Langenhoven Pistorius Modihapula ATTORNEYS

COMPLIANCE AND POLICIES

PAIA MANUAL

Prepared in terms of

The Promotion of Access to Information Act 2 of 2000

and

The Protection of Personal Information Act 4 of 2013

V3

RECORD

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NOTICE: PLEASE READ THIS MANUAL CAREFULLY BEFORE REQUESTING INFORMATION FROM US. NO INFORMATION WILL BE PROVIDED IF THE REQUIREMENTS AND PROCESSES SET OUT HEREIN ARE NOT ADHERED TO

1. INTRODUCTION

- 1.1. This Manual is prepared in accordance with section 51 of Promotion of Access to Information Act 2 of 2000, as amended from time to time ("PAIA") and regulation 4(1)(d) of the Protection of Personal Information Act 4 of 2013 ("POPIA") Regulations (the/this "Manual").
- 1.2. A copy of this manual is available at -
 - 1.2.1. our website;
 - 1.2.2. our Brits office, and
 - 1.2.3. by email upon request and against payment of the prescribed fee.
- 1.3. A copy of this Manual may be requested, in writing, and obtained from our Deputy Information Officer at a prescribed fee for a copy of the Manual payable per each A4-size photocopy made.
- 1.4. This Manual contains the procedures and relevant legislative provisions applicable to all access to information requests submitted to us.
- 1.5. Prior to any access to information requests being granted, the requester (any person, including, but not limited to, a public body or an official thereof, making a request for access to a record of that private body; and includes a person acting on behalf of such a person) must comply with all relevant requirements in PAIA and to the extent applicable, POPIA (the "Requester").

2. LIST OF DEFINITIONS & ACRONYMS / ABBREVIATIONS

2.1.	the 'Company'	Means LANGENHOVEN PISTORIUS AND PARTNERS INCORPORATED, trading as LANGENHOVEN PISTORIUS MODIHAPULA ATTORNEYS registration number: 1987/000410/21, a personal liability company incorporated in accordance with the company laws of the Republic of South Africa;
2.2.	'Data Subject'	Means the person to whom personal information relates;
2.3.	'Deputy Information Officer' / 'DIO'	Means the Deputy Information Officer as described in 4.3. below, that is authorised to assist the Information Officer in handling PAIA requests;
2.4.	the 'Guide'	Means the PAIA Guide made in pursuance of section 10 of PAIA, as amended, which seeks to assist a person who wishes to exercise any right contemplated in PAIA and POPIA;
2.5.	'Information Officer' / 'IO'	Means the Information Officer as described in 4.2. below that is authorised to handle PAIA requests;
2.6.	'Information Regulator' / 'Regulator'	Means the Information Regulator established in terms of section 39 of the POPI Act to monitor and enforce compliance with both POPIA and PAIA;



2.7. 'PAIA' Means the Promotion of Access to Information Act No. 2 of 2000 (as

amended);

2.8. 'Personal Information' Means information relating to an identifiable person including but not limited

to race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, wellbeing, disability, religion, conscience, belief, culture, language and birth of the person, the education or the medical, financial, criminal or employment history of the person, any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person, correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence, and the name of the person if it appears with other personal

information relating to the person or if the disclosure of the name itself would

reveal information about the person;

2.9. 'POPIA' Means the Protection of Personal Information Act No. 4 of 2013 (as

amended);

2.10. 'Record' Means any recorded information regardless of the form, including, written

documents, audio, digital and video material.

3. PURPOSE OF PAIA MANUAL

- 3.1. This PAIA Manual is useful for the public to
 - 3.1.1. check the categories of records held by the Company which are available without a person having to submit a formal PAIA Request, (Annexure A)
 - 3.1.2. have sufficient understanding of how to make a request for access to a record of the Company, by providing a description of the subjects on which the body holds records and the categories of records held on each subject (Annexure A);
 - 3.1.3. know the description of the records of the Company which are available in accordance with any other legislation (Annexure B);
 - 3.1.4. access all relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
 - 3.1.5. know the description of the Information Regulator's Guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
 - 3.1.6. know if the Company will process personal information, the purpose of procession of personal information and the description of the categories of data subjects and of the information or categories of information thereto;
 - 3.1.7. Know the description of the categories of data subjects and of the information or categories of information relating thereto (Annexure C);



