



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 **"Firm"** : the law firm Dominique Greyvensteyn trading as Greyvensteyn Attorneys
- 1.2 **"Manual"** : this document together with any annexures, as amended from time to time, and published in terms of section 51 of PAIA;
- 1.3 **"Minister"** : Minister of Justice and Correctional Services;
- 1.4 **"PAIA"** : Promotion of Access to Information Act No. 2 of 2000, as amended from time to time including the regulations promulgated thereunder;
- 1.5 **"POPIA"** : Protection of Personal Information Act No.4 of 2013, as amended from time to time including the regulations promulgated thereunder;
- 1.6 **"Regulator"** : - the Information Regulator of South Africa established in terms of section 39 of POPIA; and

2. PURPOSE OF THIS PAIA MANUAL

This PAIA Manual is published pursuant to PAIA which requires organisations to compile a manual as a guide to public to-

- 2.1 check the categories of records held by the firm 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 firm, by providing a description of the subjects on which the firm holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the firm 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 firm 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 firm 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 firm has appropriate security measures to ensure the confidentiality,

integrity and availability of the personal information which is to be processed.

3. CONTACT DETAILS FOR ACCESS TO INFORMATION

3.1 Chief Information Officer and for access to information

Name: Dominique Greyvensteyn

Email: info@gsp-law.co.za

3.2 National or Head Office

Dominique Greyvensteyn t/a Greyvensteyn Attorneys

Postal Address: Postnet Suite 253, Private Bag X19, Milnerton, Cape Town, South Africa, 7435

Tel: 082 599 7366

Email: info@gsp-law.co.za

Website: www.gsp-law.co.za

4. OFFICIAL LINKS ON INFORMATION REGULATOR PORTAL

Official PAIA Forms: <https://inforegulator.org.za/paia-forms/>

Official PAIA Guide: <https://inforegulator.org.za/paia-guidelines/>

5. GUIDE ON HOW TO USE PAIA & HOW TO OBTAIN ACCESS

5.1 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.

5.2 The Guide is available in each of the official languages and in braille.

5.3 The aforesaid Guide contains the description of-

5.3.1 the objects of PAIA and POPIA;

5.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of-

5.3.2.1 the Information Officer of every public body, and

5.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

5.3.3 the manner and form of a request for-

5.3.3.1 access to a record of a public body contemplated in section 11³; and

¹ 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.*

² 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.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies*

- 5.3.3.2 access to a record of a private body contemplated in section 50⁴;
 - 5.3.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
 - 5.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
 - 5.3.6 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-
 - 5.3.6.1 an internal appeal;
 - 5.3.6.2 a complaint to the Regulator; and
 - 5.3.6.3 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;
 - 5.3.7 the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 5.3.8 the provisions of sections 15⁵ and 52⁶ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 5.3.9 the notices issued in terms of sections 22⁷ and 54⁸ regarding fees to be paid in relation to requests for access; and
 - 5.3.10 the regulations made in terms of section 92⁹.
- 5.4 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.

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.

⁴ 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.

⁵ 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

⁶ 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

⁷ 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.

⁸ 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.

⁹ 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.”

5.5 The Guide can also be obtained-

5.5.1 upon request to the Information Officer;

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

6. RECORDS AVAILABLE WITHOUT HAVING TO REQUEST ACCESS

The following categories of records are available without a person having to formally request access in terms of the Act, by completing Form C. These records can all be accessed on our website, or by sending a request to the firm via email or telephonically.

Public Business information - Business Name, Contact Details

Professional Status - Fidelity Fund Certificate and/or related information

Practice Services - Brochures or descriptions of services offered and/or fee structures

7. RECORDS WHICH ARE AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

Records are kept in accordance with, but not limited to, the following legislation (among others), which may be updated from time to time. Where a person is entitled to access these records under the specific legislation, they may do so without necessarily following the PAIA process.

