

GOVERNMENT GAZETTE
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 558

Pretoria, 23 December 2011
Desember

No. 34886

MANUAL

IN ACCORDANCE WITH

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

IMPORTANT NOTICE

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INDEX

Company Name	Gazette No.	Date	Page No.
Natalie Lubbe & Associates Inc	34886	23-12-2011	3

THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000, SECTION 51 MANUAL FOR NATALIE LUBBE & ASSOCIATES INC

Natalie Lubbe & Associates Inc ("*NLA*") is a commercial law firm, specialising in *inter alia*, High Court and Magistrate's Court Commercial and Civil Litigation, Insolvency Law, Company Law, Contract Law, Debt Collection, and Family Law.

PARTICULARS IN TERMS OF SECTION 51**1. CONTACT DETAILS [Section 51(1)(a)]**

Director: Natalie Marie Lubbe
Cell: 082 920 9628

Physical Address: Block 2, Fancourt Office Park
Cnr Northumberland & Felstead Avenue
Northriding
Johannesburg

Tel: 087 741 1008
Fax: 086 688 9555
Email: natalie@natalielubbe.co.za
Website: www.natalielubbe.co.za

Postal Address: P.O. Box 662
Bromhof, 2154

Company Registration Number: 2006/016189/21
VAT Registration Number: 4610230023
Contact Person: Ms Rana Eschur (Office Manager).

2. THE SECTION 10 GUIDE ON HOW TO USE THE ACT [Section 51(1)(b)]

The Guide is available from the South African Human Rights Commission.

Please direct any queries to:

The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department
Private Bag 2700
Houghton
2041

Tel: (011) 484 8300
Fax: (011) 484 7146
Website: www.sahrc.org.za
Email: PAIA@sahrc.org.za

3. **RECORDS AUTOMATICALLY AVAILABLE AT NATALIE LUBBE & ASSOCIATES INC [Section 51(1)(c)]**

No notice has yet been issued regarding the categories of records automatically available without a person having to request access in terms of the Act.

4. **RECORDS AVAILABLE AT NATALIE LUBBE & ASSOCIATES INC IN TERMS OF ANY OTHER LEGISLATION [Section 51(1)(d)]**

4.1 Attorneys Act No 53 of 1979:

4.1.1 Fidelity Fund Certificates from 2006 to 2011;

4.1.2 All accounting books and reports in relation to NLA's business affairs.

4.2 Financial Intelligence Centre Act No 38 of 2001 ("FICA):

4.2.1 Section 43B of the FICA Amendment Act No 11 of 2008, registration documents pertaining to NLA's compliance with registering with the Centre;

4.2.2 Section 42(4) FICA Manual

4.2.3 Section 21, all documentation used to identify and verify clients, their accounts and business relationship;

4.2.4 Section 22, records of all transactions identifying the amounts and the parties involved;

4.2.5 Record of all current clients.

4.3 Law Society of the Northern Provinces Rules:

4.3.1 Rule 70.4.1, NLA's auditor's reports from 2006 to 2011

4.4 All necessary records relating to the particulars of employees, time worked, remuneration and employment equity plan, which are kept in compliance with the all relevant legislation of the Republic of South Africa (the list of Legislation is not provided due it being extremely long).

5. **RECORDS THAT ARE NOT AUTOMATICALLY AVAILABLE, BUT MAY BE REQUESTED. ACCESS TO THESE RECORDS MAY BE PROTECTED BY REASONS OF PROFESSIONAL PRIVILEGE, PRIVACY OR THE GROUNDS OF REFUSAL DETAILED IN THE ACT [Section 51(1)(e)]**

<u>CATEGORY</u>	<u>DISCRIPTION/SUBJECT</u>
ACCOUNTING & FINANCE	bank statements, bank reconciliations, banking details, trust account banking details, tax

	invoices, credit/debit notes, ledgers, balance sheets, cash flow statements, payments schedules, annual financial statements, tax records and tax return assessments, assets inventory
ADMINISTRATION	timesheets, consignment notes, lease agreements, insurance policies, general expenses, general correspondence, correspondent attorneys list
HUMAN RESOURCES	contracts of employment, particulars of employees, payslips, documents relating to disciplinary procedures, employee leave records, UIF records, pension fund benefit records, candidate attorney contract with Law Society, attorneys' enrolment certificates
LIBRARY MATERIAL	Online Jutastats e-publications, selected law text books, High and Magistrates Court Rules and Procedures
MARKETING	Firm's website, business cards
PUBLICATIONS	Director's Liability to the New Company's Act video presentation

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

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

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

This manual is available for inspection free of charge at the offices of NLA. A copy is also available with the South African Human Rights Commission, *Government Gazette*, the Law Society of the Northern Provinces and on NLA's website.

8. **FORM OF REQUEST**

8.1 A requester who wishes to have access to NLA's records in order to protect or exercise their constitutional rights must do the following:

8.1.1 complete in full the prescribed form C;

- 8.1.2 address the request to the Director of NLA;
- 8.1.3 the request must be made out to NLA's address, fax number or e-mail address [Section 53(1)].
- 8.1.2.1 The requester must provide the following:
- 8.1.2.2 sufficient particulars on the request form in order to enable the Director of NLA to identify the record and the requester;
- 8.1.2.3 indicate which form of access is required;
- 8.1.2.4 specify a postal address or fax number of the requester, or any other manner in which the requester wishes to be informed of the decision of the request;
- 8.1.2.5 identify the right which he/she is seeking to exercise and provide an explanation of why the requested record is required for the exercise or protection of that right;
- 8.1.2.6 if the request is made on behalf of a person, the requester must submit proof of the capacity in which he/she is making the request, to the reasonable satisfaction of the Director of NLA [Section 53(2)(a) – (f)].

9. **FEES**

- 9.1 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 request fee.
- 9.2 The Director of NLA shall notify the requester other than a personal requester, by notice requiring the requester to pay the prescribed request fee before further processing the request [Section 54(1)].
- 9.3 The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [Section 54(3)(b)].
- 9.4 After the Director of NLA has made a decision on the request, the requester shall be notified in the required form.
- 9.5 If the request is granted, then a further access fee must be paid for the search, reproduction, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [Section 54(6)].
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