- 3.1.8. Know the recipients or categories of recipients to whom the personal information may be supplied (Annexure C);
- 3.1.9. Know if the Company 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
- 3.1.10. Know whether the Company has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.
- 3.2. This document should be read together with its annexures which may set out the information referred to above as follows:
 - 3.2.1. Annexure A Categories of Records/information that are:
 - 3.2.1.1. available without having to request it; or
 - 3.2.1.2. which requires the request process set out in this Manual to be followed:
 - 3.2.2. Annexure B Categories of Records Kept in terms of other legislation;
 - 3.2.3. Annexure C Descriptions of Data subjects, type of information held in respect to those data subjects and possible recipients of that information.
- 3.3. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under PAIA. In particular, certain grounds of refusal as set out in PAIA may be applicable to a request for such records.

4. KEY CONTACT DETAILS FOR THE COMPANY

4.1. Company Name: LANGENHOVEN PISTORIUS AND PARTNERS INCORPORATED

4.2. Head of Company: STEPHANUS JOHANNES PISTORIUS, ILSE HATTINGH, CHABEDI

KENNETH MODIPAPULA

4.3. Information Officer ILSE HATTINGH

4.4. Deputy Information Officer JANE STAPELBERG

4.5. Postal Address: PO BOX 1, BRITS, 0250

4.6. Street Address: 59 PIENAAR STREET, BRITS, 0250 / 10 NVIRO BUSINESS HUB, OU

WAPAD ROAD, IFAFI, HARTBEESPOORT, 0216

4.7. Telephone Number: 012 252 3413

4.8. Email: compliance@langenhovens.co.za

4.9. Website: www.langenhovens.co.za

5. KEY CONTACT DETAILS FOR THE INFORMATION REGULATOR SOUTH AFRICA

5.1. Postal Address: P.O. Box 31533, Braamfontein, Johannesburg, 2017

5.2. Street Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001



5.3. Telephone Number: (+27)10 023 5200

5.4. Email: enquiries@inforegulator.org.za

5.5. Website: www.inforegulator.org.za

6. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 6.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available a Guide on how to use PAIA ("the Guide"), in an easily comprehensible form and manner, to assist and guide a person who wishes to exercise any right contemplated in PAIA and POPIA through that process.
- 6.2. The Guide is available from the Information Regulator in each of the official languages and in braille.
- 6.3. The aforesaid Guide contains the description of-
 - 6.3.1. the objects of PAIA and POPIA;
 - 6.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 6.3.2.1. the Information Officer of every public body, and
 - 6.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
 - 6.3.3. the manner and form of a request for-
 - 6.3.3.1. access to a record of a public body contemplated in section 11 of PAIA; and
 - 6.3.3.2. access to a record of a private body contemplated in section 50 of PAIA;
 - 6.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 6.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 6.3.6. 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-
 - 6.3.6.1. an internal appeal;
 - 6.3.6.2. a complaint to the Regulator; and
 - 6.3.6.3. 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;
 - 6.3.7. the provisions of sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 6.3.8. the provisions of sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 6.3.9. the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
 - 6.3.10.the regulations made in terms of section 92 of PAIA.
- 6.4. Members of the public can inspect or make copies of the Guide from the offices of public and private bodies, including the office of the Regulator, during normal working hours.



- 6.5. The Guide can also be obtained-
 - 6.5.1. from the website of the Regulator (https://inforegulator.org.za/).
 - 6.5.2. upon request from the Information Officer (by using the form contained in Annexure D;
- 6.6. Any request for access to information addressed to the Company should be made in line with the process set out in the Guide and Section 53 of PAIA, with the Forms set out in that Guide (examples attached here as Annexure D), pay the required fee and address such request to the Deputy Information Officer.
- 6.7. In the request, a person should provide sufficient details to enable us to identify:
 - 6.7.1. The requested record(s);
 - 6.7.2. The Requester (and proof of capacity to request the record(s) on behalf of someone else);
 - 6.7.3. The postal address or email address of the Requester in the Republic;
 - 6.7.4. The right which the Requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.
- 6.8. The request may be refused for valid reasons as set out in the Guide.
- 6.9. Requests for records which are clearly frivolous, vexatious or involve an unreasonable diversion of resources may also be refused