Category of Records	Applicable Legislation
Information Management	Promotion of Access to Information Act 2 of 2000 Protection of Personal Information Act 4 of 2013
Client Identification & FICA	Financial Intelligence Centre Act 38 of 2001
Legal Practice Records	Legal Practice Act 28 of 2014
Wills, succession, estate and fiduciary Records	Wills Act 7 of 1953 Intestate Succession Act 81 of 1987 Administration of Estates Act 66 of 1965 Trust Property Control Act 57 of 1988
Property & Conveyancing records	Deeds Registries Act 47 of 1937 Sectional Titles Act 95 of 1986 Alienation of Land Act 68 of 1981
Electronic Communications	Electronic Communications and Transactions Act 25 of 2002
Consumer Records	Consumer Protection Act 68 of 2008
Tax & Financial Records	All applicable Tax legislation
Employee Records and related	All applicable employee and labour-related legislation

8. THE SUBJECTS ON WHICH THE FIRM HOLDS RECORDS

The table below contains a description of the subjects on which the firm holds records and the categories of records held on each subject. These records are not automatically available, without a request in terms of PAIA. Access to these records may be protected by legal professional privilege, confidentiality agreements, or other specific grounds for refusal as may be applicable.

Subjects on which the firm holds records	Categories of records
Fiduciary & Deceased Estates	Original Wills and Codicils; Intestate Succession records; Liquidation and Distribution Accounts; Estate bank statements and

	vouchers; Correspondence with the Master of the High Court and SARS.
Trust Administration	Trust Deeds and Letters of Authority; Correspondence with the Master of the High Court, Minutes of Trustee meetings; Financial records of Trusts; Distributions and resolutions; Asset registers of Trusts.
Conveyancing & Property Services	Deeds of Sale; Lease Agreements; Title Deeds; Bond documents; Clearance certificates; Credit check reports and background screening for prospective tenants.
Commercial & General Legal Work	Drafting of diverse contracts and agreements; Commercial mandates; Formal legal opinions; Research papers; and ad hoc legal advice records.
Practice Management	Client files and mandates; File notes; FICA identification and verification documents; Risk assessment & compliance records; Professional Indemnity insurance records.
Financial & Accounting	Practice annual financial statements and management accounts; Trust account records and audits; Tax returns; VAT records; any other SARS compliance documents; Invoices & bank statements.
Employment & Labour	All employee and labour-related records, including but not limited to: Employment contracts; Payroll records; UIF and PAYE records; Leave registers; Disciplinary records, training records and medical records.
Information Technology	Software licenses; Domain registration records; Email archives; Records of data backups and security protocols.
General	Any other records related to the operational and professional functions of the firm not specifically listed above, including but not limited to general business correspondence and internal administrative files.

9. PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing Personal Information

The firm processes personal information for various purposes including, but not limited to, the following:

- 9.1.1 **Legal & Advisory Services:** To provide comprehensive legal advice and professional services to clients; to facilitate communication with clients and related third parties; and to execute mandates as instructed or as otherwise required by law, professional ethics, or the fulfilment of fiduciary and statutory duties.
- 9.1.2 **Regulatory Compliance:** To fulfill "Know Your Client" (KYC) and anti-money laundering obligations in terms of the Financial Intelligence Centre Act (FICA).
- 9.1.3 **Tax Compliance:** To calculate, report, and pay relevant taxes including Estate Duty, Capital Gains Tax, Transfer Duty, and Income Tax to the South African Revenue Service (SARS).
- 9.1.4 **Practice Management:** For internal administration, including invoicing, fee recovery, trust account auditing, and maintaining a record of communication with clients and third parties.
- 9.1.5 **Employment & Labour:** To manage the recruitment, contracting, and

payment of employees, and to comply with all relevant South African labour and tax legislation.

9.1.6 Information Security: To protect the firm's digital assets, detect potential security breaches, and ensure the integrity and confidentiality of client data.

9.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

The following list describes the firm's standard processing activities but is not exhaustive. The firm may process additional categories of information or interact with other data subjects as required by specific legal mandates, statutory duties, or unique case requirements, provided such processing complies with POPIA and professional ethics.

Categories of Data Subjects	Personal Information that may be processed
In general: Clients and related Third Parties	Name, address, registration numbers or identity numbers, tax numbers, contact details, marital status, and bank details.
Specifically related to Deceased Persons & Heirs	Name, identity numbers, date of death, marital status, asset and liability details, relationship to deceased, bank details, related information for verification and tracing by Third-party data aggregators and search platforms.
Specifically related to Prospective Tenants	Name, identity number, contact details, marital status, employment status, financial history, and credit/background screening reports.
Specifically related to trusts	Entity name and IT registration number, Trust Deeds, Letters of Authority, names and ID numbers of Trustees and Beneficiaries, tax numbers, and bank details.
Service Providers	Names, registration number, VAT numbers, address, trade secrets, and bank details.
Employees	Name, address, qualifications, gender, race, identity number, tax information, and payroll details.

