

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

- 1.1 **"DIO"** Deputy Information Officer;
- 1.2 **"IO"** Information Officer;
- 1.3 **"MD"** Managing Director;
- 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 HARRIS BILLINGS ATTORNEYS**

#### **3.1 Managing Director**

Name: Benita Billings  
Tel: 011 784 1910  
Email: [bbillings@hbattorneys.co.za](mailto:bbillings@hbattorneys.co.za)

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

Name: Megan Collins  
Tel: 011 784 1910  
Email: [megan@hbattorneys.co.za](mailto:megan@hbattorneys.co.za)

#### **3.3 Access to information general contracts:**

Email: [bbillings@hbattorneys.co.za](mailto:bbillings@hbattorneys.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 each of the official languages and in braille.

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;

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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;



- 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;
- 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;

- 
- 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.

<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.



- 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/infoereg/>).

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<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.”





**5. CATEGORIES OF RECORDS OF HARRIS BILLINGS ATTORNEYS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

| Category of records                  | Types of the Record                                                                                                                                                   | Access Method                                            |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| Company Information                  | Profile, location and contact details                                                                                                                                 | Website, Facebook, Instagram, LinkedIn, Email, Telephone |
| Legal Services Offered               | (Description of services – Practice areas)                                                                                                                            | Website, Facebook, Instagram, LinkedIn, Email, Telephone |
| Regulatory and Statutory Disclosures | PAIA Manual / POPIA Compliance statement / Privacy Policies / B-BBEE Affidavit or Certificate / Company registration details / Professional affiliations / VAT number | Website, Email                                           |
| Marketing and Publications           | Newsletters / Blog articles / Press Releases                                                                                                                          | Website, Facebook, Instagram, LinkedIn, Email, Telephone |
| Employment Opportunities             | Job postings / Application Procedures                                                                                                                                 | Website, Facebook, Instagram, LinkedIn, Email            |
| Fee Structures (if applicable)       | General fee guidelines (non-binding)                                                                                                                                  | Email, Telephone                                         |
| Forms and Templates                  | Client intake forms / Consent forms / Terms of engagement (sample)                                                                                                    | Email                                                    |

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

| Category of Records               | Types of Records                                             | Applicable Legislation       |
|-----------------------------------|--------------------------------------------------------------|------------------------------|
| Company Registration & Governance | Certificate of Incorporation / Memorandum of Incorporation / | Companies Act No. 71 of 2008 |



|                                |                                                                                      |                                                                                                                                     |
|--------------------------------|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
|                                | Director Details                                                                     |                                                                                                                                     |
| Financial Records              | Annual Financial Statements / Tax Returns / VAT Records / Invoices                   | Income Tax Act No. 58 of 1962 / Value Added Tax Act No. 89 of 1991 / Companies Act 71 of 2008                                       |
| Employment Records             | Employment Contracts / Payroll Records / Leave Records / UIF Contributions           | Basic Conditions of Employment Act No. 75 of 1997 / Labour Relations Act No. 66 of 1995 / Unemployment Insurance Act No. 63 of 2001 |
| Client Engagement Records      | FICA onboarding documents / Letters of Engagement / Fee Agreements / Conflict Checks | Legal Practice Act No. 28 of 2014 / Financial Intelligence Centre Act 38 of 2001                                                    |
| Trust Account Records          | Trust Account Ledgers / Bank Statements / Audit Reports                              | Legal Practice Act No. 28 of 2014 / Rules of the Legal Practice Council                                                             |
| Health & Safety Records        | Incident Reports / Risk Assessments / Safety Policies                                | Occupational Health and Safety Act No. 85 of 1993                                                                                   |
| Information & Privacy Records  | PAIA Manual / POPIA Compliance Documents / Data Subject Requests                     | Promotion of Access to Information Act No. 2 of 2000 / Protection of Personal Information Act No. 4 of 2013                         |
| Training & Development Records | CPD Attendance / Internal Training Logs                                              | Legal Practice Act No. 28 of 2014 / Protection of Personal Information Act No. 97 of 1998 / Skills Development Act 97 of 1998       |
| Litigation & Case Files        | Court Pleadings / Correspondence / Legal Options                                     | Uniform Rules of Court / Magistrate's Court Rules / Legal Practice Act No. 28 of 2014                                               |



