C as annexed to this document for requesting information from the company.

For purposes of facilitating a request in terms of the Act, a description of the records and the categories in which these subjects are classified which are held by the company are detailed in 7 of this manual.

It should be noted that the inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds for refusal as set out in the Act may be applicable to a request for such records.

## 9. The request procedures:

### Form of request section 51 (e):

#### To facilitate the processing of your request, kindly:

- Use the prescribed form (Form C to this document when a request is made to a private body or business), also available on the website of the South African Human Rights Commission (SAHRC) at [www.sahrc.org.za](http://www.sahrc.org.za) and submit this form together with a request fee, to the head of the private body.
- The form must be addressed and submitted to the head of the private body at his/ her address, fax number, or electronic mail address
- The form must:
  - a. provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester,

- b. indicate which form of access is required,
- c. specify a postal address or fax number of the requester in the Republic,
- d. identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right,
- e. if in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner,
- f. If the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.

## 10. Section 52 (2) Notice

No notice has been published.

## 11. Fees: Section 54 as amended by section 110 of Act No. 4 of 2013

The fees are as per Part 3 Chapter 3 of the Act.

## 12. Information or records not found

- 12.1 A requester, who seeks access to a record containing personal information about that requester, is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the prescribed fee (R50.00) before a request will be processed.
- 12.2 The Information Officer must by notice, require the requester to pay the prescribed fee, if any, before further processing the request.
- 12.3 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- 12.4 The requester may lodge an application with a court against the payment of the prescribed request fee.
- 12.5 After the Information Officer has made a decision on the request, the requester must be notified in the required form.
- 12.6 If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time, in excess of the prescribed hours, required to search and prepare for the record disclosure.
- 12.7 Records may be withheld until the fees have been paid.

The fee structure is available on the website of the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za).

Please note that the correct completion and submission of a Request for Access form does not automatically entitle or allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a category as specified in section 23 (4)(a) of the POPIA read with Part 3 Chapter 4 of PAIA.

Please further note that if it is reasonably suspected that a requester has obtained access to a record based on the submission of materially incorrect, false or misleading information, legal proceedings may be instituted against such requester.

If a request for access is successful an access fee will be payable for the search, reproduction and/or preparation of records and which will be calculated based on the fee prescribed under PAIA, an extract of the details of which is attached at the end of this Manual.

### **13. Completion - Request for Access Form**

All requesters should take note of the following guidelines when completing the attached Request for Access to Record of a Private Body (refer to Annexure A: Form C):

- The form must be completed by filling in all lines and spaces;
- Proof of the identity, in the form of a copy of the requester's identity document, is required to be submitted with the application;
- Type or print in a clear eligible manner, if a question does not apply indicate so by inserting "N/A" in response to that question, and if there is nothing to disclose in response to a particular question write "NIL" in response thereto;
- If there is insufficient space in the form, add additional pages on which the additional information is provided, clearly indicating to which question this relates.
- Request for information will be evaluated and the requester will be notified within 30 days after receipt of the request in the prescribed format of the following:

#### **Notification of extension period:**

Requesters must take note that in terms of PAIA, the 30 days period mentioned above may be extended for a further period of not more than 30 days under certain circumstances (details will be provided together with the notification of such extension).

### **14. Information or records not found**

If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then the head of the company shall notify the requester, by way of an affirmation or letter, that it is not possible to give access to the requested record.

### **15. Information requested about a third party**

- 15.1 Section 71 of the Act makes provision for a request for information or records about a third party.
- 15.2 In considering such a request, the company will adhere to the provisions of sections 71 to 74 of the Act.
- 15.3 The attention of the requester is drawn to the provisions of Chapter 5 of Part 3 of the Act in terms of which the company is obliged, in certain circumstances, to advise third parties of requests lodged in respect of information applicable to or concerning such third parties.
- 15.4 In addition, the provisions of Chapter 2 of Part 4 of the Act entitle third parties to dispute the decisions of the head of the company or by referring the matter to the High Court.

## 16 Decision on request

The applicant will be informed whether or not the application for access has been denied or granted. In the event that the application is refused, the applicant will be given adequate reasons for the refusal and will be informed that the applicant may lodge an application with a court against a refusal of the application, as well as the procedure (including the period) for lodging such an application.

## 17 Grounds for refusal – Part 3 Chapter 4

The company may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which the company may refuse includes but is not limited to:

- 17.1 Protecting personal information that the Company holds about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;
- 17.2 Protecting commercial information that the Company holds about a third party or the Company (for example trade secrets, financial, commercial, scientific or technical information that may harm the commercial or financial interests of the Company or the third party;
- 17.3 If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement;
- 17.4 If disclosure of the record would endanger the life or physical safety of an individual;
- 17.5 If disclosure of the record would prejudice or impair the security of a building, structure or system, including, but not limited to, a computer or communication system, a means of transport; or any other property or;
- 17.6 Methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme; the safety of the public, or any part of the public; or the security of property contemplated in the applicable subparagraphs
- 17.7 Disclosure of the record would put the company at a disadvantage in contractual or other negotiations or prejudice it in commercial competition
- 17.8 The record is privileged from production in legal proceedings, unless the legal privilege has been waived;
- 17.9 Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of the Company;
- 17.10 The record is a computer program which is owned by the Company and protected by Copyright, Trademark or an Intellectual Property (IP);
- 17.11 The record contains information about research being carried out or about to be carried out on behalf of a third party of the Company and/or;
- 17.12 Information not yet in the public domain.

## 18 Availability of the manual

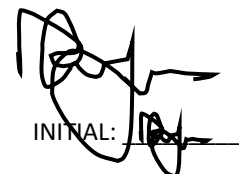
This manual is available for inspection as follows:

- In hard copy, to be viewed free of charge by appointment during office hours at PMV ATTORNEYS & NOTARIES, Archimedx Corner, Block C, Suite 006, 64 Nelson Mandela Avenue, Alberton, Johannesburg.

Copies are available from the Office of the Information Regulator.

APPROVED BY: PC VERSTER

HEAD OF OFFICE SIGNATURE:



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