



**MANUAL PREPARED IN TERMS OF SECTION 51
OF
THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000
(HEREAFTER REFERRED TO AS "*THE ACT*")
(AS AMENDED BY THE PROTECTION OF PERSONAL INFORMATION
ACT 4 OF 2013 ("*POPIA*"))**

FOR ASSISTANCE IN REQUESTING INFORMATION FROM:



**RYAN HALL AND ASSOCIATES INC. t/a RYAN HALL
ATTORNEYS
(REGISTRATION NUMBER: 2018/197906/21)**

RYAN HALL AND ASSOCIATES INC · REGISTRATION NUMBER : 2018 / 197906 / 21
DIRECTORS : RYAN HALL · ILSCHEN VON MOLENDORFF
+27 (0) 21 205 5320 · INFO@RHLAW.CO.ZA · WWW.RHLAW.CO.ZA
OFFICE 10 , FIRST FLOOR , HIGHSTREET TYGERVALLEY BUILDING , 10 BELLA ROSA STREET ,
ROSEN PARK , 7530
PO BOX 2589 , DURBANVILLE , 7551

1. BACKGROUND

Every private body contemplated in the Act is required in terms of section 51 to prepare a manual of information pertaining to the body, including a description of any and all records held in its possession ("*the manual*"). A copy of this manual is to be placed on the body's website and is to be made available to the public upon request.

The purpose of the manual is to promote the right of access to information enshrined in section 32 of the Constitution of the Republic of South Africa, 1996 and to promote a culture of transparency, accountability, openness and good governance in respect of information held by the body. The manual further aims to facilitate requests for access to the records held by or under the control of the body, in terms of the Act.

Ryan Hall Attorneys Inc. (hereafter "*RHLAW*") reserves the right to amend this manual at any time by publishing an updated version on its website.

2. INTRODUCTION

RHLAW is a boutique law firm which provides legal services to its clients in aspects of, *inter alia*, general litigation, company law, commercial law, liquidations and insolvency law, contract drafting and -review, labour law, family law and divorces, construction contracts and GCC compliance, occupational health and safety compliance, notarial services such as antenuptial contracts, and conveyancing.

3. PARTICULARS OF THE MANUAL

- A. Contact details of the body (RHLAW) [section 51(1)(a)(i)]
- B. Description of the guide referred to in section 10 of the Act [section 51(1)(b)(i)]
- C. Records available in terms of other legislation [section 51(1)(b)(iii)]
- D. Subjects and categories of records held by the body (RHLAW) [section 51(1)(b)(iv)]
- E. Availability of the manual and requests for access to information
- F. Form 2 – Prescribed Form

A. CONTACT DETAILS OF THE FIRM – SECTION 51(1)(a)(i)

Name of private body	Ryan Hall and Associates Inc. t/a Ryan Hall Attorneys
Name of head of private body	Ryan Hall
Registered street address	Office 10, First Floor Highstreet Tygervalley Building 10 Bella Rosa Street Rosen Park Western Cape Province 7530
Postal address	PO Box 2589 Durbanville 7551
Telephone number	+27 21 205 5320
E-mail address	info@rhlaw.co.za
Website	www.rhlaw.co.za
Person duly authorised to assist in all requests for access to information (Delegated Information Officer)	Ilschen von Molendorff

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B. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10 – SECTION 51(1)(b)(i)

The Act grants a requester access to records of a private body, if the record is required for the exercise of protection of any rights.

If a public body lodges a request for access to information with RHLAW, the public body must be acting in the public interest.

Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided and gazetted by the Minister from time to time. The applicable forms and tariffs are specified in the Act.

The South African Human Rights Commission ("*the SAHRC*"), in terms of section 10, provided a guideline on how to access information to assist people in exercising their rights under the Act. The duties of the SAHRC under the Act have now been taken over by the Information Regulator. Any further information or queries regarding this guide can be directed to the Information Regulator at the following details:

Physical address:	Woodmead North Office Park 54 Maxwell Drive Woodmead Sandton Johannesburg 2191
Postal address:	PO Box 31533, Braamfontein, Johannesburg, 2017
Telephone:	+27 10 023 5200
Website:	https://inforegulator.org.za/
E-mail:	enquiries@inforegulator.org.za [general enquiries]

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PAIAComplaints@inforegulator.org.za /
POPIAComplaints@inforegulator.org.za
[complaints]

C. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION – SECTION 51(1)(b)(iii)

RHLAW, where applicable to its operations, holds and retains information and documentation in terms of, *inter alia*, the following legislation:

