

ACCESS TO INFORMATION MANUAL



SWIFT | TECHLAW

**PREPARED IN TERMS OF THE REQUIREMENTS OF THE
PROMOTION OF ACCESS TO INFORMATION ACT NO 2 OF 2000
("PAIA")**

FEBRUARY 2025

1. DEFINITIONS

- 1.1. **“Act/PAIA”** means the Promotion of Access to Information Act, No 2 of 2000 including any regulations published in terms thereof;
- 1.2. **“Data Subject”** means the natural person or juristic person to whom personal information relates, as defined in POPIA;
- 1.3. **“Information Officer”** means the designated person within the Company responsible for ensuring compliance with PAIA and POPIA, including the handling of information requests;
- 1.4. **“Manual”** means this PAIA Manual as required in terms of section 51 of the Act;
- 1.5. **“Person”** means a natural person or a juristic person, and includes a partnership, association or trust;
- 1.6. **“Personal Information”** means personal information as defined in POPIA;
- 1.7. **“POPIA”** means the Protection of Personal Information Act, No. 4 of 2013;
- 1.8. **“Private Body”** means a natural person who carries or has carried on any trade, business or profession, but only in such capacity; or a partnership which carries or has carried on any trade, business or profession; or any former or existing juristic person that is not a public body;
- 1.9. **“Processing”** means any operation or activity, whether automated or not, concerning personal information, including:
 - 1.9.1. The collection, receipt, receipt, recording, organization, collation, storage, updating or modification, retrieval, alteration, consultation or use;

- 1.9.2. dissemination by means of transmission, distribution or making available in any other form;
- 1.9.3. merging, linking, restriction, degradation, erasure, or destruction of information;
- 1.10. **“Public Body”** means any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government or any other functionary or institution exercising a power or performing a duty in terms of the Constitution or a provincial constitution;
- 1.11. **“Record”** means any recorded information, regardless of the form or medium, in the possession or under the control of STL, whether created by STL or not;
- 1.12. **“Requester”** means any person making a request for access to a record of STL Attorneys Inc;
- 1.13. **“Request for Access”** means a request for access to a record in terms of section 50 of the Act;
- 1.14. **“Responsible Party”** has the meaning ascribed to it in POPIA and refers to STL in relation to personal information.
- 1.15. **“STL”** means to SwiftTechLaw (Pty) Ltd., as well as any associated entities that operate under the STL brand or a similar name, including any divisions, subsidiaries, affiliates, strategic partnerships, joint ventures, or trusts established for its operational or commercial purposes

2. INTRODUCTION

- 2.1. This manual was prepared in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (PAIA). and sets out the procedures and relevant

contact details for persons wishing to request access to records held by STL. PAIA was enacted to give effect to the constitutional right of access to information held by the State or by any other person, where such information is required for the exercise or protection of any rights. This manual aims to assist Requester's in understanding the procedure for accessing records and sets out the categories of information that are available without a formal request.

2.2. STL is committed to transparency, accountability, and compliance with PAIA and the Protection of Personal Information Act, No. 4 of 2013 ("POPIA"). As a legal services provider, we recognise the importance of safeguarding both client confidentiality and the public's right to information where appropriate.

2.3. The Promotion of Access to Information Act gives effect to the constitutional right of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights.

2.4. In terms of the Act, where a request for information is made to a body, there is an obligation to provide the information, except where the Act expressly provides that the information may not be released. In this context, Section 9 of the Act recognises that access to information can be limited. The limitation relates to circumstances where such release would pose a threat to the protection of privacy, commercial confidentiality, and the exercising of efficient governance.

2.5. Accordingly, this manual provides a reference to the records held by STL and the process that needs to be adopted to access such records.

2.6. This manual provides information on:

2.6.1. The structure and Functions of STL;

2.6.2. The contact details of the Information Officer;

2.6.3. The types of records available and how to access them;

2.6.4. Applicable fees and procedures in terms of PAIA;

2.6.5. Records that may be available in terms of other legislation;

2.6.6. Remedies available in the event of a request being refused.

2.7. All requests for access to information (other than information that is available to the public) must be addressed to the following duly appointed representative at STL.