7. PROTECTION AND PROCESSING OF PERSONAL INFORMATION IN LINE WITH POPIA

- 7.1. Please take note that this Manual is subject to and should be read with our Privacy Policy, which is available on our website.
- 7.2. We respect your right to privacy, as contained in section 14 of the Constitution of the Republic of South Africa of 1996, and which forms the cornerstone of POPIA. In order for us to assist you, it may be necessary for you to share some of your Personal Information with us from time to time.
- 7.3. We will take all reasonable steps to protect the Personal Information of any Data Subjects which is in our possession. For the purposes of this section, "Data Subject", "Personal Information", "Processing" and "Responsible Party" will be understood in accordance with the definition provided in POPIA. Any such Personal Information that you may share with us, and the reasons why such information is required, will depend on the nature and scope of your relationship with us.
- 7.4. Annexure c of the Manual sets out the types of Personal Information we process as well as the purpose for which such Personal Information is Processed.
- 7.5. As a Responsible Party, we undertake to comply with the relevant provisions of POPIA in relation to the Processing of Personal Information.
- 7.6. In particular, we undertake and are committed to comply with the 8 (EIGHT) conditions for the lawful Processing of Personal Information contained in Chapter 3 of POPIA, as set out below:
 - 7.6.1. Accountability.
 - 7.6.2. Processing limitation.
 - 7.6.3. Purpose specification.
 - 7.6.4. Further processing limitation.
 - 7.6.5. Information quality.



- 7.6.6. Openness.
- 7.6.7. Security safeguards.
- 7.6.8. Data subject participation.
- 7.7. Personal Information will be Processed by us, our representatives, our affiliates and their representatives.
- 7.8. Should the cross-border flow of Personal Information be necessary in the course of business and for the purpose for which the Personal Information is Processed, it will only take place if all the conditions as set out in section 72 of POPIA are complied with.
- 7.9. We have a comprehensive data management framework in place in order to comply with POPIA and ensure that the best efforts are employed to ensure the protection of Personal Information Processed by us. We employ up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under our care.

8. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

- 8.1. Records are kept in accordance with such other legislation (including amendments thereto) and their accompanying regulations as applicable to the Company, which includes, but is not limited to the information referred to in Annexure B.
- 8.2. Such records will be made available to only those individuals/entities authorised or entitled to request access to such records in terms of the relevant legislation. Any other persons must follow the request for access of records procedure as outlined in this Manual.

While the Company has used its best endeavours to supply you with a complete list of applicable legislation, it is possible that the above list may be incomplete. Wherever it comes to the Company's attention that existing or new legislation allows a requestor access on a basis other than that set out in PAIA or POPIA, the list shall be updated accordingly.

9. SCHEDULE OF RECORDS

9.1. In compliance with section 51(1)(b) of PAIA, a description of the data subjects on which the Company holds records and the categories of the records held can be found in Annexure A and C of this Manual, and which forms an integral part of this Manual.

Records of the Company which are not automatically available must be requested in terms of the procedure set out in this Manual, and the Regulations as set out in terms of PAIA and POPIA and which may be subject to the restrictions and a right to refuse to access.

10. UPDATING OF THE MANUAL

- 10.1. The heads of the Company will, on a
- 10.2. regular basis, update this manual.

ANNEXURE A - CATEGORIES OF RECORDS AND AVAILABILITY THEREOF

The table below depict records of information which the Company keeps. Some of this information and the access thereto may be restricted to protect the privacy and private information of data subjects and its listing here does not entitle a requester automatically to access to such documents.