|                                   |                                                                  |                                                  |
|-----------------------------------|------------------------------------------------------------------|--------------------------------------------------|
| Regulatory Compliance Records     | FICA Documentation / KYC Records / Risk Rating Assessments       | Financial Intelligence Centre Act No. 38 of 2001 |
| <b>POPIA Compliance Records</b>   | Consent forms / Privacy notices                                  | Protection of Personal Information Act 4 of 2013 |
| <b>Professional Accreditation</b> | Legal Practice Council registration / Fidelity fund certificates | Legal Practice Act 28 of 2014                    |

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

| <b>Subjects on which the Body Holds Records</b> | <b>Categories of Records Held</b>                                                                                                       |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Finance                                         | Annual Financial Statements / Tax Returns / Invoices / Bank Statements / Budget Reports / Payment Records                               |
| Human Resources                                 | Employment Contracts / Employee Personal Files / Leave Records / Payroll Records / Disciplinary Records / Training and Development Logs |

**8. PROCESSING OF PERSONAL INFORMATION**

**8.1 Purpose of Processing Personal Information:**

| <b>Purpose</b>                 | <b>Description</b>                                                                                                     |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------|
| Client Onboarding & Engagement | To verify identity, conduct conflict checks, and establish attorney-client relationships.                              |
| Legal Services Delivery        | To obtain facts, evidence, and instructions necessary to provide legal advice, representation, or litigation services. |



|                                     |                                                                                                          |
|-------------------------------------|----------------------------------------------------------------------------------------------------------|
| Compliance with Statutory Duties    | To meet statutory requirements under FICA, POPIA, Legal Practice Act, and other applicable laws.         |
| Trust Account Management            | To manage client funds and comply with audit and reporting obligations under the Legal Practice Council. |
| Billing & Financial Administration  | To issue invoices, process payments, and maintain financial records.                                     |
| Human Resources Management          | To manage employment relationships, payroll, benefits, and performance evaluations.                      |
| Marketing & Communication           | To share newsletters, legal updates, or event invitations (subject to consent).                          |
| Security & Access Control           | To monitor access to premises, systems, and confidential information.                                    |
| Training & Professional Development | To track continuing legal education and internal training participation.                                 |
| Record Keeping & Archiving          | To maintain legal files, correspondence, and documentation for future reference or regulatory review.    |

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

| <b>Categories of Data Subjects</b> | <b>Personal Information that may be processed</b>                                                                                                                         |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Clients (Individual and Entities)  | Full names, ID numbers, contact details / Employment and financial information / Legal instructions and case files / FICA documentation                                   |
| Employees                          | Personal details (name, ID, contact info) / Employment contracts and job titles / Payroll and banking details / Leave and disciplinary records / Medical aid and benefits |
| Job Applicants                     | CVs and qualifications / References and background checks / Interview assessments                                                                                         |
| Suppliers / Service                | Company registration details / Contact persons'                                                                                                                           |



|                                |                                                                                                                  |
|--------------------------------|------------------------------------------------------------------------------------------------------------------|
| Providers                      | names and contact info / Banking details / Service agreements                                                    |
| Visitors to Premises           | Names and ID details / Entry/exit logs / CCTV footage (if applicable)                                            |
| Website Users / Subscribers    | Names and email addresses / IP addresses and browsing behavior (if tracked) / Consent records for communications |
| Third Parties in Legal Matters | Names and contact details / Legal documentation and correspondence / Information disclosed during proceedings    |

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

| Category of Personal Information            | Recipient / Category of Recipients                                                                                                 |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Client Identity and Contact Details         | Legal Counsel / Courts and tribunals / Regulatory bodies (e.g. Legal Practice Council) / Opposing parties (where legally required) |
| Financial and Billing Information           | Auditors / Banks / SARS (South African Revenue Service)                                                                            |
| Employment Records                          | Payroll Service Providers / Benefit Administrators / Department of Labour                                                          |
| FICA Documentation                          | Financial Intelligence Centre / Banks and Financial Institutions                                                                   |
| Legal Case Documentation                    | Courts and judicial officers / Opposing legal representatives / Expert witnesses                                                   |
| Supplier and Service Provider Information   | Auditors / Procurement Officers / Regulatory Authorities (if required)                                                             |
| Website User Data and Marketing Preferences | Email marketing platforms (with consent) / IT service providers                                                                    |
| Surveillance and Access Control Data        | Security service providers / Law enforcement (if required)                                                                         |



