

A Guide to

# **ACCESSING OUR INFORMATION**

**Our Manual in terms of Section 51 of the  
Promotion of Access to Information Act**

**venn**nemeth&hart  
ATTORNEYS

## Table of Contents

Table of Contents .....	2
Preamble .....	3
Introduction to this private body .....	3
Section A – Our details .....	4
Section B – The official guide .....	5
Section C – Information available in terms of the Act .....	6
1 Categories of information .....	6
2 Procedure for requesting access to the above information .....	9
Section D – Information available in terms of other legislation .....	10
Section E – Information automatically available .....	11

## **Preamble**

The Promotion of Access to Information Act No. 2 of 2000 ("the Act") came into operation on 23 November 2001. Section 51 of this Act requires that we, as a private body, compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

## **Introduction to this private body**

Venn Nemeth & Hart Incorporated is a firm of Attorneys based in Pietermaritzburg. We are a leading law firm in KwaZulu-Natal with associate firms in Cape Town, Johannesburg, Pretoria, Durban, Richards Bay, Empangeni and Port Shepstone.

We offer a wide range of specialist legal and financial services. For more information, please visit our website at [www.vnh.co.za](http://www.vnh.co.za)

We as a private body have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

Inside these pages you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

A copy of this manual is also available on our website – [www.vnh.co.za](http://www.vnh.co.za)

## Section A – Our details

Full Name : Venn Nemeth & Hart Inc

Registration Number : 1994/003593/21

Registered Address : 281 Pietermaritz Street  
Pietermaritzburg  
3201

Postal Address : P O Box 600  
Pietermaritzburg  
3200

Telephone Number : 033 355-3100

Telefax Number : 033 394-1947

Email address : mail@vnh.co.za

CEO : Redvers Lee

Designated Information Officer : Vourn Lombard

Email address of Information Officer : Vourn@vnh.co.za

Website : www.vnh.co.za

## Section B – The official guide

A guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection, *inter alia*, at the offices of the Human Rights Commission, contact details of which are as follows:

**Address:** 29 Princess of Wales Terrace  
Cnr York and St. Andrews Street  
Parktown  
2193

**Postal:** South African Human Rights Commission  
Promotion of Access to Information Act Unit  
Private Bag 2700  
Houghton  
2041

**Telephone:** (011) 484-8300

**Telefax:** (011) 484-0582

**Website:** [www.sahrc.org.za](http://www.sahrc.org.za).

**E-mail:** [paia@sahrc.org.za](mailto:paia@sahrc.org.za).

## **Section C – Information available in terms of the Act**

### **1 Categories of information**

We hold the following categories of information:

#### **(A) STATUTORY COMPANY INFORMATION**

- (i) Certificate of Incorporation
- (ii) Memorandum and Articles of Association
- (iii) Certificate to Commence Business
- (iv) Minute Book, CM25 and CM26, as well as Resolutions passed at general/class meetings
- (v) A Register of Allotments – after a person ceased to be a member
- (vi) Register of Members
- (vii) Register of Directors' shareholdings
- (viii) Annual Financial Statements, including:
  - a. Annual accounts
  - b. Auditor's report
- (ix) Books of Account regarding information required by the Companies Act, 1973

#### **(B) ACCOUNTING RECORDS**

- (i) Books of Account including journals and ledgers;
- (ii) Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange.

#### **(C) STATUTORY EMPLOYEE RECORDS**

- (i) Employees' names and occupations;
- (ii) Remuneration paid to each employee
- (iii) Date of birth of each employee
- (iv) Attendance register
- (v) Employment equity plan
- (vi) Salary and ages register
- (vii) Staff records [including former staff members]

#### **(D) OTHER EMPLOYEE RECORDS**

- (i) Employee contracts
- (ii) Incentive schemes
- (iii) Staff loan schemes
- (iv) Study assistance schemes
- (v) Maternity leave policy
- (vi) Disability scheme
- (vii) Group life
- (viii) Office policy and procedures manual

