

MANUAL

PREPARED IN ACCORDANCE WITH
SECTION 51 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT
(ACT 2 OF 2000)
(the "ACT")

1. MANUAL PREPARED FOR

- This manual has been prepared for **MOONEY FORD**.

2. INTRODUCTION

- Mooney Ford is a professional law firm, practising at Durban, KwaZulu Natal, Republic of South Africa as attorneys, notaries, and conveyancers.

3. CONTACT DETAILS

[Section 51(1)(a)]

- Name of private body: Mooney Ford
- Postal Address: PO Box 442, Durban, 4000
- Street Address: 7th Floor, Permanent Building, 343 Smith Street, Durban
- Telephone Number: 27 31 304 9881
- Telefax Number: 27 31 304 1650
- Website: www.mfp.co.za

- Head of private body: Mr Barry Garland
- e-mail address: bwg@mfp.co.za
- Information Officer: Mr Sean Meekers
- e-mail address: sean@mfp.co.za

4. DESCRIPTION OF THE GUIDE

[Section 51(1)(b)]

- The guide contemplated in Section 10 of the Act may be obtained from the South African Human Rights Commission.
- Please direct any queries regarding the Guide to:

The South African Human Rights Commission: PAIA Unit The Research and Documentation Department Postal address: Private Bag 2700 Houghton 2041 Telephone: +27 11 484-8300 Fax: +27 11 484-0582 Website: www.sahrc.org.za E-mail: paia@sahrc.org.za

5. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

[Section 51(1)(d)]

- The following is a description of records of the private body which are available in accordance with the following legislation:
 - Attorneys Act 53 of 1979;
 - Basic Conditions of Employment Act 75 of 1997;
 - Companies Act 61 of 1973;
 - Compensation for Occupational Injuries and Diseases Act 130 of 1993;
 - Credit Agreements Act 75 of 1980;
 - Debtor Collectors Act 114 of 1998;
 - Employment Equity Act 55 of 1998;
 - Income Tax Act 58 of 1962;
 - Insolvency Act 24 of 1936;
 - Labour Relations Act 66 of 1995;
 - Occupational Health and Safety Act 85 of 1993;
 - Pension Funds Act 24 of 1956;
 - Regional Services Councils Act 109 of 1985;
 - Skills Development Levies Act 9 of 1999;
 - Skills Development Act 97 of 1998;
 - Stamp Duties Act 77 of 1968;
 - Unemployment Contributions Act 4 of 2002;
 - Unemployment Insurance Act 63 of 2001;
 - Value Added Tax 89 of 1991.

6. ACCESS TO THE RECORDS HELD BY MOONEY FORD
[Sections 51(1)(c) and 51(1)(e)]

- The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of the Act in terms of Section 52(2):
[Section 51(1)(c)]
 - At the time of submission of this manual, no notice in terms of Section 52(2) of the Act had been published by the Minister;
 - However, the website of Mooney Ford (www.mfp.co.za) does have information relating to the body.

- Records that may be requested. A description of the subjects of the records held by the body and the categories in which these subjects are classed:
[Section 51(1)(e)]
 - Please note that:
 - a requestor is not automatically allowed access to these records;
 - a request must be made in accordance with the procedures as prescribed in terms of the Act. Copies of the prescribed forms requesting information are available from Mooney Ford, on its website, or in Government Gazette No. 23119 Regulation No. 7278 – Form C; and
 - access to these records may be refused in accordance with Sections 62 to 69 of the Act:

 - Administration Information:
 - Administration policies and procedures;
 - IT systems and user manuals;
 - Financial and commercial information;
 - Human resources;
 - Strategy;
 - Operational;
 - Technology;
 - Compliance;
 - Client details;
 - Marketing.

- Further information on Mooney Ford can be obtained on its website at www.mfp.co.za

7. THE REQUEST PROCEDURES

- Form of request:
 - The requester must use the prescribed form to make the request for access to a record.
 - This must be made to the head of Mooney Ford.
 - This request must be made to the address, fax number or electronic mail address of the body concerned.
[Section 53(1)]
 - The requester must provide sufficient detail on the request form to enable the head to identify the record and the requester.
 - The requester should indicate which form of access is required.
 - The requester should indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
[Section 53(2)(a) and (b) and (c)]
 - The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
[Section 53(2)(d)]
 - If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head.
[Section 53(2)(f)]
- Fees:
 - 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 request fee.
 - The head must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
[Section 54(1)]
 - The requester may lodge an application to the court against the tender or payment of the request fee.
[Section 54(3)(b)]
 - After the designated head of the private body has made a decision on the request, the requester must be notified in the required form.
 - If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.
[Section 54(6)]

8. OTHER INFORMATION AS MAY BE PRESCRIBED

[Section 51(1)(f)]

- As at the date of this manual, the Minister of Justice and Constitutional Development has not made any regulations in this regard.

9 AVAILABILITY OF THE MANUAL

[Section 51(3)]

- This manual is available:
 - on Mooney Ford website – www.mfp.co.za;
 - for inspection at the offices of Mooney Ford;
 - the South African Human Rights Commission; and
 - the KwaZulu Natal Law Society.