

Vol. 488

Pretoria, 24 February 2006
Februarie 2006

No. 28509

M A N U A L

IN ACCORDANCE WITH

**THE PROMOTION OF ACCESS TO
INFORMATION ACT (NO. 2 OF 2000)**

INDEX

Company Name	Gazette No.	Date	Page No.
Erasmus-Els Incorporated t/a Erasmus Attorneys	28509	24 February 2006	3

ERASMUS-ELS INCORPORATED t/a ERASMUS ATTORNEYS
(the "Firm")

MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT, NR.2 OF 2000
(the "Act")

INDEX: Page

1. Introduction 1
2. Contact details 1 & 2
3. Guide in terms of Section 10 of the Act 2
4. Notice(s) in terms of Section 52(2) of the Act 2
5. Information / documents available in accordance with other legislation 2 & 3
6. Documents/information held by the Firm terms of the Act 3
7. Other Information 3
8. Availability of the Manual 3

1. INTRODUCTION

The aim of the manual is to assist potential requestors as to the procedure to be followed when requesting access to information/documents from the Firm, as contemplated in terms of the Act.

The manual may be amended from time to time and as soon as any amendments have been finalised, the latest version of the manual will be made public.

Any requestor is advised to contact Mr Michiel Christiaan Erasmus of the Firm, should he/she require any assistance in respect of the utilisation of this manual and/or the requesting of information/documents from the Firm.

The following words will bear the following meaning in this manual:-

"Act" shall mean the Promotion of Access to Information Act, Nr 2 of 2000, together with all relevant regulations published;

"manual" shall mean this manual together with all annexures thereto, as available at the offices of the Firm from time to time;

"Firm" shall mean Erasmus-Els Incorporated trading as Erasmus Attorneys (Reg. no: 2001/023039/21), structured as an incorporated company which renders legal services including legal advice and legal representation to individual clients and businesses/organisations;

"SAHRC" shall mean the South African Human Rights Commission.

"Information Officer" shall mean the senior director of the Firm who has been appointed as the Information Officer of the Firm, to whom requests for information in terms of the Act should be addressed.

2. CONTACT DETAILS (Section 51(1)(a) of the Act)

Name of body: Erasmus-Els Incorporated trading as Erasmus Attorneys

Senior director and appointed information officer: Michiel Christiaan Erasmus

Address: Sanwood Park, Building 3B, Ground Floor, 379 Queens Crescent, Lynnwood, Pretoria

Postal address: P O Box 1515, Pretoria, 0001

Telephone: (012) 348-6238

Fax: (012) 361-3411

E-mail: mcerasmus@law.co.za

Website address: none

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)

In terms of Section 10 of the Act, a guide will be compiled by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide will be made in all official languages by the SAHRC and is obtainable from the SAHRC.

Contact details of the SAHRC are as follows:

PAIA Unit
The Research and Documentation Department
Private Bag 2700
HOUGHTON
2041

Telephone: +27 11 484 8300

Fax: +27 11 484 0582/1360

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

4. NOTICE(S) IN TERMS OF SECTION 52(2) OF THE ACT (Section 51(1)(c) of the Act)

At this stage no notice(s) has/have been published.

5. INFORMATION / DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION (Section 51(1)(d) of the Act)

The Firm keeps information/documents in accordance with the following legislation (please note that this is not an exhaustive list):-

- Insolvency Act, Nr. 24 of 1936 (Sections 134 and 155)
- Pension Funds Act, Nr. 24 of 1956
- Income Tax Act, Nr. 58 of 1962 (Section 75)
- Companies Act, Nr. 61 of 1973
- Copyright Act, Nr. 98 of 1978
- Attorneys Act, Nr 53 of 1979
- Regional Services Councils Act, Nr. 109 of 1985
- Value Added Tax Act, Nr 89 of 1991 (Section 65)
- Occupational Health and Safety Act, Nr. 85 of 1993
- Compensation for Occupational Injuries and Diseases Act, Nr. 130 of 1993 (Section 97)
- Labour Relations Act, Nr 66 of 1995
- Basic Conditions of Employment Act, Nr. 75 of 1997 (Section 31)
- Employment Equity Act, Nr. 55 of 1998 (Section 26)
- Skills Development Act, Nr. 97 of 1998
- Medical Schemes Act, Nr. 131 of 1998

- Skills Development Levies Act, Nr.9 of 1999
- Unemployment Insurance Act, Nr. 63 of 2001

The above records, in so far as it being of a public nature are available automatically without a person having to request access thereto in terms of the Act, as envisaged in Section 52.

6. DOCUMENTS / INFORMATION HELD BY THE FIRM IN TERMS OF THE ACT (Section 51(1)(e) of the Act)

The Firm holds the information/documents listed herein below.

- Details relating to the operational, commercial and financial interests the Firm
- Commercial contracts
- Client data base (personal information of clients, commercial and financial information, information on contemplated, existing and past litigation, information on agreements, proposals and intellectual property of such clients)
- Standard Employment Contracts
- Employment Equity Report
- Skills Development Report
- Personnel Report of the Firm
- Human Resources (personal information of past, present and prospective employees and directors)
- List of trademarks and pending applications
- Insurance policies
- Rules and regulations relating to the pension fund

It is recorded that any and all documents / information requested pertaining to the aforesaid shall only be made available to a requestor subject to the provisions of the Act. None of the information held by the Firm is automatically available without a person having to request access in terms of and subject to the provisions of the Act.

A request for information should be in the prescribed form, addressed to the Information Officer and submitted against payment of the prescribed fee.

7. OTHER INFORMATION (Section 51(1)(f) of the Act)

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this Section.

8. AVAILABILITY OF THE MANUAL (Section 51(3) of the Act)

- 8.1 This manual is available for inspection at the offices of the Firm, free of charge.
- 8.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of the Firm.
- 8.3 The manual can also be accessed on the websites of the SAHRC (www.sahrc.org.za) and will be published in the *Government Gazette*.
- 8.4 It should be noted that the manual accessible on the website of the SAHRC and in the *Government Gazette*, does not include the request forms or fee structure. The request forms and fee structure can be obtained on the SAHRC website (www.sahrc.org.za) or the website of the Department of Justice and Constitutional Development (www.doi.gov.za) (under "regulations").

This done and dated at Pretoria, Gauteng, Republic of South Africa on 29 August 2005.