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## **PROMOTION OF ACCESS TO INFORMATION ACT ACT 2 OF 2000 (The Act)**

### **SECTION 51 MANUAL FOR RANDES ATTORNEYS**

Proprietor: Randles Incorporated Number 1996/014267/21

Attorneys, notaries public, mediators and conveyancers

Pietermaritzburg, KwaZulu-Natal, South Africa

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Randles Incorporated Reg. No.1996/014267/21  
In association with Maseko, Mbatha & Associates

**Directors:** Gavin John McLachlan, Joanna Mayne, Ayisha Gori Noorgat  
Alan Alfred van Lingen  
**Assisted by:** Shian Lee Heynes  
**Consultant:** Andrew John Fisher

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Level 1 B-BEEE Contributor



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## INTRODUCTION TO RANDES ATTORNEYS

Randles Incorporated, the proprietor of Randles Attorneys, was formed on 1 December 1996 and incorporated from a partnership then known as Randles, Davis & Wood on that date. The predecessor firm had been in existence since 1928 and the firm is one of the oldest legal practices in Pietermaritzburg.

Randles Attorneys is a firm of attorneys, notaries, mediators and conveyancers which provides a wide range of legal services to its clients. The directors, consultants and professional assistants of the firm are all admitted attorneys of the High Court of South Africa and are registered with the KwaZulu-Natal Law Society ([www.lawsoc.co.za](http://www.lawsoc.co.za)) in terms of the Attorneys' Act of 1979 and covered by professional indemnity insurance.

Randles Attorneys provides the highest standard of services to clients to whom it delivers professional services with due care, competence and diligence. The firm maintains professional knowledge and skill at a level required to ensure that clients receive the advantage of competent professional services based on current developments in practice, legislation and technology.

It is a South African firm committed to the future and working towards full participation on an employment equity basis.

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## PARTICULARS IN TERMS OF SECTION 51

### 1. CONTACT DETAILS [Section 51 (1) (a)]

The directors have duly authorised Gavin McLachlan ([proatia@randles.co.za](mailto:proatia@randles.co.za)) to deal with all matters in connection with requests for information in terms of the Promotion of Access to Information Act, 2 of 2000.

**Postal address** : P O Box 10231 Dorpspruit 3206

**Street address** : Level 2 Mahogany Court, Redlands Estate, 1 George Macfarlane Lane, Pietermaritzburg (Head office)

**Telephone** : 033 – 392 8000

**Facsimile** : 086 – 678 7259

**Web site** : [www.randles.co.za](http://www.randles.co.za)

**E-Mail** : [proatia@randles.co.za](mailto:proatia@randles.co.za)

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**2. THE GUIDE AS DESCRIBED IN SECTION 10. [Section 51 (1) (b)]**

The guide will be available in due course from the Information Regulator. Please direct any queries to:

**The Information Regulator (South Africa)**  
**SALU Building,**  
**316 Thabo Sehume Street,**  
**PRETORIA**

**Ms Mmamoroke Mphelo**

**Tel: 012 406 4818**

**Fax: 086 500 3351**

**E mail: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)**

**Website: [www.justice.gov.za/infoereg](http://www.justice.gov.za/infoereg)**

**3. CATEGORIES OF RECORDS OF RANDES ATTORNEYS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THE ACT IN TERMS OF SECTION 52 (2). [Section 51 (1) (c)]**

No notice of such records has been made to the Minister but the company's web site and the information contained on it is freely accessible at [www.randles.co.za](http://www.randles.co.za)

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4. **RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION.**  
[Section 51 (1) (d)]

Records are kept in accordance with the following legislation:

- Companies Act, 1973
- Close Corporations Act, 1984
- Income Tax Act, 1962
- Value Added Tax, 1991
- Workmen's Compensation Act, 1941
- Financial Intelligence Centre Act, 2001
- Attorneys Act, 1979
- Unemployment Insurance Act, 2001
- Any other relevant regulatory statute

5. **HOW TO REQUEST A RECORD, A DESCRIPTION OF THE SUBJECT OF THE RECORDS HELD BY RANDES ATTORNEYS AND THE CATEGORIES IN WHICH THESE SUBJECTS ARE CLASSIFIED.**  
[Section 51 (1) (e)]

5.1 **How to request a record**

- Section 53 prescribes that the requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body, or his duly authorised deputy. This request must be made to the postal address, fax number or electronic mail address of the body concerned.

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- The requester must provide sufficient details on the request from to enable the head of the private body to identify the record and the requester. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- The requester must identify the right that he or she 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.
- If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.
- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The fee for private bodies is R50. The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- If the request is granted then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

The head of the private body will then make a decision on the request and notify the requester in the required form.

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## 5.2 Categories of records held by Randles Attorneys

5.2.1 The web page at [www.randles.co.za](http://www.randles.co.za) is accessible to anyone who has access to the Internet.

5.2.2 Library: The firm's library consists of a collection of hard copy and electronic works as well as internet accessible resources on various legal and general issues. The library is for use by staff only on behalf of clients.

### 5.2.3 Other records

- Operational information:

This is information needed in the day-to-day running of the company, is not generally accessible and is largely of little to no use to persons outside the company such as: requisitions, internal telephone lists, address lists, company policies, directives, contracts, employee records and general "house-keeping" information.

- Correspondence files
- Client files and ledgers
- Tax files, returns and records
- Company registers, statutory records and securities
- Human resources files and statutory information
- Records in terms of the Attorneys' Act and Legal Practice Act
- Shareholders agreements
- Financial records, including accounting records together with information required in terms of the Financial Intelligence Centre Act, Electronic Communications and Transaction Act and any other regulatory statutes

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## 6. OTHER INFORMATION AS MAY BE PRESCRIBED [Section 51 (1) (f)]

Not applicable

## 7. AVAILABILITY OF THE MANUAL [Section 51 (3)]

This manual is available from the Information Regulator (see details above) and Randles Attorneys from whom a hard copy can also be obtained upon payment of the prescribed fee (see details above). It is also accessible on their web site ( [www.randles.co.za](http://www.randles.co.za) )

## 8. FEES IN RESPECT OF PRIVATE BODIES : R 50,00

## 9. PRESCRIBED REQUEST FORM

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY  
(Section 53 (1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000))

- **[Regulation 10]**
- [J752 ENG](#) / [J754 AFR](#)

**Form C - Request for access to record of Private Body (Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)) [Regulation 10]**

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