



ACCESS TO INFORMATION MANUAL OF LIVINGSTON LEANDY

[Registration Number. 1974/001855/21]
("LLI")

[THIS DOCUMENT IS PREPARED IN ACCORDANCE WITH SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT. NO.2 OF 2000]

Updated September 2025

1. INTRODUCTION:

- 1.1. On 9 March 2001, the Promotion of Access to Information Act. No. 2 of 2000 ("the Act") became operative giving effect to the Section 32 Constitutional right of access to information. One of the main requirements specified in the Act, is the compilation of an access to information manual that provides information on both the types and categories of records held by a public or private body.
- 1.2. Where a request is made in terms of PAIA to a private or public body, that private or public body must disclose the information if the requester is able to show that the Record is required for the exercise or protection of any rights and provided that no grounds of refusal contained in PAIA are applicable. PAIA sets out the requisite procedural issues attached to information requests.
- 1.3. This document serves as LLI's access to information manual (the "Manual") and provides reference to the records held by LLI and the process to request access to such records.
- 1.4. This Manual is compiled in accordance with Section 51 of PAIA as amended by POPIA, which gives effect to the constitutional right to privacy. POPIA promotes the protection of Personal Information processed by public and private bodies, including certain conditions to establish minimum requirements for the need for access to information against the need to ensure protection of Personal Information.

2. DEFINITIONS

- 2.1. **"Client"** means any prospective, new or existing Client of LLI and its subsidiaries;
- 2.2. **"Data Subject/s"** for the purpose of this document include natural persons and juristic persons about whom LLI holds Personal Information;
- 2.3. **"Device" and "Mobile Device"** means tablets, mobile or cellular phones, smartphones, handheld computers, PDAs, and laptop or notebook computers, including any accompanying software or hardware;
- 2.4. **"Employee/s"** means any person who works for or provides services to or on behalf of LLI and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of LLI. This includes partners, directors, all permanent, temporary and part-time Employees as well as consultants, independent consultants, agency workers and contract workers;
- 2.5. **"Image/s", "Photograph" and "video images"** refer to any kind of image capture, still or moving, obtained by any photographic device including still image cameras, video cameras, webcams and photographic enabled mobile telephones, and any other type of image capture device not specified here, whether digital or not, using technology existent from time to time. The Processing (including storage) of such images includes film negative, film positive (e.g. transparencies and slides, movies, etc.), photographic paper, digital media, magnetic tape and any other kind of storage method able to be used for the storage of images, still or moving, available now or in the future;
- 2.6. **"IO"** means the Information Officer appointed as such by LLI in terms of Section 56 of POPIA and who will have the ultimate responsibility to ensure that LLI complies with the provisions of POPIA;
- 2.7. **"PAIA"** means the Promotion of Access to Information Act, 2000;
- 2.8. **"Personal Information"** means information relating to an identifiable, living, natural person, and (where applicable) an identifiable, existing juristic person in particular by reference to an identification number or to one or more factors specific to physical, physiological, mental, economic, cultural or social identity, including the name, race, gender, marital status, address and identifying number of a person, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person, recruitment details, financial history and the like. It also includes opinions about individuals as well as facts and also applies to corporate contacts;

- 2.9. **"POPIA"** mean the Protection of Personal Information Act, 2013, including any regulations and/or code of conduct made under that Act;
- 2.10. **"Processing"** is any activity that involves use of Personal Information. It includes any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:
 - 2.10.1. the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 2.10.2. dissemination by means of transmission, distribution or making available in any other form; or
 - 2.10.3. merging, linking, as well as restriction, degradation, erasure or destruction of Personal Information;
- 2.11. **"Record"** means any recorded information:
 - 2.11.1. regardless of form or medium, including any of the following:
 - 2.11.1.1. writing on any material;
 - 2.11.1.2. information produced, recorded or stored by means of any tape recorder, computer equipment, whether hardware or software or both, or other Device, and any material subsequently derived from information so produced, recorded or stored;
 - 2.11.1.3. label, marking or other writing that identifies or describes anything of which it forms part, or to which it is attached by any means;
 - 2.11.1.4. book, map, plan, graph or drawing;
 - 2.11.1.5. photograph, film, negative, tape or other Device in which one or more visual Images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced;
 - 2.11.2. in the possession or under the control of a Responsible Party;
 - 2.11.3. whether or not it was created by a Responsible Party; and
 - 2.11.4. regardless of when it came into existence;
- 2.12. **"Responsible party/parties"** are the people who or organisations which determine the purposes for which, and the manner in which, any personal information is processed. They have a responsibility to establish practices and policies in line with POPIA. LLI is the responsible party of all personal information used in its business.