3. Contact Details

Information Officer: Prashanta Richen

Contact Number: +27 10 449 3841

Email: prashanta@swifttechlaw.com

Physical Address: 214 Barkston Drive
Blairgowrie
Randburg
2194

4. MANUAL AND GUIDELINES

4.1. The South African Human Rights Commission (SAHRC) published a guide as prescribed by Section 10 of PAIA. This guide was available from the SAHRC prior to 30 June 2021.

4.2. The Information Regulator has assumed the functions of the SAHRC. Accordingly, the above guide, as updated by the Information Regulator in accordance with POPIA, will be available at the offices of the Information Regulator and on its website.

4.3. Please direct any queries regarding this guide to:

Information Regulator:

The Research and Documentation Department

Physical Address: JD House

27 Stiemanns Street, Braamfontein

Johannesburg

0001

Contact Number: +27 10 023 5200

Email: enquiries@info regulator.org.za

PAIAComplaints@infoRegulator.org.za

5. SECTION 51(1)(C) NOTICES IN TERMS OF SECTION 52(2)

5.1. While no formal notice has been issued as per section 52 of the Act, STL does make certain records readily accessible at our registered office, subject to the payment of a standard fee for reproduction.

5.2. These records include:

5.2.1. Official documentation and information pertaining to STL, as maintained by the Companies Intellectual Properties Commission, conforming to the stipulations outlined in section 25 of the Companies Act 71 of 2008, with its subsequent amendments.

5.2.2. A range of products and promotional brochures that showcase our offerings.

5.2.3. Various materials related to marketing, including news updates and other relevant marketing information.

5.2.4. Selected excerpts from our annual integrated report and other communications intended for shareholders, all of which are available for public viewing on STL's website.

6. STATUTORY RECORDS HELD BY STL

<ul style="list-style-type: none"> • Basic Conditions of Employment 75 of 1997 	<ul style="list-style-type: none"> • Magistrates Court Act 32 of 1944
<ul style="list-style-type: none"> • Broad-Based Black Economic Empowerment Act 53 of 2003 	<ul style="list-style-type: none"> • Mine Health and Safety Act 29 of 1996
<ul style="list-style-type: none"> • Companies Act 71 of 2008 	<ul style="list-style-type: none"> • Mineral Petroleum Resources Development Act 28 of 2002
<ul style="list-style-type: none"> • Compensation for Occupational Injuries and Diseases Act 130 of 1993 	<ul style="list-style-type: none"> • National Environmental Management Act 107 of 1998
<ul style="list-style-type: none"> • Competition Act 89 of 1998 	<ul style="list-style-type: none"> • Non-Profit Organizations Act 71 of 1997
<ul style="list-style-type: none"> • Constitution of South Africa Act 108 of 1996 	<ul style="list-style-type: none"> • Occupational Diseases in Mines and Works Act 78 of 1973
<ul style="list-style-type: none"> • Copyright Act 98 of 1987 	<ul style="list-style-type: none"> • Occupational Health and Safety Act 85 of 1993
<ul style="list-style-type: none"> • Consumer Protection Act 68 of 2008 	<ul style="list-style-type: none"> • Prevention of Organized Crime Act 14 of 1998
<ul style="list-style-type: none"> • Criminal Procedure Act 51 of 1977 	<ul style="list-style-type: none"> • Protection of Personal Information Act 4 of 2013
<ul style="list-style-type: none"> • Electronic Communications and Transactions Act 25 of 2002 	<ul style="list-style-type: none"> • Regulation of Interception of Communications and Provision of Communication Related Information Act 70 of 2002
<ul style="list-style-type: none"> • Employment Equity Act 55 of 1998 	<ul style="list-style-type: none"> • Short Term Insurance Act. 53 of 1998
<ul style="list-style-type: none"> • Finance Act 2 of 2007 	<ul style="list-style-type: none"> • Skills Development Act 97 of 1998
<ul style="list-style-type: none"> • Financial Markets Act 19 of 2012 	<ul style="list-style-type: none"> • Skills Development Levies Act 97 of 1999
<ul style="list-style-type: none"> • Firearms Control Act 60 of 2000 	<ul style="list-style-type: none"> • South African Revenue Service Act 34 of 1997
<ul style="list-style-type: none"> • Income Tax Act 58 of 1962 	<ul style="list-style-type: none"> • Statistics Act 6 of 1999
<ul style="list-style-type: none"> • Insolvency Act 24 of 1936 	<ul style="list-style-type: none"> • Supreme Court Act 59 of 1959

