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MANUAL

IN ACCORDANCE WITH

PROMOTION OF ACCESS TO INFORMATION ACT (2/2000)

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**MANUAL PREPARED IN ACCORDANCE WITH
SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT 2 OF 2000 (“the Act”)
FOR
RIC MARTIN INCORPORATED ATTORNEYS, CONVEYANCERS AND
NOTARIES
(Updated 10 December 2015)**

Company Overview

Ric Martin Inc. Attorneys, Conveyancers and Notaries is a boutique law firm which offers specialised legal services with a personal touch and places an emphasis on client relations and pragmatic solutions.

The firm was founded by Ric Martin in 2014 and comprises of accomplished directors assisted by associates who are driven to assist and empower clients.

Ric Martin Inc. consists of multiple established departments each headed by experienced lawyers granting clients access to a multitude of legal expertise.

The Firm’s areas of expertise include:

- Insurance Law, more specifically litigious matters ranging from Personal Life Insurance to Commercial Insurance;
- Insolvency Law;
- Medical Malpractice related matters;
- Forensic accounting services,
- Conveyancing and Notarial services;
- Banking Law, including matters relating to the South African Reserve Bank;
- Civil-, Commercial- and Criminal Litigations in various Magisterial- and High Courts,
- Debt Collection,

- Employment- and Family Law matters.

Ric Martin Inc. is a level 2 BEE contributor, aimed at gaining expedited access to a client base which pays increasing cognizance to true black leadership and innovation in a modern environment.

Part I

(Information required under section 51(1)(a) of the Act)

Name of Body: Ric Martin Incorporated Attorneys, Conveyancers and Notaries

Postal Address: P O Box 70942, The Willows, 0041

Physical Address: Blok E, Glenfield Office Park, 361 Oberon Street, Faerie Glen

Telephone: +27 12 492 1360

Facsimile: 086 546 5672

Information Officer: Ric Martin

E-mail Address: ric@ricmartinlaw.co.za

Part II

(Information required under section 51(1)(b) of the Act)

A guide on how to use the Act is compiled by the Human Rights Commission in terms of Section 10 of the Act.

Information in this regard can be sourced from the Commission's [website](#) under the "PAIA" tab.

Any queries should be directed to:

The South African Human Rights Commission PAIA Unit, The Research and Documentation Department

Postal Address: Private Bag 2700, Houghton, 2041

Physical Address: PAIA Unit: The Research and Documentation Department, Boundary Road, Isle of Houghton,

Wilds View, Entrance 1, Houghton,
JOHANNESBURG

Telephone: +27 (11) 484 8300

Facsimile: +27 (11) 484 1360

Website: www.sahrc.org.za

E-mail Address: section51.paia@sahrc.org.za

Contact Person: **Ms Kisha Candasamy**

Email: lidlamini@sahrc.org.za

Phone: 0118773803

Part III

(Copy of notice, if any, required under section 51(1)(c) of the Act)

Not applicable.

Part IV

Records are kept in accordance with such other legislation as is applicable to Ric Martin Incorporated, which includes but is not limited to the following legislation:

- Companies Act 61 of 1973;
- Income Tax Act 58 of 1962;
- Unemployment Insurance Act 63 of 2001;
- Value Added Tax Act 89 of 1991;
- Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- Occupational Health and Safety Act 85 of 1993;
- Labour Relations Act 66 of 1995;
- Basic Conditions of Employment Act 75 of 1997;
- Employment Equity Act 55 of 1998;
- Skills Development Levies Act 9 of 1999; and
- The Attorneys Act 53 of 1979.

Part V

(Information required under section 51(1)(e) of the Act)

A: Records That May Be Requested (Some of which may be subject to legal privilege)

i. Operational Information

Information required for the day-to-day running of Ric Martin Inc.