- 2.13. **"Special Personal Information"** includes personal information concerning the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health, sex life or biometric information of a data subject; or the criminal behaviour of a data subject to the extent that such information relates to the alleged commission by a data subject of any offence; or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

3. SCOPE OF THE MANUAL:

- 3.1. Nature of the business: Attorneys, Notaries and Conveyancers
- 3.2. The scope of the business is as detailed on LLI's website which can be found at www.livingston.co.za.

4. AVAILABILITY OF THE MANUAL

A copy of this manual is available to the public for Inspection on the LLI website at www.livingston.co.za or on request from the designated contact person referred to in this manual.

5. CONTACT DETAILS

The responsibility for administration of and compliance with the Act has been delegated to the Information Officer. Requests pursuant to the provisions of the Act should be directed as follows:

Contact Person	Charne Goosen
Physical Address	Ground Floor
	4 Pencarrow Crescent
	La Lucia Ridge
	Umhlanga 4051
Postal Address	P O Box 4107, The Square, 4021
Switchboard	031 536 7500
Email	cgoosen@livingston.co.za

6. INFORMATION REGULATORS GUIDE

An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is made available by the Information Regulator (established in terms of

POPIA). Copies of the updated Guide are available from the Information Regulator in the manner prescribed. Any enquiries regarding the Guide should be directed to:

Postal Address	JD House 27 Stiemens Street Braamfontein, Johannesburg
Telephone Number	+27 (0) 10 023 5207
Telefax Number	086 500 3351
Email	infoereg@justice.gov.za
Website	https://www.justice.gov.za/infoereg/

7. OBJECTIVES OF THE MANUAL

The objectives of the Manual are:

- 7.1. to provide a list of all Records held by LLI;
- 7.2. to set out the requirements with regard to who may request information in terms of PAIA as well as the grounds on which a request may be denied;
- 7.3. to define the manner and form in which a request for information must be submitted; and
- 7.4. to comply with the additional requirements imposed by POPIA.

8. LEGISLATIVE RECORDS

Records are held in accordance with the following legislation which list is by no means exhaustive and is intended to serve as a guide only:-

- Administration of Estates Act, 1965
- Employment Equity Act, 1998
- Estate Agency Affairs Act, 1976
- Customs and Excise Act, 1964
- South African Revenue Services Act, 1997
- Value-Added Tax Act, 1991
- Compensation for Occupational Injuries and Diseases Act, 1993
- Skills Development Act, 1998
- Unemployment insurance Act, 2001
- Basic Conditions of Employment Act, 1997
- Companies Act, 1973
- Companies Act, 2008

- Promotion of Access to Information Act, 2000
- Promotion of Administrative Justice Act, 2000
- Protection of Personal Information Act, 2013
- Income Tax Act, 1965
- Labour Relations Act, 1995
- Financial Intelligence Centre Act, 2001
- Skills Development Act, 1998
- Stock Exchanges Control Act, 1985 (and the rules and listing requirements of the JSE Securities Exchange authorised in terms thereof)

9. ACCESS REQUESTS PROCEDURE

It is important to note that the successful completion and submission of an access request form do not automatically allow the requester access to the requested records. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified with Part 3 and Chapter 4 of the Act.

10. CATEGORIES OF RECORDS HELD BY LLI AND AVAILABLE UPON FORMAL REQUEST FOR ACCESS IN TERMS OF PAIA

- 10.1. Company incorporation documents;
- 10.2. Accounting records;
- 10.3. Publications;
- 10.4. Marketing material;
- 10.5. Procurement documents;
- 10.6. Regulatory and Administration;
- 10.7. Human Resources;
- 10.8. Employees salaries and benefits;
- 10.9. Client and customer;
- 10.10. Third parties;
- 10.11. Library material;
- 10.12. IT information.

11. COMPLETION OF ACCESS REQUEST FORM

In order to facilitate a timely response to requests for access, requesters should take note of the following when completing the Access Request Form:-

- 11.1. The Access Request Form C, which is available on the website of the South African Human Rights Commission at www.sahrc.org.za must be

completed and addressed to the Information Officer. Proof of Identity is required to authenticate the Identity of the requester. The requestor will be required to supply a copy of his/her identification document and complete the form in BLOCK LETTERS and answer every question.

- 11.2. If a question does not apply state "NOT APPLICABLE (N/A)" in response to that question.
- 11.3. If there is nothing to disclose in reply to a particular question state "NIL" in response to that question.
- 11.4. If there is insufficient space on a printed form, additional information may be provided on an attached folio.