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

Information is only shared with, but not limited to, the following recipients when necessary to fulfill a legal mandate, comply with statutory obligations, or protect a legitimate interest of the data subject.

Category of Personal Information	Recipients or Categories of Recipients to whom the personal information may be supplied
Deceased estate and trust details	The Master of the High Court
Identity numbers, tax numbers, and financial data for tax compliance	South African Revenue Service (SARS)
Practice records, Trust account data, and FICA records for professional oversight	The Legal Practice Council (LPC)
Financial records, bank statements, and transaction vouchers for annual audits	Registered Auditors and Accounting Officers
Names, ID numbers, property details, banking details, vehicle details for verification and tracing	Third-party data aggregators and search platforms (e.g., WinDeed, SearchWorks, or Lightstone)

Property and party details for registration of transfer or bonds	The Registrar of Deeds (Deeds Office)
Identity numbers and names, for credit and background screening	Registered Credit Bureaus and Tenant Screening Agencies
FICA documentation and transaction details for regulatory compliance	Financial Intelligence Centre (FIC), Third-party compliance platforms (e.g. Windeed, searchworks, lexisKYC, Voca)
Employee identity numbers and payroll data for statutory contributions	Department of Labour (UIF) and SARS
Bank account details for payments or distributions	Relevant Banking Institutions
Qualifications and employment history for recruitment verification	South African Qualifications Authority (SAQA) and previous employers

9.4 Planned transborder flows of personal information

The firm is primarily a South African law firm serving South African citizens or residents. However, personal information may be shared with clients or heirs residing outside the Republic of South Africa (temporarily or permanently) when necessary to administer South African assets, businesses, or deceased estates etc.

Additionally, to ensure secure and efficient practice management, the firm utilizes international cloud-based service providers. This results in the transborder flow of personal information as follows:

- 9.4.1 **Client Records:** Stored via **Microsoft 365** (Outlook/OneDrive/Sharepoint) with primary processing and backup locations currently in South Africa, the European Union, and the United States.
- 9.4.2 **Financial & Accounting Data:** Processed via **QuickBooks Online**, with data hosted currently primarily in the United States.
- 9.4.3 **Adequacy of Protection:** All foreign service providers used by the firm are subject to laws or binding agreements that provide a level of protection substantially similar to the conditions for lawful processing as set out in the POPI Act.

9.5 Information Security Measures implemented

The firm is committed to ensuring the confidentiality, integrity, and availability of all personal information under its care. To prevent unauthorized access, destruction, or loss, the following technical and organizational measures are implemented:

9.5.1 Digital and Technical Measures:

All devices are protected by Antivirus software, including real-time malware protection. Client electronic correspondence and files are stored within the Microsoft 365 and QuickBooks environments, which utilize enterprise-grade cloud encryption. Automated cloud backups are performed via Microsoft 365 to ensure the availability of information and business continuity. Devices are set to auto-lock when unattended to prevent unauthorized viewing

9.5.2 Physical and Administrative Measures

Documents no longer required for legal or statutory purposes, are periodically shredded to prevent reconstruction, save selected documentation required to be retained by law or otherwise deemed necessary by the firm.

10. AVAILABILITY OF THE PAIA MANUAL

10.1 A copy of the Manual is available-

- 10.1.1 on the firm's website (www.gsp-law.co.za);
- 10.1.2 the firm's office for public inspection during normal business hours;
- 10.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and
- 10.1.4 to the Information Regulator upon request.

11. PROOF OF IDENTITY AND FEES

- 11.1 Proof of identity is required to authenticate the Data Subject's identity and the request. The Data Subject will therefore also be required to submit proof of identity such as a certified copy of their identity document (where applicable) or other legal forms of identity, as may be acceptable to the Information Officer.
- 11.2 In accordance with the PAIA Act and its Regulations, a standard request fee is payable by every requester, other than a personal requester (someone requesting their own personal information), before the firm will process a request. This fee is non-refundable.
- 11.3 Additionally, when access is granted, access fees may be charged for the search, reproduction, and preparation of records.
- 11.4 The Information Officer will determine and provide an estimate of these fees upon request and may require that the requestor pay a deposit for all or part of the fee before providing the service.
- 11.5 The firm reserves the right to withhold the requested records until all applicable fees, including any required deposits, have been paid in full.

12. UPDATING OF THE MANUAL

The sole proprietor of Greyvensteyn Attorneys will review and update this manual periodically, when necessary.

Issued by

Information Officer – Dominique Greyvensteyn

Sole proprietor – Greyvensteyn Attorneys