For instance: Address lists; company policies; directives; contracts; employee records; licences; authorisations; approvals; certificates; tax documentation; applications; consents and general “house-keeping” information.

ii. Information relating to legal matters

The record consists of the following categories:

- Pleadings
- Documents
- Correspondence
- Finances

iii. Communications

Correspondence relating to internal and external matters.

iv. Other Sources of Information

Ric Martin Inc. has no additional sources of information other than those specified above.

B: The Request Procedure

All requesters should send their requests, on prescribed request form ([Form C](#)) to Information Officer. The [process detailed below](#) has been endorsed by the South African Human Rights Commission.

i. The Process

- The requester must use the prescribed form to make the request for access to a record. This must be made to the Information Officer. This request must be made to the address, fax number or electronic mail address of the body concerned.
- The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester.
- The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or to be protected 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 another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

- The Information Officer shall as soon as reasonably possible, not being more than 30 days after receipt of a competent request, and subject to the extension of a further 30 days as contemplated in Section 57, decide whether to grant the request, and inform the requestor accordingly.

ii. Request Fees:

- 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 required request fee.

- The Information Officer 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 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

- After the Information Officer has made a decision on the request, the requester must be notified in the required form.

- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

- No fee is payable in respect of public inspection of a copy of the manual during office hours at the offices of the company.

iii. Prescribed fees

The fees (as per Government Notice No.R.187) are as follows:

- The fee for a copy of the manual as contemplated in regulation 9(2)(c) for every photocopy of an A4-size page or part thereof is R1,10

- The fees for reproduction are as follows:

o For every photocopy of an A4-size page or part thereof R1,10

o For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R0,75

- o For a copy in a computer-readable form on -
 - stifty disc R7,50
 - compact disc R70,00

- For a transcription of visual images:
 - o for an A4-size page or part thereof R40,00
 - o For a copy of visual images R60,00

- For a transcription of an audio record:
 - o for an A4-size page or part thereof R20,00
 - o For a copy of an audio record R30,00

- The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00

- The access fees payable by a requester referred to in regulation 11(3) are as follows:
 - o For every photocopy of an A4-size page or part thereof R1,10
 - o For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R0,75
 - o For a copy in a computer-readable form on –
 - stifty disc R7,50
 - compact disc R70,00

- For a transcription of visual images:
 - o for an A4-size page or part thereof R40,00
 - o For a copy of visual images R60,00

- For a transcription of an audio record:
 - o For an A4-size page or part thereof R20,00
 - o For a copy of an audio record R30,00

- To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

- For purposes of section 54(2) of the Act, the following applies:
 - o Six hours as the hours to be exceeded before a deposit is payable
 - o One third of the access fee is payable as a deposit by the requester.

- The actual postage is payable when a copy of the record must be posted to a requester.

The Information Officer may, in respect of a copy of the manual or part thereof made available in a manner other than that contemplated in paragraph (a) [of Section 9 of Government Notice No. R. 187, charge the fee prescribed in Item 1 of Part III of Annexure A. (of Government Notice No. R. 187).

iv. Remedy Upon Refusal

In terms of PAIA [Section 56(3)(c)] a requester may lodge an application with a court, within 180 days of being informed of any decision of the Information Officer of Ric Martin Inc. on any request, for relief against the refusal of the Request.

Part VI

(Other information as may be prescribed under section 51(1)(f))

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

Part VII

(Availability of manual under section 51(3))

This manual is available for inspection by the general public upon request, during office hours and free of charge, at the offices of Ric Martin Inc. Copies may also be requested from the South African Human Rights Commission. The manual is also published on Ric Martin Inc.'s website referred to above.

Part VIII

(Prescribed forms and fee structure in respect of private bodies)

The forms and fee structure prescribed under the Act are available at the websites of the Department of Justice and Constitutional Development (www.justice.gov.za), under the "regulations" section, and the South African Human Rights Commission (www.sahrc.org.za) under the "PAIA" section.

IMPORTANT Information from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.

