

## PRIMERIO LAW INCORPORATED (“PRIMERIO”) ACCESS TO INFORMATION MANUAL

### PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000<sup>1</sup> (“THE ACT/ PAIA”)

#### Introduction

1. Primerio is a law firm based in Sandton, Gauteng, specialising in competition law and antitrust; transaction advice, real estate and project development; regulatory advice and bespoke legal services; and anti-fraud, cross border, commercial disputes and asset recovery.
2. This PAIA manual has been prepared pursuant to and in accordance with the PAIA manual requirements for a private body as provided by Section 51(1) of the Act.

#### Information Officer

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4. **Email:** [j.oxenham@primerio.international](mailto:j.oxenham@primerio.international)
5. **Telephone:** 011 083 2412

#### Primerio details

6. **Street address:** 135 Daisy St, Sandown, Sandton, 2031
7. **Phone:** +27 (0) 11 083 2411
8. **Email:** [info@primerio.international](mailto:info@primerio.international)
9. **Website:** <https://primerio.international/>

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<sup>1</sup> As amended from time to time and read in conjunction with Government Gazette No. 45057 of 27 August 2021.

## Description of the guide referred to in section 10 of the Act and how to obtain access to it

10. For further guidance on how to exercise rights under PAIA, see the Information Regulator's PAIA Manual prepared in terms of Section 14 of the Act, as amended June 2021, available in each official language of South Africa.
11. In this regard see the following information of the Information Regulator:
  - 11.1 **Website:** <https://www.justice.gov.za/inforeg/docs.html>
  - 11.2 **Postal address:** P.O Box 3153, Braamfontein, Johannesburg, 2017
  - 11.3 **Physical address:** JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

## Categories of information available without having to request access in terms of the Act and/or documents available in terms of other legislation.

12. All brochures and other marketing material prepared by Primerio is available on our website without having to make a formal request. Further, details relating to Primerio's registration and general company details can be found on the CIPC [Bizportal](#).
13. All other information held by Primerio is confidential and must be requested in accordance with the procedure set out below.
14. A request for information does not create a right to receive such information. In this regard see Chapter 4 of the Act which provides the grounds of refusal.

## Records available in accordance with other legislation - Section 51(1)(d)

15. To the extent applicable, Primerio keeps records as may be required in terms of the following legislation (not automatically available):
  - 15.1 Attorneys Act, 53 of 1979;
  - 15.2 Basic Conditions of Employment Act, 75 of 1997;
  - 15.3 Broad-Based Black Economic Empowerment Act, 53 of 2003;
  - 15.4 Companies Act, 71 of 2008;

- 15.5 Compensation for Occupational Injuries and Diseases Act, 130 of 1993;
- 15.6 Consumer Protection Act, 68 of 2008;
- 15.7 Employment Equity Act, 55 of 1998;
- 15.8 Electronic Communications and Transactions Act, 25 of 2002;
- 15.9 Financial Intelligence Centre Act, 38 of 2001;
- 15.10 Income Tax Act, 58 of 1962;
- 15.11 Information Act, 70 of 2002;
- 15.12 Insolvency Act, 24 of 1936;
- 15.13 Labour Relations Act, 66 of 1995;
- 15.14 Legal Practice Act 28 of 2014;
- 15.15 Medical Schemes Act, 131 of 1998;
- 15.16 National Credit Act, 34 of 2005;
- 15.17 Occupational Health and Safety Act, 85 of 1993;
- 15.18 Promotion of Access to Information Act, 2 of 2000;
- 15.19 Protection of Personal Information Act 4 of 2013;
- 15.20 Skills Development Act, 97 of 1998;
- 15.21 Skills Development Levies Act, 9 of 1999;
- 15.22 Unemployment Insurance Act, 63 of 2001;
- 15.23 Unemployment Insurance Contributions Act, 4 of 2002; and
- 15.24 Value Added Tax Act, 89 of 1991

## Information held by Primerio

- 16. A request for records can be made for the following categories:

