



**MOKODUO ERASMUS DAVIDSON INC.**

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# PAIA MANUAL

PREPARED IN ACCORDANCE WITH SECTION 51 OF THE  
PROMOTION OF ACCESS TO INFORMATION ACT, NO 2 OF 2000

## PART 1 CONTACT DETAILS

**Firm** Mokoduo Erasmus Davidson Inc

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## **PART 2** GUIDE OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION

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This guide will be available from the South African Human Rights Commission no later than the 25th day of May 2021.

Kindly direct any queries to:

**The Research and Documentation Department**

Private Bag 2700, Houghton, 2041

**Telephone Number** +27 11 484 8300

**Fax Number** +27 11 484 0582

**Email** tsebulela@sahrc.org.za

**Website** www.sahrc.org.za

## **PART 3** NOTICE IN TERMS OF SECTION 52(2)

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The Minister has at the date of printing hereof not yet published a notice in terms of Section 52(2). Mokoduo Erasmus Davidson Inc holds no information that is freely available without a requestor having to request access in terms of the Act.

## **PART 4** INFORMATION AVAILABLE

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### **4.1 PERSONAL RECORDS:**

- 4.1.1 Personal records provided by employees;
- 4.1.2 Records provided by individuals and other employees;
- 4.1.3 Employment agreements and conditions of employment;
- 4.1.4 Disciplinary and evaluation records;
- 4.1.5 Correspondence relating to personnel;
- 4.1.6 Training material;



4.1.7 Requests for leave;

4.1.8 Absence records;

4.1.9 Personnel files.

#### **4.2 CLIENT RECORDS:**

4.2.1 Records provided by clients, e.g. FICA information;

4.2.2 Records provided by a client to a third party acting for or on behalf of a client or interested party;

4.2.3 Records provided by third parties;

4.2.4 Records generated by or within Mokoduo Erasmus Davidson Inc;

4.2.5 Fee structures and mandate agreements.

#### **4.3 GENERAL:**

4.3.1 Financial records;

4.3.2 Insurance records;

4.3.3 Asset register;

4.3.4 Databases;

4.3.5 Law Society / Legal Practice Council records;

4.3.6 Marketing records;

4.3.7 Internal correspondence;

4.3.8 External correspondence;

4.3.9 Commercial Agreements.

## **PART 5 MANNER OF ACCESS**

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The requester must use the prescribed form to make the request.

No request, other than a personal request, will be processed without payment of the prescribed fee. If a request is granted, an access fee must be paid.

The requester will, subject to the provisions of the Act, be notified within 30 days of receipt of the request whether the request is granted or refused.



## **PART 6** GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION

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In terms of Section 62 to 69 of the Act, access to a record may be refused on one or more of the following grounds:

- 6.1 Mandatory protection of the privacy of a third party who is a natural person;
- 6.2 Mandatory protection of the commercial information of a third party;
- 6.3 Mandatory protection of certain confidential information of a third party;
- 6.4 Mandatory protection of the safety of individuals and the protection of property;
- 6.5 Mandatory protection of records privileged from production in legal proceedings;
- 6.6 The commercial information of Mokoduo Erasmus Davidson Inc.

Despite any provisions of the Act, a request must be granted if the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with, the law or imminent and serious public safety or environmental risk, and the public interest in the disclosure of the record clearly outweighs the harm contemplated. (Section 70 of the Act)

## **PART 7** LEGISLATION

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Mokoduo Erasmus Davidson Inc holds information in accordance with the following legislation:

- 7.1 Income Tax Act, No 58 of 1962 (Section 75);
- 7.2 Value-Added Tax Act, No 89 of 1991 (Section 65);
- 7.3 Unemployment Insurance Act, No 30 of 1996 (Section 32);
- 7.4 Basic Conditions of Employment Act, No 75 of 1997 (Section 31);
- 7.5 Employment Equity Act, No 55 of 1998 (Section 26);
- 7.6 Compensation of Occupational Injuries and Diseases Act, No 130 of 1993 (Section 97);
- 7.7 Insolvency Act, No 24 of 1936 (Section 134 and 155);
- 7.8 Occupational Health and Safety Act, No 85 of 1993;
- 7.9 Attorneys Act, No 53 of 1979;
- 7.10 Skills Development Act, No 97 of 1998;



7.11 Consumer Protection Act, No. 68 of 2008

7.12 Protection of Personal Information Act, No. 4 of 2013

## **PART 8** AVAILABILITY OF THE MANUAL

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This manual will be available on the Mokoduo Erasmus Davidson Inc website,  
<https://www.medlaw.co.za>.