1. Administration of Estates Act 66 of 1965;
2. Attorneys Act 53 of 1979;
3. Basic Conditions of Employment Act 75 of 1977;
4. Companies Act 61 of 1973;
5. Companies Act 71 of 2008;
6. Compensation for Occupational Injuries and Diseases Act 130 of 1993;
7. Consumer Protection Act 68 of 2008;
8. Copyright Act 98 of 1978;
9. Electronic Communications and Transactions Act 25 of 2002;
10. Employment Equity Act 55 of 1998;
11. Financial Intelligence Centre Act 38 of 2001;
12. Income Tax Act 58 of 1962;
13. Insolvency Act 24 of 1936;
14. Labour Relations Act 66 of 1995;
15. Legal Practice Act 28 of 2014;
16. National Credit Act 34 of 2005;
17. Occupational Health and Safety Act 85 of 1993;
18. Pension Funds Act 24 of 1956;

19. Prescription Act 68 of 1969;
20. Regulation of Interception of Communications and Provision of Communication-related Information Act 70 of 2002
21. Skills Development Act 97 of 1988;
22. Skills Development Levies Act 9 of 1999;
23. Trade Marks Act 194 of 1993;
24. Trust Property Control Act 57 of 1988;
25. Unemployment Insurance Act 63 of 2001;
26. Unemployment Insurance Contributions Act 4 of 2002; and
27. Value Added Tax Act 89 of 1991.

The aforementioned records, in so far as they are 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, provided that the manner of request is not more onerous than a request under the Act and POPIA.

D. SUBJECTS AND CATEGORIES OF RECORD HELD – SECTION 51(1)(b)(iv)

The following is a list of subjects on which records are under the control of RHLAW as well as the categories into which the said subjects fall:

Management Records

1. Documents pertaining to RHLAW and its Directors; and
2. Resolutions of the Directors of RHLAW.

Employment and Human Resources Records

3. Internal policies and procedures;
4. Code of conduct;

5. List of employees;
6. Employment contracts;
7. Disciplinary code;
8. Disciplinary records;
9. Performance evaluation records;
10. Salaries and wages records;
11. Staff training records and materials;
12. Correspondence relating to employees;
13. Leave records;
14. Health and safety records;
15. Banking details;
16. PAYE records;
17. Documents issued to employees for income tax purposes;
18. Records of payments made to SARS on behalf of employees; and
19. UIF contribution records.

Client Records

20. Records provided by clients, including FICA documents;
21. Records provided by a client to a third party acting for and on behalf of RHLAW;
22. Records provided by third parties;
23. Records generated by or within RHLAW, including but not limited to legal opinions and legal advice to clients;
24. Correspondence with clients, legal practitioners, and third parties;
25. Client files; and
26. Fee agreements, quotations and mandates.

Financial and General Records

27. Financial and accounting records;
28. Tax records and tax compliance documents;
29. Auditor's reports;
30. Banking records for RHLAW's business, trust and investment accounts;
31. Bank statements;
32. Insurance records;
33. Legal Practice Council records, including Fidelity Fund Certificates;
34. Precedents of caselaw and legal documents;
35. RHLAW's asset register;
36. Firm and Attorney profiles;
37. Client, supplier and document databases;
38. Operational documents;
39. Internal and external correspondence;
40. Commercial agreements; and
41. Invoices.

Information Technology Records

42. Records relating to computer software, programmes and applications used by RHLAW, including software-, licence-, support- and maintenance agreements.

Records in these categories will only be made available subject to the provisions of the Act, and requests for access to these categories of information may be declined by RHLAW to protect its interests and / or due to attorney-client privilege.

E. AVAILABILITY OF THE MANUAL AND REQUESTS FOR ACCESS

This manual is available for inspection free of charge at the registered address of the firm contained herein, and may also be accessed on RHLAW's website. Copies of the manual may be obtained, subject to the prescribed fees.

All requests for access to information should be addressed to the Delegated Information Officer at the physical address, office number or e-mail address contained herein. In terms of the Act, all requests must be completed on the prescribed request form, annexed hereto marked "*Form 2*".

The requester must provide sufficient detail on the request form to enable the Delegated Information Officer to identify the record and the requester. The requester should also indicate what manner of access is required and specify his / her / its postal address, contact number or e-mail address.

The requester must identify the right that he / she / it 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 third party, the requester must then submit proof of the capacity in which the request is being made.

The Delegated Information Officer shall by written notice notify the requester of the prescribed fee (if any) payable before processing the request. The prescribed fee is as in the Regulations to the Act. The Delegated Information Officer will then reach a decision in accordance with the provisions of the Act whether to grant or decline the request and notify the requester of the decision within 30 (thirty) calendar days of receipt of the request.

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

In the event that the request is declined, written reasons will be furnished. In addition, if the record pertains to a third party, the Act requires the body to notify the third party of the request and provide the third party an opportunity either to consent to the release of such information or make representations in favour of declining the request.

Legal remedies are available to a requester who is not satisfied with the outcome or believes that there has been a failure to comply with the Act. The requester may lodge a complaint to the Information Regulator or an application to court.

F. FORM 2

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

(Address)

E-mail address:

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Fax number:

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Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
Identity Number			
Postal Address			

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Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD (Mark the applicable box with an "X")			
Record is in written or printed form			
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS (Mark the applicable box with an "X")	
Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

MANNER OF ACCESS (Mark the applicable box with an "X")	
Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED	
<i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer