

LESTER HALL, FLETCHER INC.

MANUAL

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LESTER HALL, FLETCHER INC.

MANUAL

Published in accordance with Section 51 of the Promotion of Access to Information Act, No. 2
of 2000 ("the Act")

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A. CONTENTS

INTRODUCTION

The Act gives effect to the constitutional right of access to any information held by another person. This manual is to assist requesters as to the procedure to be followed when requesting information in terms of the Act.

This manual may be amended from time to time and any new versions of this manual will be made public.

Lester Hall, Fletcher Inc. is a legal practice founded in 1951 by Lester Eves Hall and incorporated in terms of the Company Laws of South Africa. The firm handles all types of conveyancing and notarial transactions, the administration of estates, the drafting of commercial contracts and wills and litigation. The director of the practice is Sally Anne Fletcher.

B. PARTICULARS

1. Contact Details of head

Miss. S.A. Fletcher (Director)

Postal Address : Private Bag X7016
Hillcrest
3650

Street Address : 76 Old Main Road,
Kloof, 3610
KwaZulu – Natal

Telephone : +27 861 2777 27
Fax : +27 31 767 5713
E-mail : saf@lesterhall.co.za

2. The Guide on how to use the Act

Please direct any queries 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
Email : PAIA@sahrc.org.za

3. Records available in terms of any other legislation

Certain records of Lester Hall, Fletcher Inc. are available other than in terms of the Act. The specific records which are available in terms of such legislation are set out therein and these records may in certain circumstances only be accessed by the person specified in the relevant legislation. The legislation is as follows :-

Attorneys Act 53 of 1979
Administration of Estates Act, No. 66 of 1965
Arbitration Act No. 42 of 1965
Basic Conditions of Employment Act No. 75 of 1997
Companies Act No. 71 of 2008
Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
Consumer Protection Act No. 68 of 2008
Copyright Act No. 98 of 1978
Currency and Exchanges Act No. 9 of 1933
Debtor Collectors Act No. 114 of 1998
Employment Equity Act No. 55 of 1998
Finance Act No. 35 of 2000
Financial Services Board Act No. 97 of 1990
Financial Relations Act No. 65 of 1976
Harmful Business Practices Act No. 23 of 1999
Income Tax Act No. 95 of 1967
Insolvency Act No. 24 of 1936
Insurance Act No. 27 of 1943
Labour Relations Act No. 66 of 1965

Long Term Insurance Act No. 52 of 1998
Medical Schemes Act No. 131 of 1998
National Credit Act No. 34 of 2005
Occupational Health and Safety Act No. 85 of 1993
Pension Funds Act No. 24 of 1956
Protection of Businesses Act No. 99 of 1978
Regional Services Councils Act No. 109 of 1985
SA Reserve Bank Act No. 90 of 1989
Short Term Insurance Act No. 53 of 1998
Skills Development Levies Act No. 9 of 1999
Skills Development Act No. 97 of 1998
Stock Exchange Control Act No. 1 of 1985
Tax on Retirement Funds Act No. 38 of 1996
Trade Marks Act No. 194 of 1993
Unemployment Contributions Act No. 4 of 2002
Unemployment Insurance Act No. 63 of 2001
Value Added Tax Act No. 89 of 1991

Not all of the above Acts are presently applicable.

4. Access to the records

- i The latest notice regarding the categories of records of Lester Hall, Fletcher Inc., which are available without a person having to request access in terms of this Act in terms of Section 52(2).

N/A

- ii 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

Administration

- Company registration documents
- Directors Minutes
- Administrative and operational records
- Commercial contracts
- Risk, security and insurance records

Human Resources

- Shareholders Agreement
- Lease Agreements
- Professional qualification certificates
- Employment Contracts
- Personnel files
- Remuneration and staff development records

Operations

- Confidential client files
- Client and correspondent accounts
- Client and correspondent databases

Finances

- Accounting records
- Client confidential bookkeeping records
- Salaries and Wages records
- Creditors and Debtors records
- Taxes and Levies records
- Operational expenditure records
- Financial Statements
- Asset Inventories

iii 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 the private body. This request must be made to the address, fax number or electronic mail address of the head of Lester Hall, Fletcher Inc. [s 53(1)].

The requester must provide sufficient detail on the request form to enable the head of Lester Hall, Fletcher Inc. to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 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 [s 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 of Lester Hall, Fletcher Inc. [s 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 of Lester Hall, Fletcher Inc. 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 [s 54(1)].

The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].

After the head of Lester Hall, Fletcher Inc. 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 [s 54(6)].

5. Availability of the manual

The manual is available for inspection at the offices of Lester Hall, Fletcher Inc. free of charge.

Copies of the manual may be obtained, subject to the prescribed fees, at the above offices.

The manual can also be assessed on the SAHRC website – www.sahrc.org.za and will be published in the Government Gazette.

6. Prescribed fees and forms in respect of private bodies

The prescribed forms and fee structure for private bodies can be obtained on the SAHRC website – www.sahrc.org.za or the website of the Department of Justice and Constitutional Development – www.dog.gov.za.

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SIGNED:



HEAD of LESTER HALL, FLETCHER INC.