Subject of records	Categories of records
Management records	Memorandum of Incorporation Incorporation documents Shareholder's agreement Shareholder's register Founding documents Firm records Director resolutions Minutes of meetings BEE credentials POPIA policy Establishment records Intellectual property records
Financial records	Tax records Creditors and debtors Banking details Insurance records Invoices Income statements Reconciliations Cashflow statements
Human resources	Employee contracts Payroll records PAYE records

	<p>Fidelity Fund certificates</p> <p>Company policy</p> <p>Employee records</p> <p>HR policy</p> <p>UIF records</p>
Regulatory documents	<p>Auditors certificate</p> <p>Trust investments</p> <p>Fidelity Fund certificates</p> <p>Documentation required by the Legal Practice Act</p>
Clients	<p>Documentation received from clients</p> <p>Correspondence with clients and third parties</p> <p>Records relating to legal proceedings involving Primerio and its clients</p> <p>Agreements with clients</p> <p>Client files</p> <p>Opinions</p>
IT records	<p>Records and software used</p> <p>Policies and procedures</p> <p>Network and systems</p>
Administration records	<p>Suppliers and customer agreements</p> <p>Asset register</p> <p>Agreements of lease of moveable and immovable property</p>

## Procedure to request access to records

17. PAIA requires a requester to submit the request on the required form, as prescribed by Regulations, accessible at: <https://www.justice.gov.za/infoereg/docs/forms/InfoRegSA-PAIA-Form02-Reg7.pdf> and attached as Annexure “A” hereto.
18. The form must be sent to the Information Officer via the email address provided above.
19. Sufficient detail should be provided to allow the Information Officer to identify the record of information that is being requested and specify the right that the requester seeks to protect.
20. A letter of authority or power of attorney must be submitted where the request is made on behalf of another person.
21. Failure to use the correct form may result in a rejection of the request, refusal of the request due to insufficient information or a delay in processing the request.
22. Upon lodging the request, a request fee will be payable before the request is considered.
23. The requester will be informed on the amount that must be paid in accordance with the prescribed fees for requests for access to the records of private bodies, available at: <https://www.justice.gov.za/legislation/notices/2021/20210827-gg45057gon757-PAIAreulations.pdf>.

## Notification of decision

24. The requester will be notified of the outcome to the request in accordance with the method provided by the requester in the prescribed form.
25. In accordance with Section 57 and 58 of the Act, the requester will be notified of a decision to grant or decline the request within 30 days (subject to the possibility of a 30 day extension).
26. If the Information Officer does not give a decision within the aforementioned period, the request is deemed to have been refused.

## Remedies available for a refusal to provide the request for information

27. The Act does not prescribe an internal appeal procedure for private bodies.
28. Should the requester be aggrieved by a decision they can lodge an application to court in accordance with the procedure provided in section 78-82 of the Act.

#### Availability of Primerio's PAIA manual

29. A copy of Primerio's PAIA manual is freely available on our website and at our principal place of business for public inspection (during normal business hours).
30. Upon request, a hard copy can be provided upon payment of a reasonable fee.
31. Primerio's PAIA manual is freely available to the Information Regulator upon request.

#### Updates to this Manual

32. This manual will be updated and published whenever material changes are made thereto.

# FORM 2

## REQUEST FOR ACCESS TO RECORD

[Regulation 7]

**NOTE:**

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

**TO:** The Information Officer


(Address)

E-mail address:

Fax number:

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile: <input type="text"/>
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable):</i>			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<b>PARTICULARS OF RECORD REQUESTED</b>			
<p><i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<b>TYPE OF RECORD</b> <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

**FORM OF ACCESS**  
*(Mark the applicable box with an "X")*

Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

**MANNER OF ACCESS**  
*(Mark the applicable box with an "X")*

Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

**PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

*If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.*

Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

<b>FEES</b>	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**Signature of Requester / person on whose behalf request is made**

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**FOR OFFICIAL USE**

Reference number:	
Request received by: <i>(State Rank, Name And Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

\_\_\_\_\_  
**Signature of Information Officer**