

## PROMOTION OF ACCESS TO INFORMATION ACT ("PAIA") MANUAL

### **PART 1 - INTRODUCTION TO ROSENGARTEN & FEINBERG ATTORNEYS**

Rosengarten & Feinberg Attorneys ("the Firm") is partnership which conducts business as a law firm. The Firm has an office in Johannesburg. Mr D. Feinberg has been duly appointed as Information Officer, to act as the person to whom requests for access to information must be made in terms of the Act.

### **PART 2 – PARTICULARS OF THE INFORMATION OFFICER** (section 51(1)(a))

**Information Officer:** Mr D Feinberg - Partner

**Postal Address:**

PO Box 1037, Houghton  
Johannesburg, 2041  
South Africa

**Physical Address**

Le Val, Ground Floor  
45 Jan Smuts Avenue  
Westcliff, Johannesburg, 2193  
South Africa

**Telephone and email**

Telephone: +27 (11) 486 0242  
[rf@rf-law.co.za](mailto:rf@rf-law.co.za)

### **PART 3 – INFORMATION ON THE ACCESS TO INFORMATION GUIDE**

(section 51(1)(b))

The South African Human Rights Commission ("SAHRC") has compiled a guide to assist the public with requests to access to information ("the Guide").

The Guide is available at the following website:

[www.sahrc.co.za](http://www.sahrc.co.za)

### **PART 4 – NOTICE IN TERMS OF SECTION 52(2)** (section 51(1)(c))

The Firm has not published a notice in terms of section 52(2).

### **PART 5 – DESCRIPTION OF RECORDS THAT ARE AVAILABLE** (section 51(1)(d))

The Firm maintains records in terms of the following legislation, as far as required:

- Income Tax Act 58 of 1962
- The Unemployment Insurance Act 30 of 1966
- Income Tax Act 95 of 1967

- The Attorneys Act 53 of 1979
- The Legal Practice Act 28 of 2014
- Value Added Tax Act 89 of 1991
- Occupational Health and Safety Act 85 OF 1993
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- The Employment Equity Act 55 of 1998
- The Skills and Development At 97 of 1998
- Promotion of Access of Information Act 2 of 2000
- Electronic Communications and Transactions Act 25 of 2002
- The Protection of Personal Information Act 4 of 2013
- The Rules of the Legal Practice Counsel

## **PART 6 – DESCRIPTION OF AVAILABLE RECORDS** (section 51(1)(e))

The Firm has the following records:

### **Communication**

- Public Product Information
- Media Releases
- Promotion of Access to Information Act Manual
- Internal and external correspondence

### **Financial Information**

- Financial Statements
- Financial and Tax Records (Firm & Employees)
- Asset Register & Insurance information
- Banking details

### **Human Resources**

- Employee Records
- Employment Contracts
- Personnel Guidelines, Policies and Procedures
- Operational Information

### **Operational Information**

- Partner information
- Client Information
- General Contract Documentation
- Company Guidelines, Policies and Procedures
- Trade Marks
- Statutory Records
- General Operational Information

### **Website**

- Organisational structure
- Organisation and personal profiles
- News and Publications

## **PART 7 – PROCESS TO APPLY FOR ACCESS TO INFORMATION** (section 51(1)(e))

A requester must complete the application form and submit same to the Firm's Information Officer, at the particulars indicated above.

The application form is available on request from the Information Officer or at the following address: [https://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf).

The completed form must be accompanied by proof of payment of the prescribed application fee, as described below.

Upon receipt of the application form and proof of payment, as aforesaid, the Information Officer will consider the request. If the request is approved, the Information Officer will provide the applicant with a summary of fees payable in respect of the application. Upon receipt of payment the requested information will be supplied.

In the event of the application being denied, the Information Officer will inform the applicant and provide reasons for the decision.

## **PART 8 – FEES** (section 51(1)(e))

The fees applicable to a successful application for information shall be communicated to the applicant.

An application fee of R50.00 is payable in respect of each application for information.

Proof of payment of the said fee must accompany the completed application form.

No fees are payable by persons who request information pertaining to their own affairs.

## **PURPOSE OF THE PROCESSING** (section 51(1)(c)(i))

The Firm processes the information of Data Subjects who are also clients of the Firm for the purposes of rendering legal services.

The firm processes the information of Data Subjects who are also employees of the Firms for the purpose of screening, vetting and/or employment of the Data Subject and for the training and promotion of the Data Subject, as well as complying with legislation and related employment statutes and any further accounting, personnel, administrative, management or reporting requirements.

## **CATEGORIES OF DATA SUBJECTS** (section 51(1)(c)(ii))

The category of Data Subjects of the Firm includes natural persons and juristic persons who are clients of the Firm. For the purpose of rendering legal services, the categories of information in the possession of the Firm includes (a) company and/or Personal and Special Personal Information of the Data Subject; and (b) correspondence between the Firm and the Data Subject.

The category of Data Subjects of the Firm includes previous and current employees, previous and current Partners, and future job seekers. For the purpose of employment of the Data Subject, the category of information in the possession of the Firm includes Personal and Special Personal Information of the Data Subject.

**CATEGORIES OF RECIPIENTS OF PERSONAL INFORMATION** (section 51(1)(c)(iii))

The categories of recipients to whom Personal Information may be supplied includes: (a) Data Subjects to which the Personal Information relates; and (b) Third Parties to whom the Firm is obliged in terms of legislation to supply Personal Information.

**TRANSBORDER FLOWS OF PERSONAL INFORMATION** (section 51(1)(c)(iv))

The Firm does not ordinarily participate in transborder flows of Personal Information.

**SECURITY MEASURES TO BE IMPLEMENTED** (section 51(1)(c)(v))

The Firm will ensure the following security measures are in place:

In union with the Firm's Third Party Service Provider, the Firm will develop, implement, and maintain safeguards appropriate to the amount of Personal Data that the Firm maintains and will test its systems regularly;

The necessary policies and procedures will be in place to comply with POPI and the necessary training of all authorised staff members will be conducted to ensure the Firm embeds a culture of Personal Information processing compliance and will regularly review its compliance with POPI.