<ul style="list-style-type: none"> • Labour Relations Act 66 of 1995 	<ul style="list-style-type: none"> • Unemployment Insurance Act 63 of 2001
<ul style="list-style-type: none"> • Long Term Insurance Act 52 of 1998 	<ul style="list-style-type: none"> • Value Added Tax Act 89 of 1991

7. RECORDS THAT ARE HELD AT THE OFFICES OF THE BUSINESS

7.1. Company Secretarial Records

<ul style="list-style-type: none"> • Annual Reports including Mineral Reserves Statements 	<ul style="list-style-type: none"> • Minutes and Resolutions (Directors and Shareholders)
<ul style="list-style-type: none"> • Attendance Registers 	<ul style="list-style-type: none"> • Production Statistics
<ul style="list-style-type: none"> • Customer related records 	<ul style="list-style-type: none"> • Property Records
<ul style="list-style-type: none"> • Lease Agreements 	<ul style="list-style-type: none"> • Share Registers
<ul style="list-style-type: none"> • Licenses 	<ul style="list-style-type: none"> • Shareholder Agreements
<ul style="list-style-type: none"> • Litigation and Dispute Records 	<ul style="list-style-type: none"> • Statutory Returns
<ul style="list-style-type: none"> • Memoranda of Incorporation 	<ul style="list-style-type: none"> • Trademark register and records

7.2. Financial Records

<ul style="list-style-type: none"> • Account Records 	<ul style="list-style-type: none"> • Investment Records
<ul style="list-style-type: none"> • Annual Financial Statements 	<ul style="list-style-type: none"> • Invoices and Statements
<ul style="list-style-type: none"> • Asset Register 	<ul style="list-style-type: none"> • Management Accounts and Reports
<ul style="list-style-type: none"> • Audit Reports 	<ul style="list-style-type: none"> • PAYE Records
<ul style="list-style-type: none"> • Banking Records 	<ul style="list-style-type: none"> • Purchasing Records
<ul style="list-style-type: none"> • Budgets 	<ul style="list-style-type: none"> • Sale Records
<ul style="list-style-type: none"> • Contracts 	<ul style="list-style-type: none"> • Tax and VAT Submissions and Records
<ul style="list-style-type: none"> • Financial Transactions 	<ul style="list-style-type: none"> • Vat Records

7.3. Human Resources

• Employee Benefit Records	• Medical Records
• Employee Records	• Pension and Provident Fund Records
• Employee Tax Returns	• Performance Appraisals
• Employment Contracts	• Personnel Guidelines, Policies and Procedures
• Employment Equity Records	• Personnel Information
• General Correspondence	• Remuneration Records and Policies
• HR Policies and Procedures	• Skills Requirements
• Information relating to Health and Safety Regulations	• Staff Recruitment Policies
• Insurance Claim Records	• Training Records
• Insurance Policies	• UIF Records
• Leave Records	

7.4. Client Records

• Personal and Contact Information	<ul style="list-style-type: none"> • Full name and surname • Identity number or passport number • Residential and postal address (including proof of address) • Contact details (telephone numbers, email address) • Gender, marital status, nationality, date and place of birth • Occupation, employer, and job title
• Legal and Contractual Documents	<ul style="list-style-type: none"> • Mandates and engagement letters • Contracts between the client and third parties • Contracts entered into between