Documents that are listed as "Automatically available" were published either on our website or other social media platforms

Category of Records	Types of the Records	Automatically available	Available on Request
Corporate Governance	Applicable statutory documents; code of conduct; compliance certification; fraud alerts; health & safety records; legal compliance records; memorandum of incorporation; minutes of board of directors' meetings; minutes of shareholders' meetings; policies and procedures; records relating to the appointment of directors/ auditor/ secretary/ other officers; share certificates; share register and other statutory registers; statutory returns and relevant authorities		x
Company Policies & Directives	Relating to general policies and standards of service as it relates to Clients	X	
	Internally relating to employees, the Company, to Clients and other third parties		X
Finance & Taxation	Accounting records; annual financial statements; audit reports; banking records; bank statements; business plan & budgets; documents issued to employees for income tax purposes; financial policies & procedures; all other statutory compliances; income tax returns; skills development levies returns; UIF returns; VAT return; workmen's compensation returns; leases; management reports; Records of payment made to SARS on behalf of employees; rental agreements; risk management and insurance; tax records and returns;		x
Personnel documents & records	Advertisements, CVs, application details; disciplinary code & records; disciplinary procedures, CCMA & court matters; retrenchment & legal processes; re-employment matters; all employee records of employees, education & training; employee benefit records; employee relations; employment contracts; employment equity plan; employee information; Group HR policies and procedures; IRP5s; Letters of appointment & employment contracts; organisational structures;		X



	payroll reports; performance records; SETA records;		
	training & development; job profiles		
	Records of education, portfolios, areas of	х	
	specialisation and contact details of attorneys,		
Information technology &	Device management; license agreements; disaster		
infrastructure	recover policy & plans; maintenance plans; e-mail &		X
	voicemail; network topologies/diagrams; equipment		
	specifications; facilities; performance of IT		
	infrastructure; faults, troubleshooting & reporting;		
	hardware & software manuals; security access; ICT		
	policies, standards, procedures & templates;		
	information, communication and technology policies;		
	supplier/vendor agreements; internal systems		
	support and programming; system documentation &		
	manuals		
Legal	Agreements & contracts; competition notifications;		Х
	documents pertaining to commercial disputes,		
	litigation, arbitration or regulatory investigations;		
	disputes with third parties		
Services, marketing and	External publications; media & advertising; products	X	X
communication,	and services brochures; proposals & tenders;		
Corporate Affairs	marketing brochures; Client events; newsletters &		
	publications; corporate social investment; public		
	corporate records		
Business interactions	Agreements with third parties (clients, vendors &		X
with other entities	suppliers); contractual disputes with third parties;		
	licencing and maintenance agreements		
Insurance	Insurance declarations & policies; insurance claims		Х
	files		
Environmental	Records of disposal of equipment; maintenance		X
	records; standards		
Regulatory	Applications; permits; exemptions; registrations;		Х
	licenses; submissions		

ANNEXURE B CATEGORIES OF RECORDS KEPT IN TERMS OF OTHER LEGISLATION

Records are kept in accordance with such other legislation (including amendments thereto) and their accompanying regulations as applicable to the Company, which includes, but is not limited to the below.

The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under PAIA. In particular, certain grounds of refusal as set out in PAIA may be applicable to a request for such records.

LEGISLATION	CATEGORY OF RECORDS				
Basic Conditions of Employment Act 75 of 1997	Employee personal contact information				
	Employment agreements;				
	Information on disability, race, religion, marital status				
	Employee next of kin or emergency contact details				
	Conflict-of-interest declarations				
	Education information				
	Health and safety records				
	Leave records				
	Internal evaluations and performance records				
	Disciplinary records				
	Employment termination records				
	Training records				
	Background checks				
Broad-Based Black Economic Empowerment	BBBEE status				
Act 53 of 2003	BBBEE status of suppliers				
	Supplier information				
	Contractor and supplier agreements				
	List of suppliers, products, services, and distributors				
Companies Act 61 of 1973	Company registration records				
	Corporate governance documents				
	Shareholder and director information				
	Beneficial ownership information				
	CIPC reporting records				
	Meeting minutes				
	Company amendment records				
Compensation for Occupational Injuries and	Records of employees' earnings and particulars				
Diseases Act 130 of 1993	Essential COIDA Claim Forms				
Cybercrimes Act 19 of 2020	Records of any reported cybercrime				
	Records of any disciplinary conduct or criminal investigation				
Financial Intelligence Centre Act 38 of 2001	Identification and verification records				
	Client due diligence records				
	Risk Management and Compliance Program				
	Training records				
	Records of financial transactions conducted on behalf of				
	clients, including details of the transaction, parties				
	involved, and purpose of the transaction				



