



# CAMPBELL ATTORNEYS®

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## PAIA MANUAL

**Prepared in terms of section 51 of the  
Promotion of Access to Information Act 2 of 2000  
(as amended)**

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DATE OF REVISION:

D Campbell and Co Incorporated t/a Campbell Attorneys Reg. No 2015/145277/21

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## **1. LIST OF ACRONYMS AND ABBREVIATIONS**

- 1.1 “CEO” Chief Executive Officer
- 1.2 “DIO” Deputy Information Officer;
- 1.3 “IO” Information Officer;
- 1.4 “Minister” Minister of Justice and Correctional Services;
- 1.5 “PAIA” Promotion of Access to Information Act No. 2 of 2000( as Amended);
- 1.6 “POPIA” Protection of Personal Information Act No.4 of 2013;
- 1.7 “Regulator” Information Regulator; and
- 1.8 “Republic” Republic of South Africa

## **2. PURPOSE OF PAIA MANUAL**

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

### **3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF CAMPBELL ATTORNEYS**

#### **3.1. Chief Information Officer**

Name: David Charles Campbell  
Email: [dave@campbellattorneys.co.za](mailto:dave@campbellattorneys.co.za)  
Tel: 031 564 6494  
Fax number: 086 485 9013

#### **3.2. Deputy Information Officer**

Name: Tanya Weweje  
Email: [tanya@campbellattorneys.co.za](mailto:tanya@campbellattorneys.co.za)  
Tel: 031 564 6494  
Fax Number: 086 485 9013

#### **3.3 Access to information general contacts**

Email: [mail@campbellattorneys.co.za](mailto:mail@campbellattorneys.co.za)

### 3.4 Head Office

Postal Address: P O Box 4051,  
The Square 4021

Physical Address: Building 1, 98 Armstrong Avenue  
La Lucia  
4051

Telephone: 031 564 6494

Email: [mail@campbellattorneys.co.za](mailto:mail@campbellattorneys.co.za)

Website: <https://www.campbellattorneys.co.za/>

## 4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2. The Guide is available in English.
- 4.3. The aforesaid Guide contains the description of-
  - 4.3.1. the objects of PAIA and POPIA;
  - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
    - 4.3.2.1. the Information Officer of every public body, and
    - 4.3.2.2. every Deputy Information Officer of every public and private body

designated in terms of section 17(1) of PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>;

4.3.3. the manner and form of a request for-

4.3.3.1. access to a record of a public body contemplated in section 11<sup>3</sup>; and

4.3.3.2. access to a record of a private body contemplated in section 50<sup>4</sup>;

4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;

4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;

4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

4.3.6.1. an internal appeal;

4.3.6.2. a complaint to the Regulator; and

4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

4.3.7. the provisions of sections 14<sup>5</sup> and 51<sup>6</sup> requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

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<sup>1</sup> Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

<sup>2</sup> Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

<sup>3</sup> Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

<sup>4</sup> Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

*a) that record is required for the exercise or protection of any rights;*

*b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*

*c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

<sup>5</sup> Section 14(1) of PAIA- *The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.*

<sup>6</sup> Section 51(1) of PAIA- *The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.*

4.3.8. the provisions of sections 15<sup>7</sup> and 52<sup>8</sup> providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

4.3.9. the notices issued in terms of sections 22<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access; and

4.3.10. the regulations made in terms of section 92<sup>11</sup>.

4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

4.5. The Guide can also be obtained-

4.5.1. upon request to the Information Officer;

4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

## **5. CATEGORIES OF RECORDS OF THE CAMPBELL ATTORNEYS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

All records stored and kept by Campbell Attorneys as listed in this manual are available on request. Where legally permissible for such records to be disclosed or shared, upon request, the records shall be made readily available to the public/ requestor via the channels communicated in this manual.

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<sup>7</sup> Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access.

<sup>8</sup> Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access.