(E) PROVIDENT AND RETIREMENT FUNDING RECORDS

- (i) Provident Fund Rules
- (ii) Provident Fund account records
- (iii) Minutes of Meetings of trustees and members
- (iv) Contribution records
- (v) Annual accounts

(F) FIXED PROPERTY

- (i) Leases
- (ii) Building plans

(G) MOVABLE PROPERTY

- (i) Asset register
- (ii) Finance and lease agreements

(H) AGREEMENTS AND CONTRACTS

- (i) Agreements with shareholders, officers or directors
- (ii) Agreements with contractors and suppliers
- (iii) Agreements with clients
- (iv) Warranty agreements
- (v) Restraint agreements
- (vi) Sale agreements
- (vii) Agreements with governmental agencies
- (viii) Purchase or lease agreements

(I) TAXATION

- (i) Copies of all income tax returns and other tax returns and documents.

(J) LEGAL

- (i) Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation.
- (ii) Material licences, permits and authorisations

(K) INSURANCE

- (i) Insurance policies
- (ii) Claim records
- (iii) Details of insurance coverages, limits and insurers

(L) INFORMATION TECHNOLOGY

- (i) Hardware
- (ii) Operating systems
- (iii) Telephone exchange equipment
- (iv) Telephone lines, leased lines and data lines
- (v) LAN installations
- (vi) Software packages
- (vii) Disaster recovery
- (viii) Internal system support and programming/development
- (ix) Capacity and utilization of current systems
- (x) Development or investment plans
- (xi) Agreements
- (xii) Licences
- (xiii) Audits

(M) SALES AND MARKETING

- (i) Brochures, newsletters and advertising material
- (ii) Public relations policies and procedures

(N) CLIENT RECORDS

- (i) Personal particulars
- (ii) Details of legal work undertaken for clients
- (iii) Records provided by clients
- (iv) Records provided by a client to a third party acting for or on behalf of Venn Nemeth & Hart Inc
- (v) Records provided by third parties
- (vi) Records generated by or within Venn Nemeth & Hart Inc
- (vii) Fee structures and agreements

(O) ADMINISTRATIVE RECORDS

- (i) Databases
- (ii) Law Society Records
- (iv) Internal correspondence
- (v) External correspondence
- (vi) Securities

All information shall only be made available subject to the provisions of the Act and subject to Attorney Client privilege

## **2 Procedure for requesting access to the above information**

If you wish to request access to any of the above categories of information, you are required to complete a request form as set out in annexure "A" hereto. These forms are available from:

- our information officer [whose contact details are in section A of this manual]
- the SAHRC website [[www.sahrc.org.za](http://www.sahrc.org.za)]
- the Department of Justice and Constitutional Development website [[www.doj.gov.za](http://www.doj.gov.za)]

There is a prescribed fee [payable in advance] for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

## **Section D – Information available in terms of other legislation**

Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

- Attorneys Act No. 53 of 1979
- Administration of Estates Act No. 66 of 1965
- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Credit Agreements Act No. 75 of 1980
- Customs and Excise Act No. 91 of 1964
- Employment Equity Act No. 55 of 1998
- Financial Intelligence Centre Act No. 38 of 2001
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Prevention of Organised Crime Act No. 121 of 1998
- Transfer Duty Act No. 40 of 1949
- Unemployment Insurance Act No. 63 of 2001

Where applicable to our operations, we also retain records and documents in terms of the following statutes:

- Attorneys Act No. 53 of 1979
- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act. No. 85 of 1993
- Stamp Duties Act No. 77 of 1968
- Transfer Duty Act No. 40 of 1949
- Value added Tax Act No. 89 of 1991

## **Section E – Information automatically available**

The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotions of Access to Information Act.

Request forms for these categories of information are also available from our information officer whose contact details appear in Section A of this manual

- 1 Newsletters
- 2 Booklets
- 3 Pamphlets / brochures
- 4 Other literature intended for public viewing.