

KEMP & **ASSOCIATES**

**Manual prepared in accordance with
the promotion of access of information act 2 of 2000
and the protection of personal information act 4 of 2013**

TABLE OF CONTENTS

- 1. LIST OF ACRONYMS AND ABBREVIATIONS**
- 2. PURPOSE OF PAIA MANUAL**
- 3. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE IN TERMS OF SECTION 10 OF THE ACT**
- 4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION**
- 5. CATEGORIES OF RECORDS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**
- 6. DESCRIPTION OF THE RECORDS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**
- 7. PROCESSING OF PERSONAL INFORMATION**
- 8. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT**
- 9. AVAILABILITY OF THE MANUAL**
- 10. UPDATING OF THE MANUAL**

1. LIST OF ACRONYMS AND ABBREVIATIONS

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| 1.1. | “CEO” | Chief Executive Officer |
| 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 |

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 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. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE IN TERMS OF SECTION 10 OF THE ACT

A guide has been compiled by the South African Human Rights Commission in terms of Section 10 of the PAIA, which contains information required by a person wishing to exercise any right, contemplated by the abovementioned Act. The Guide is available in all of the official languages from the PAIA Unit of the Human Rights Commission, who maybe contracted at:

Physical Address: 29 Princess of Wales Terrance
Corner of York and St Andrews Street
Parktown

Postal Address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484 8300
Fax Number: +27 11 484 1360
Website: www.sahrc.org.za

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION

3.1. Managing Director

Name: Elaine Schoeman
Tel: 021 979 3280
Email: elaine@kemplaw.co.za
Fax number: 086 600 1203

3.2. Information Officer

Name: Chantal Charmaine Williams
Tel: (021) 979 3280
Email: chantal@kemplaw.co.za
Fax Number: 086 600 1203

3.3. Access to information general contacts

Email: info@kemplaw.co.za

4. Head Office

Postal Address: PO Box 478
Durbanville
7551

Physical Address: 8 Church Street
Durbanville
7550

Telephone: (021) 979 3280
Email: admin@kemplaw.co.za

5. CATEGORIES OF RECORDS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Available on website	Available upon request
Pricelist		X
Marketing and Promotional material	X	
Posters	X	
Pamphlets / Brochures	X	
PAIA Manual	X	
Privacy Notice	X	

All information as freely available on our website: www.kemplaw.co.za

6. DESCRIPTION OF THE RECORDS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Applicable Legislation

- Applicable Legislation
- Legal Practice Act 28 of 2014
- Basic Conditions of Employment Act 75 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Consumer Protection Act 68 of 2008
- Competition Act 89 of 1998
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Consumer Affairs (Unfair Business Practices) Act 71 of 1988
- Credit Agreements Amendment Act 79 of 1995
- Criminal Procedure Act 51 of 1977
- Customs and Excise Act 91 of 1964
- Debt Collectors Act 114 of 1998
- Deeds Registries Act 47 of 1937
- Designs Act 195 of 1993
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Financial Intelligence Centre Act 38 of 2001
- Harmful business Practices Act 23 of 1999
- Income Tax Act 58 of 1962
- Insolvency Act 24 of 1936
- Justices of the peace and Commissioners of Oaths Act 16 of 1963
- Labour Relations Act 66 of 1995
- National Environmental Management Act 107 of 1998
- National Payment System Act 78 of 1998
- National Credit Act 34 of 2005
- National Qualifications Framework Act 67 of 2008
- Occupational Health and Safety Act 85 of 1993
- Prescribed Rate of Interest Act 55 of 1975
- Preferential Procurement Policy Framework Act 5 of 2000
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combatting of Corrupt Activities Act 12 of 2004
- Promotion of Access of Information Act 2 of 2000
- Promotion of Administrative Justice Act of 3 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act of 4 of 2000
- Protected Disclosures Act 26 of 2000
- Protection of Businesses Act 99 of 1978
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004
- Protection of Personal Information Act 4 of 2013
- Regulation of Interception of Communications and Provision of communication-related Information Act 70 of 2002
- Sectional Titles Schemes Management Act 8 of 2011
- Sectional Titles Act of 95 of 1986
- Securities Transfer Act 25 of 2007
- South African Reserve Bank Act 90 of 1989
- South African Revenue Services Act 34 of 1997
- Short Term Insurance Act 53 of 1998
- Skills Development Levies Act 9 of 1999
- Skills Development Act 97 of 1998
- Special Economic Zones Act 16 of 2014

- Stamp Duties Act 77 of 1968
- Statistics Act of 6 of 1999
- Tax Administration Act 28 of 2011
- Trade Marks Act 194 of 1993
- Transfer Duty Act 40 of 1949
- Trust Property Control Act 57 of 1988
- Unemployment Contribution Act 4 of 2002
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

7. 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
Strategic Documents, Plans, Proposals	<ul style="list-style-type: none"> • Annual Reports • Strategic Plan • Annual Performance Plan
Human Resources	<ul style="list-style-type: none"> • HR policies and procedures • Advertised posts • Employees records
Statutory Business Records	<ul style="list-style-type: none"> • Certificate of Change of Name • Certificate of Incorporation • Certificate of Commence business Resolutions etc.
Accounting records	<ul style="list-style-type: none"> • Client's financial status on accounts.
Information Technology	<ul style="list-style-type: none"> • Agreements • Client database • Telephone lines • Lease lines • Data lines • Disaster recovery • Licences etc.
Insurance	<ul style="list-style-type: none"> • Claim records • Details of coverage, limits and insurer and insurance policies
Intellectual Property	Agreements in relating to <ul style="list-style-type: none"> • Intellectual property • Copyrights and Designs • Trademarks, trade names and protected names

Legal Agreements and Contracts	Agreements concluded with external and internal service providers
Sales and Marketing	<ul style="list-style-type: none"> • Brochures • Marketing material • Sales • Service and product Information
Other Records	<ul style="list-style-type: none"> • Income Tax Returns • Provisional Tax Returns • Tax Assessments • VAT Documents • Vendors Information etc.

8. PROCESSING OF PERSONAL INFORMATION

8.1. Purpose of Processing Personal Information

Our office obtains personal information from clients to provide a professional legal service of Litigation, Foreclosure, Collections, Conveyancing and Developments. We render specialised services in the legal field ensuring that our clients are always provided with excellence service and that they indeed remain the main focus.

8.2. 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	<ul style="list-style-type: none"> • name • address • registration number • identity numbers • employment status • bank details
Service Providers	<ul style="list-style-type: none"> • names • registration number • vat numbers • address • trade secrets • bank details
Employees	<ul style="list-style-type: none"> • address • qualifications • gender • race

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

Our firm upheld the regulations in the POPI ACT and we do everything reasonably possible to keep the personal information in our firm secure by implementing the following;

- 3.1. securing our premises with a 24-hour remote security service, electrical fencing,
- 3.2. limited access to our premises by the public and our staff,
- 3.3. our service providers storing our electronic data are compliant with the POPIA Act,
- 3.4. We ensure that we have the necessary Data Encryption, Anti-virus and Anti-malware Solutions in place.

9. AVAILABILITY OF THE MANUAL

- 9.1. A copy of the Manual is available-
 - 9.1.1. on www.kemplaw.co.za, if any;
 - 9.1.2. head office of the KEMP EN GENOTE INGELYF for public inspection during normal business hours;
 - 9.1.3. to any person upon request and upon the payment of a reasonable prescribed fee; and
 - 9.1.4. to the Information Regulator upon request.
- 9.2. 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.

10. UPDATING OF THE MANUAL

The Information Officer of KEMP EN GENOTE INGELYF will update this manual on a regular basis.