12. SUBMISSION OF ACCESS REQUEST FORM

- 12.1. The complete Access Request Form together with a copy of the Identity document must be submitted either via post, e-mail or fax and must be addressed to the Information Officer as indicated above.
- 12.2. When the use of an attached folio is required, precede each answer with the applicable title.
- 12.3. A fee is not applicable to personal requestors referring to any person seeking to access records that contain their personal Information.
- 12.4. The submission fees are payable as follows:

The fees associated with the request to access records is prescribed in terms of Chapter 4 of the PAIA Regulations regarding the Promotion of Access to Information.

Item	Description	Amount
1.	Request fee, payable by every requester	R140.00
2.	Photocopy or printed black & white copy for every A4 page	R4.00 per page or part of the page
3.	Printed copy of A4-size page	R4.00 per page or part of the page
4.	For a copy in a computer-readable form on:	R40.00 R40.00

	<ul style="list-style-type: none"> • a flash drive (provided by the requester) • a compact disc (CD) if the requester provides the CD to us • a compact disc (CD) if we give the CD to the requester 	R60.00
5.	For a transcription of visual images, for an A4-size page or part of the page	This service will be outsourced. The fee will depend on the quotation from the service provider.
6.	For a copy of visual images	This service will be outsourced. The fee will depend on the quotation from the service provider.
7.	For a transcription of an audio record, per A4-size page	R24.00
8.	<p>For a copy of an audio record on a flash drive (provided by the requester)</p> <p>For a copy of an audio record on compact disc (CD) if the requester provides the CD to us</p> <p>For a copy of an audio record on compact disc (CD) if we give the CD to the requester</p>	<p>R40.00</p> <p>R40.00</p> <p>R60.00</p>
9.	<p>For each hour or part of an hour (excluding the first hour) reasonably required to search for, and prepare the record for disclosure</p> <p>The search and preparation fee cannot exceed</p>	<p>R145.00</p> <p>R435.00</p>
10.	Deposit: if the search exceeds 6 hours	One-third of the amount per request. It is calculated in terms of items 2 to 8 above.
11.	Postage, email or any other electronic transfer	Actual expense, if any.

- 12.5. Payment details can be obtained from the Information Officer as indicated above and can be made either via a direct deposit, by bank guaranteed cheque or by postal order and proof of payment must be supplied.
- 12.6. The access fee must be paid prior to access being given to the requested record.
- 12.7. If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the records and will be calculated based on the Prescribed Fees.
- 12.8. If a deposit has been paid in respect of a request for access which is refused then the Information Officer must refund the deposit to the requestor.

13. ACCESS REQUESTS PROCEDURE NOTIFICATION

- 13.1. LLI shall within 30 days of receipt of the request decide whether to grant or decline the request and give notice with reasons to that effect.
- 13.2. The 30 day period within which LLI has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days. If the request is for a large volume of information and the information cannot be reasonably obtained within the original 30day period LLI will notify the requestor in writing should an extension be sought.

14. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

Subject to Section 70 of PAIA the main grounds for refusal of a request for information are:

- 14.1. Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information to that natural person.
- 14.2. Mandatory protection of the commercial information of a third party, if the record contains:-
 - 14.2.1. trade secrets of that party;
 - 14.2.2. financial, commercial or technical Information which disclosure would likely cause harm to the financial or commercial Interests of that party;

- 14.2.3. information disclosed in confidence by a third party to the company if the disclosure could put that third party to a disadvantage in legal proceedings negotiations or commercial competition;
- 14.2.4. mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- 14.2.5. mandatory protection of the safety of individuals and the protection of property;
- 14.2.6. mandatory protection of records which could be regarded as privileged in legal proceedings.

14.3. The commercial activities of LLI, which *may* include:-

- 14.3.1. trade secrets of LLI;
- 14.3.2. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of LLI.

15. REMEDIES AVAILABLE IN REFUSAL OF A REQUEST FOR ACCESS TO INFORMATION

A requester that has been aggrieved by a decision of the Information Officer, may, within the prescribed time period as set out in Section 72 of PAIA, submit a complaint, alleging that the decision was not in compliance with PAIA, to the Information Regulator in the prescribed manner and form for appropriate relief; and thereafter, apply to the court for appropriate relief.

16. ACCESS REQUEST FORM – which must be printed and completed

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:

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Fax number:

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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 (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile: <table border="1"><tr><td></td></tr></table>	
Cellular:				
Full names of person on whose behalf request is made (if applicable):				
Identity Number				
Postal Address				

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<p align="center">PARTICULARS OF RECORD REQUESTED</p> <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			
<p align="center">TYPE OF RECORD (Mark the applicable box with an "X")</p>			
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 <i>(Mark the applicable box with an "X")</i>	
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 <i>(Mark the applicable box with an "X")</i>	
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 <i>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.</i>	
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:	

FEES	
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 (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

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

Signature of Information Officer