<sup>9</sup> Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>10</sup> Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>11</sup> Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

(a) any matter which is required or permitted by this Act to be prescribed;

(b) any matter relating to the fees contemplated in sections 22 and 54;

(c) any notice required by this Act;

(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and

(e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

**6. DESCRIPTION OF THE RECORDS OF CAMPBELL ATTORNEYS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

<b>Category of Records</b>	<b>Legislation from which record is derived</b>
Memorandum of Incorporation	Companies Act 70 of 2008, as amended
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Risk Management and Compliance Programme	Financial Intelligence Centre Act 38 of 2001
Protection of Personal Information Act Disclaimer	Protection of Personal Information Act 4 of 2013

**7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY CAMPBELL ATTORNEYS**

<b>Subjects on which Campbell Attorneys holds records</b>	<b>Categories of records</b>
Legal	<ul style="list-style-type: none"> <li>- Client information</li> <li>- Privileged &amp; confidential documents</li> <li>- Correspondences between client and client's attorneys, defendant &amp; defendant's representatives not marked without prejudice</li> <li>- Correspondences with third parties</li> <li>- Consents to inspect employment/ financial documents</li> <li>- Medical &amp; SAPS Consents</li> <li>- Long &amp; Short Special power of attorney</li> <li>- Correspondences with third parties</li> <li>- Consents to inspect employment/ financial documents</li> <li>- All notices, pleadings and other processes under each matter case number</li> <li>- Correspondences with third parties</li> </ul>

	<ul style="list-style-type: none"> <li>- Consents to inspect employment/ financial documents</li> </ul>
Finance	<ul style="list-style-type: none"> <li>- Company financial records</li> <li>- Transaction records</li> <li>- Tax records</li> <li>- Supplier &amp; Vendor records</li> </ul>
Human Resources	<ul style="list-style-type: none"> <li>- HR Policies and procedures</li> <li>- Employee records</li> <li>- Background &amp; Criminal checks <ul style="list-style-type: none"> <li>o Pre-employment polygraph and criminal checks</li> </ul> </li> <li>- Payroll information</li> <li>- Staff personal details</li> <li>- Leave and attendance</li> <li>- Employment and termination records</li> </ul>
IT	<ul style="list-style-type: none"> <li>- Emails</li> <li>- Telephone Call Recordings</li> <li>- Legal Records (LegalSuite)</li> <li>- Client Records</li> <li>- Website Records</li> <li>- Software licenses</li> </ul>
Archives	<ul style="list-style-type: none"> <li>- Files that have been archived are scanned after a period of 1 year and same is saved on archives folder with only Dave and Shireen having access to the archived files.</li> <li>- The entire file content is scanned.</li> </ul>

## 8. PROCESSING OF PERSONAL INFORMATION

### 8.1 Purpose of Processing Personal Information

Personal information is processed in order to verify the identity of clients, ensure FICA Compliance and compliance with legal duties.

### 8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Customers/ Clients	Name, address, registration numbers or identity numbers, employment status and bank details
Service Providers/ Vendors	Names, registration number, vat numbers,

	tax clearance certificates, address, trade and bank details
Employees	Address, qualifications, gender, race, criminal records/ checks, bank details

### 8.3 The recipients or categories of recipients to whom the personal information may be supplied

Categories of Data Subjects	Category of personal information	Recipients/ Categories of recipients to whom the personal information may be supplied
Clients/ Customers	<ul style="list-style-type: none"> <li>• Names,</li> <li>• Address,</li> <li>• Identity/ passport numbers,</li> <li>• Contact details,</li> <li>• Employment history, status and information,</li> <li>• Bank details,</li> <li>• Medical records,</li> <li>• Medico-legal reports,</li> <li>• Tax information,</li> <li>• Legal documents,</li> <li>• Statutory compliance information/documents</li> <li>• Sensitive information (e.g. criminal history);</li> <li>• Any other relevant information</li> </ul>	<ul style="list-style-type: none"> <li>• Road Accident Fund and its legal representatives,</li> <li>• Court and Judicial officers,</li> <li>• Medical experts,</li> <li>• South African Revenue Service,</li> <li>• South African Police Service,</li> <li>• Municipal Bodies (e.g. for PAIA Requests),</li> <li>• Department of Labour (e.g. UIF, COIDA &amp; employment related enquiries/matters),</li> <li>• Regulatory Authorities (e.g. Legal Practice Council);</li> <li>• Insurance Companies (e.g. Legal Practitioners Indemnity Insurance Fund);</li> <li>• Banking services;</li> <li>• Credit Bureaus;</li> <li>• Auditors &amp; Accountants;</li> <li>• Any other relevant body/ recipient</li> </ul>
Service Providers/ Vendors	<ul style="list-style-type: none"> <li>• Company/ Trading names;</li> <li>• Address;</li> <li>• Contact details;</li> <li>• Registration number;</li> <li>• Vat numbers;</li> <li>• Tax clearance certificates;</li> <li>• Trade and bank details;</li> <li>• Compliance</li> </ul>	<ul style="list-style-type: none"> <li>• South African Revenue Service;</li> <li>• Banking services;</li> <li>• Credit Bureaus,</li> <li>• Auditors &amp; Accountants;</li> <li>• Insurance Companies;</li> <li>• Regulatory Authorities;</li> <li>• Any other relevant body/ recipient</li> </ul>