	<p>STL Attorneys and the client</p> <ul style="list-style-type: none"> • Trust deeds and administration documents • Wills and testamentary instruments • Powers of attorney
<ul style="list-style-type: none"> • Legal Case Files and Matter-Related Records 	<ul style="list-style-type: none"> • Pleadings, affidavits, court orders, and judgments • Legal opinions and memoranda • Correspondence and communication records (including emails) • Client instructions and file notes • Meeting minutes and attendance notes
<ul style="list-style-type: none"> • Financial Records 	<ul style="list-style-type: none"> • Invoices and payment records • Bank details and financial statements provided by the client • Tax documentation (where applicable) • Indemnities and guarantees • Records of transactions facilitated by or through STL Attorneys
<ul style="list-style-type: none"> • Corporate and Governance Documents 	<ul style="list-style-type: none"> • Memoranda of Incorporation (MOIs) and company resolutions • Shareholder and director records • Meeting minutes and resolutions • Corporate registers and statutory records
<ul style="list-style-type: none"> • Special and Sensitive Personal Information 	<ul style="list-style-type: none"> • Records relating to health, race, or trade union membership (if required in specific matters) • Other Special Personal Information as defined under POPIA

<ul style="list-style-type: none"> • Intellectual Property and Confidential Information 	<ul style="list-style-type: none"> • Copyright, trademark, or patent registration documents • Licensing agreements • Trade secrets and confidential business information
<ul style="list-style-type: none"> • Other Client-Related Information 	<ul style="list-style-type: none"> • Enquiries or complaints made on behalf of clients • Records generated in the course of legal consultations • Any other documentation received or created in the course of representing the client

8. INFORMATION REQUEST PROCEDURE

- 8.1. The Requester must use the prescribed form to make the request for access to a record. A request form is available from our offices, and is annexed hereto as Annexure I.
- 8.2. The Request must be made to the Information Officer named in Section 2 above. This request must be made to the address, fax number or electronic mail address of the business.
- 8.3. 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 should be used to inform the Requester. If this is the case, please furnish the necessary particulars to be so informed.
- 8.4. The Requester must identify the right that is sought to be exercised or to be protected and must provide an explanation of why the requested record is required for the exercise or protection of that right.
- 8.5. If a request is made on behalf of another person, the Requester must submit proof of the capacity in which the Requester is making the request to the

satisfaction of the Information Officer aforesaid.

8.6. We will respond to your request within 30 days of receiving the request by indicating whether your request for access has been granted or denied.

8.7. Access will be granted to a record only if the following criteria are fulfilled:

8.7.1. The record is required for the exercise or protection of any right;

8.7.2. The requestor complies with the procedural requirements set out in the Act relating to a request; and

8.7.3. Access to the record is not refused in terms of any ground for refusal as contemplated in Chapter 4 of Part 3 of the Act.

9. DENIAL OF ACCESS

9.1. Access to any record may be refused under certain limited circumstances. These include:

9.1.1. The protection of personal information from unreasonable disclosure concerning any natural person;

9.1.2. The protection of commercial information held concerning any third party (for example trade secrets);

9.1.3. The protection of financial, commercial, scientific or technical information that may harm the commercial or financial interests of any third party;

9.1.4. Disclosures that would result in a breach of a duty of confidence owed to a third party;

9.1.5. Disclosures that would jeopardize the safety or life of an individual;

9.1.6. Disclosures that would prejudice or impair the security of property or means of transport;

- 9.1.7. Disclosures that would prejudice or impair the protection of a person in accordance with a witness protection scheme;
 - 9.1.8. Disclosures that would prejudice or impair the protection of the safety of the public;
 - 9.1.9. Disclosures that are privileged from production in legal proceedings unless the privilege has been waived;
 - 9.1.10. Disclosures of details of any computer programme;
 - 9.1.11. Disclosures that will put STL at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
 - 9.1.12. Disclosures of any record containing any trade secrets, financial, commercial, scientific, or technical information that would harm the commercial or financial interests of STL;
 - 9.1.13. Disclosures of any record containing information about research and development being carried out or about to be carried out by STL.
- 9.2. Notwithstanding any other provision of PAIA access to a record must be granted if the following conditions are met:
- 9.2.1. The disclosure of the record would reveal a serious violation of the law or a material failure to comply with legal obligations;
 - 9.2.2. Alternatively, it would expose an imminent and significant threat to public safety or the environment; and
 - 9.2.3. In either case, the public interest in disclosure clearly outweighs any potential harm that could result from making the record available.
- 9.3. If access to a record or any other relevant information is denied, the Information Officer's response will include:
- 9.3.1. Adequate reasons for the refusal; and

9.3.2. Notice that you may lodge an application with the court within 180 days of notification of the Information Officers decision.