#### 8.4 Planned transborder flows of personal information

8.4.1 In accordance with Section 17 of the Protection of Personal Information Act (POPIA), the law firm may transfer personal information across South African borders under specific circumstances, primarily for data storage and processing purposes.

8.4.2 Harris Billings Attorneys make use of reputable cloud-based service providers whose data centers may be located outside the Republic of South Africa. These transfers are conducted in compliance with POPIA, ensuring that the recipient jurisdictions have adequate data protection laws or contractual safeguards in place.

#### 8.4.3 Countries Where Personal Information May Be Stored

| Country       | Purpose of Transfer                                                                   | Categories of Personal Information Stored                                                                    |
|---------------|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Ireland       | Cloud-based email hosting and document storage via Microsoft 365                      | Client correspondence, legal documents, employee records, internal communications                            |
| United States | Secure backup and data redundancy via cloud service providers (e.g. Google Workspace) | Client correspondence, legal documents, employee records, internal communications, operational documentation |

#### 8.4.4 Safeguard Implementation

8.4.4.1 data processing agreements with cloud providers;



8.4.4.2 encryption and access control measures;

8.4.4.3 regular audits and compliance reviews;

8.4.4.4 transfers only to jurisdictions with adequate data protection or under binding corporate rules;

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

8.5.1 Data Encryption

8.5.1.1 all sensitive data stored on servers, cloud platforms, and portable devices is encrypted using industry-standard protocols (e.g. AES-256) during storage and transmission.

8.5.2 Access Control

8.5.2.1 role-based access permissions are enforced to ensure that only authorised personnel can access specific categories of personal information;

8.5.2.2 multi-factor authentication (MFA) is used for system and remote access;



### 8.5.3 Anti-virus and Anti-malware Solutions

8.5.3.1 enterprise-grade antivirus and anti-malware software is installed on all workstations and servers;

8.5.3.2 real-time scanning and automatic updates are enabled to detect and prevent threats;

### 8.5.4 Firewalls and Network Security

8.5.4.1 firewalls are deployed to monitor and control incoming and outgoing network traffic;

8.5.4.2 intrusion detection and prevention systems (IDPS) are used to identify and respond to suspicious activity;

### 8.5.5 Secure Data Storage

8.5.5.1 personal information is stored on secure servers with restricted physical and digital access;

8.5.5.2 cloud service providers used by the firm (e.g. Microsoft 365, Google Workspace) are POPIA-compliant and hosted in jurisdictions with adequate data protection laws;





#### 8.5.6 Regular Backups

8.5.6.1 data backups are performed regularly and stored securely to ensure recovery in the event of data loss or breach;

8.5.6.2 backup systems are tested periodically for integrity and reliability;

#### 8.5.7 Physical Security

8.5.7.1 office premises are secured with access control systems and visitor logs;

8.5.7.2 confidential documents are stored in locked cabinets or secure rooms;

#### 8.5.8 Employee Training and Awareness

8.5.8.1 staff receive regular training on data protection, cybersecurity, and POPIA compliance;

8.5.8.2 internal policies and procedures are in place to guide responsible data handling;

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8.5.9 Incident Response Plan

8.5.9.1 a formal data breach response protocol is in place to manage and report security incidents swiftly and effectively;

8.5.9.2 the Information Officer is responsible for coordinating breach investigations and notifications.

9. **AVAILABILITY OF THE MANUAL**

9.1 A copy of the Manual is available-

9.1.1 on [www.hbattorneys.co.za](http://www.hbattorneys.co.za);

9.1.2 office of Harris Billings 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.

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## 10. **UPDATING OF THE MANUAL**

The office of Harris Billings Attorneys will on a regular basis update this manual.

***Issued by***

*B. Billings*

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***BENITA BILLINGS***

***Director***

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