	documents; <ul style="list-style-type: none"> <li>• Contractual records;</li> <li>• Banking details;</li> <li>• Any other related/ relevant business information</li> </ul>	
Employees	<ul style="list-style-type: none"> <li>• Names;</li> <li>• Address;</li> <li>• Qualifications;</li> <li>• Gender;</li> <li>• Race;</li> <li>• Employment records;</li> <li>• Next of kin details;</li> <li>• Criminal records/ background check;</li> <li>• Health records (where required, e.g. medical certificates)</li> <li>• Bank details;</li> <li>• Any other relevant information</li> </ul>	<ul style="list-style-type: none"> <li>• South African Revenue Service;</li> <li>• Banking services;</li> <li>• Insurance Companies;</li> <li>• Regulatory Authorities;</li> <li>• South African Police Services;</li> <li>• South African Qualifications Authority;</li> <li>• Credit Bureaus;</li> <li>• Any other relevant body/ recipient</li> </ul>

#### 8.4 Planned transborder flows of personal information

Campbell Attorneys does not have any planned transborder flows of personal information for any of the categories of data subjects whom the firm interacts with. In the event such a situation arises, the transborder flow of information shall be disclosed and records of same shall be maintained and made available upon request.

#### 8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

Security safeguards implemented/ under implementation to ensure the confidentiality and integrity of the personal information under the care of Campbell Attorneys include but are not limited to the following:

- Password access to desktop PCs;
- Password access to platforms which store all client contact data;
- Specialised system drives for different categories of employees & departments ( some

- with limited access);
- Data Encryption;
- Anti- virus and Anti-malware Solutions.

## **9. AVAILABILITY OF THE MANUAL**

9.1 A copy of the Manual is available-

9.1.1 on <https://www.campbellattorneys.co.za/>;

9.1.2 head office of Campbell Attorneys for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee;  
and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made. A copy of the annexure is attached to this manual accordingly.

## **10. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST**

10.1 Requesters have the right to receive a response in the form of an affidavit or affirmation where records cannot reasonably be located, but to which a requester would have access had the record been available.<sup>12</sup>

10.2 Requesters also have the right to receive a response in the form of an affidavit or affirmation where requested records do not exist.

10.3 These records may include information that has been lost and cannot be located, records of information that has already either been redacted or destroyed in terms the file management policy of Campbell Attorneys, or records in the possession of third parties.

## **11. UPDATING OF THE MANUAL**

The head of Campbell Attorneys will, if necessary, update and publish this manual annually.

Issued by



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**David Charles Campbell**  
**Director – Campbell Attorneys**

## ANNEXURE B

### FEES

#### Fees in Respect of Public Bodies

Item	Description	Amount
1.	The request fee payable by every requester	R100.00
2.	Photocopy of A4-size page	R1.50 per page or part thereof.
3.	Printed copy of A4-size page	R1.50 per page or part thereof.
4.	For a copy in a computer-readable form on: (i) Flash drive (to be provided by requestor) (ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00  R40.00 R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on: (i) Flash drive (to be provided by requestor) (ii) Compact disc • If provided by requestor • If provided to the requestor	R40.00  R40.00 R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R100.00  R300.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

#### Fees in Respect of Private Bodies

Item	Description	Amount
1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof.
3.	Printed copy of A4-size page	R2.00 per page or part thereof.
4.	For a copy in a computer-readable form on: (iii) Flash drive (to be provided by requestor) (iv) Compact disc • If provided by requestor • If provided to the requestor	R40.00  R40.00 R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from Service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on: (v) Flash drive (to be provided by requestor) (vi) Compact disc • If provided by requestor • If provided to the requestor	R40.00  R40.00 R60.00
9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R145.00  R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any."