



INFORMATION MANUAL IN TERMS OF SECTION 51 OF THE  
**PROMOTION OF ACCESS TO INFORMATION ACT**  
№ 2 OF 2000 (PAIA) [AS AMENDED]

*of*

# **MADIKIZELA NYATI ATTORNEYS**

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## **INTRODUCTION**

The purpose of the Act is to give effect to the constitutional right of access a person has to any information regarding him/her and which is required by him/her in order to exercise or protect any right that he/she has. PAIA balances the requester's constitutional right to information against Madikizela Nyati Attorneys' right to refuse access to information in terms of Section 4 of the Guide.

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## CONTACT INFORMATION

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<b>Company Name</b>	Madikizela Nyati Attorneys
<b>Physical Address</b>	17 <sup>th</sup> Floor, North Wing, Schreiner Chambers 94 Pritchard Street Johannesburg South Africa 2001
<b>Postal Address</b>	P O Box 782588 Sandton South Africa 2001
<b>Facsimile</b>	+27 (11) 333 6616
<b>Telephone</b>	+27 (11) 333 1034 / 35
<b>Electronic Mail</b>	nobanzi@mna.co.za
<b>Website Address</b>	<a href="http://www.mna.co.za/">http://www.mna.co.za/</a>
<b>Head of Company</b>	Sole Proprietor

## SECTION 10 GUIDE

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The South African Human Rights Commission is required, in terms of the Act, to publish a guide explaining the Act and its use. The guide is available from:

**The South African Human Rights Commission**  
RESEARCH AND DOCUMENTATION DEPARTMENT  
29 Princess of Wales Terrace, Parktown Johannesburg  
Private Bag X2700 HOUGHTON 2041  
**Telephone:** +27 (11) 484-8300  
**Facsimile:** +27 (11) 484-0582  
**Electronic Mail:** [paia@sahrc.org.za](mailto:paia@sahrc.org.za) or [paia@sahrc.org.za](mailto:paia@sahrc.org.za)  
**Website:** <http://www.sahrc.org.za/>

## RECORDS AVAILABLE

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There may not be specific records that mention Madikizela Nyati Attorneys by name in the records of all or any of the institutions which administer the Acts mentioned below, but the following legislation applies in general:

- Basic Conditions of Employment Act (75 of 1997)
- Broad Based Black Economic Empowerment Act (53 of 2003)
- Companies Act (61 of 1973)
- Compensation for Occupational Injuries and Diseases Act (130 of 1993)
- Copyright Act (61 of 1978)
- Currency and Exchanges Act (9 of 1933)

- Customs and Excise Act (91 of 1964)
- Employment Equity Act (55 of 1998)
- Income Tax Act (58 of 1962)
- Labour Relations Act (68 of 1995)
- Patents Act (57 of 1978)
- Promotion of Equality and Prevention of Unfair Discrimination Act (4 of 2000)
- Tobacco Products Control Act (83 of 1995)
- Trade Marks Act (194 of 1993)
- Unemployment Insurance Contribution Fund Act (4 of 2000)
- Unemployment Insurance Fund Act (63 of 2001)
- Value Added Tax Act (89 of 1991)

## ACCESS TO OUR RECORDS

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### Latest notice regarding categories of records

A Section 52 notice is not invoked by Madikizela Nyati Attorneys and information required, apart from material already in the public domain (such as sales and product brochures), must follow the request procedure.

### Records that are available, may be requested

- Administration** - Correspondence, excluding any documentation/communication either marked as "private" or protected under client/attorney privilege.
- Client Register** - To the extent that our client base forms an integral part of Madikizela Nyati Attorneys' capital, the supply of information pertaining to it must be considered upon each request.
- Human Resources** -
  - Employment and remuneration records and policies
  - Recruitment policies and contracts
  - Disciplinary procedures and records

## PROCEDURE TO ACCESS OUR RECORDS

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1. The requester must use the prescribed form to request access to a record. The prescribed form (Form C for private bodies) is available from the SAHRC.
2. The requester must provide sufficient detail on the request form to enable Madikizela Nyati Attorneys to identify both the record and the requester.
3. The requester must identify the right that is sought to be exercised or protected, and provide explanation as to why the requested record is required for the exercise of that right.
4. If the 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 our head of organisation. Madikizela Nyati Attorneys will

notify you of its decision once it has been made. Please note that there are instances in which Madikizela Nyati Attorneys may refuse to grant you access to the record, in terms of the Act.

5. If Madikizela Nyati Attorneys does grant your request, you will be charged an additional fee for the access (per page provided to you).
  - The request must be made to our Trustee using information provided in Section 1 of this manual
  - The requester must indicate which form of access is required
  - A postal address of facsimile number is required
  - We are obliged to respond within thirty (30) days
  - Madikizela Nyati Attorneys will act with all due diligence in the matter of information transparency but at the same time honouring due processes.

## FEES PAYABLE FOR ACCESSING OUR RECORDS

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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 fee.**

- The head of the organisation will notify the requester that the prescribed fee is payable before the request is processed further
- The requester must pay a fee as stipulated in the Act guide, currently R50.00
- The requester may lodge an application in court against the tender or payment of the request fee
- Once the head of organisation has made a decision on the request, the requester will be notified in the required manner
- If the request is granted, a further access fee must be paid for the search and reproduction involved
- **Current fees regulated are:** photocopy R1.10; printed copy R0.75; stiffy disk R7.50; compact disc R70.00; time R15.00 per hour (excluding the first hour) with a 33% deposit payable for time exceeding six hours; postage at actual costs

## OTHER INFORMATION

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No other information is available.

## AVAILABILITY OF OUR MANUAL

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The Section 51 manual for Madikizela Nyati Attorneys is available and can be accessed by the following means:

- Inspection (free of charge) at our physical address
- <http://mna.co.za/>
- A copy can be obtained from Madikizela Nyati Attorneys, at the prescribed fee
- Copies can be obtained from the South African Human Rights Commission