	Suspicious Transaction Reports (STRs)
	Cash Threshold Reports (CTRs)
	Risk assessments
	Compliance procedures
Income Tax Act 58 of 1962	Tax returns and filings
	Records of income, expenses, and deductions
	Tax compliance certificates and correspondence
Labour Relations Act 66 of 1995	Disciplinary records and outcomes
	Labour relations reports
	Arbitration awards
	Retrenchment process records
Legal Practice Act 28 of 2014	Legal Practitioner Code of Conduct
	Legal Practitioner fidelity fund certificates
	Non-disclosure agreements (NDAs)
	Candidate Legal Practitioner agreements
	Compliance records with legal practice regulations
	Records of professional development and continuing
	legal education
	Client engagement records and agreements
Skills Development Act 97 of 1998	Sector Education and Training Authority reports
	Workplace Skills and Training reports
	Skills development levies
	Certificates of completion
Skills Development Levies Act 9 of 1999	Skills development levy deductions & claims
South African Revenue Service Act 34 of 1997	Tax returns & invoices
Promotion of Access to Information Act 2 of 2000	PAIA Manual, guides and forms
	Voluntarily available information
Protection of Personal Information Act 4 of 2013	Document Retention Policy
	Data Privacy Policy
	Protection of Personal Information Policy for Employees
	Data Subject Access Request Policy
Ob and Town Income on Ant 52 of 4000	Data consents
Short Term Insurance Act 53 of 1998	Insurance schedules
Trust Property Control Act 57 of 1988	Trust and Trustee registration information
	Trust beneficial ownership information
Lla consider and language of Contributions Act 4 of	Trust amendment information
Unemployment Insurance Contributions Act 4 of 2002	Tax invoices, credit notes, debit notes
2002	Bank statements, deposit slips
	Employee details and employment contracts
Unemployment Insurance Act 63 of 2001	Employer registration and contribution records
Sherripleyment modification / lot do di 2001	UIF claims records Audit and improving records
Value Added Tay Act 90 of 1001	Audit and inspection records Audit registration decuments
Value Added Tax Act 89 of 1991	 VAT registration documents Tax invoices and credit notes
	VAT returns and filings



VAT payment records
VAT exemption certificates
 Input VAT documentation
Records for cross-border transactions
VAT compliance records

ANNEXURE C – DATA SUBJECTS, PERSONAL INFORMATION AND POSSIBLE RECIPIENTS

Data Subjects, as well as the personal information that may be processed and/or supplied includes, but is not limited to, the following:

DATA SUBJECTS	PERSONAL INFORMATION PROCESSED	RECIPIENTS TO WHOM PERSONAL INFORMATION MAY BE SUPPLIED			
Clients:	Various categories of general and special Personal Information, as the context and relevant circumstances may require.	 South African Police Services Credit Bureaus South African Revenue Service Service Providers. Including Third Party Correspondent / Intermediary Firms 			
Suppliers:	Various categories of general and special Personal Information, as the context and relevant circumstances may require.	 South African Police Services Credit Bureaus Service Providers. Including Third Party 			
Employees:	Various categories of general and special Personal Information, as the context and relevant circumstances may require.	 South African Police Services South African Qualifications Authority Credit Bureaus South African Revenue Service Service Providers. Including Third Party Correspondent / Intermediary Firms 			

ANNEXURE D - COPIES OF FORMS

FORM 1 REQUEST FOR A COPY OF THE GUIDE [Regulation 2]

ı		r.	togulation 2	-,				
Full names:								
In my capacity as (mark with "x"):		Information officer				Other		
Name of *public/pr	ivate body (if			l .				
applicable)								
Postal Address:								
Street Address:								
E-mail Address:								
Facsimile:								
Contact numbers:		Tel.(B):			Cellular	:		
hereby	request the following	ng copy(ies) of the Guide	e:				
Language (ma	rk with "X")	No of copies Language (ma		guage (mark	rk with "X") No of copies			
Sepedi				Sesotho				
Setswana				siSwati				
Tshivenda	a			Xitsonga				
Afrikaans				English				
isiNdebele	Э			isiXhosa				
isiZulu								
	r of collection (mark							
Personal	Postal a	ddress				Electronic com		
collection						(Please s _l	pecify)	
Signed at			this		day of		20	
- 0					<i></i>			
Signature of Requester								