10. FEES

10.1. STL reserves the right, in accordance with both the POPIA and PAIA, to request a prescribed fee from anyone seeking access to records. When a record request is received, as outlined in clause 9, the Information Officer will issue a notice to the Requester. This notice will specify the need to pay the stipulated request fee (if applicable) before the request is processed further.

10.2. Where a decision has been taken by the Information Officer, to grant a request, the relevant record will only be made available on receipt of the prescribed fee.

10.3. In the case of confirming whether STL is processing an individual's personal information, this information will be provided at no cost to the data subject.

11. MANUAL AVAILABILITY

11.1. This Manual is available for inspection at the office of STL in Randburg, and with prior arrangement having been made with the Information Officer.

11.2. Copies may also be obtained from the Information Officer. In respect of hard copies, any transmission costs or postage will be for the account of the Requester.

ANNEXURES

- I. Requestion for Information Form.
- II. Complaint Regarding Interference with POPIA.

This Manual may be updated and or amended from time to time as and when required. The updated version will be published in the prescribed manner as required by the Act.

SwiftTechLaw (Pty) Ltd

PAIA Manual

Version 3

Updated: February 2025

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:

Fax number:

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: <input type="text"/>
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<p><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></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
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

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.

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:	

FEEES	
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 <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

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

Signature of Information Officer

FORM 5

**COMPLAINT REGARDING INTERFERENCE WITH THE PROTECTION OF
PERSONAL INFORMATION/COMPLAINT REGARDING DETERMINATION OF
AN ADJUDICATOR IN TERMS OF SECTION 74 OF THE PROTECTION OF
PERSONAL INFORMATION ACT, 2013(ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL
INFORMATION, 2017**
[Regulation 7]

Note:

1. *Affidavits or other documentary evidence in support of the request must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference
Number:.....

Mark the appropriate box with an "x".

Complaint regarding:

Alleged interference with the protection of personal information

Determination of an adjudicator.

PART I		ALLEGED INTERFERENCE WITH THE PROTECTION OF THE PERSONAL INFORMATION (Section 74(1) of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013))	
A		PARTICULARS OF COMPLAINANT	
Surname of complainant:			
Full names of complainant:			
Identity number of complainant:			
Residential, postal or business address:			
		Code ()	
Contact number(s):			
Fax number:			
E-mail address:			
B		PARTICULARS OF BODY/RESPONSIBLE PARTY INTERFERING WITH PERSONAL INFORMATION	

Full names and surname of person interfering with personal information <i>(if the person is a natural person)</i>	
Name of public or private body <i>(if not a natural person)</i> :	
Residential address <i>(if applicable,,: postal address or business address:</i>	
	(Code)
Contact number(s):	
Fax number:	
E-mail address:	
C	REASONS FOR COMPLAINT <i>(Please provide detailed reasons for the complaint)</i>
PART II	GRIEVANCE REGARDING DETERMINATION OF ADJUDICATOR <i>(Section 74(2) of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013)</i>
A	PARTICULARS OF COMPLAINANT
Surname of complainant:	
Full names of complainant:	
Identity number of complainant:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
B	PARTICULARS OF ADJUDICATOR

Full names and surname of adjudicator	
Name and surname of responsible party (<i>if it is a public or private body</i>):	
Name of responsible party (<i>if it is a public or private body</i>):	
Residential, postal or business address:	
	(Code.)
Contact number(s):	
Fax number:	
E-mail address:	
C	REASONS FOR COMPLAINT (<i>Please provide detailed reasons for the grievance</i>)

Signed at this day of20.....

.....
Signature of complainant/person aggrieved