



**MANUAL IN TERMS OF SECTION 14
OF THE PROMOTION OF ACCESS TO INFORMATION ACT**

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1. Introduction

This Manual is published in terms of Section 14 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”). The Act gives effect to the provision of section 32 of the Constitution which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any right.

The reference to any information, in addition to that specifically required in terms of Section 14 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

2. Definitions

Unless the context clearly indicates otherwise, the following terms shall have the meanings assigned to them hereunder, namely:-

2.1. “**Act**” means the Promotion of Access to Information Act, Act 2 of 2000, as amended from time to time;

2.2. “**Court**” means -

(a) the Constitutional Court acting in terms of section 167 (6) (a) of the Constitution; or

(b) (i) a High Court or another court of similar status, or

(ii) a Magistrate's Court, either generally or in respect of a specified class of decisions in terms of this Act, designated by the Minister, by notice in the Gazette, and presided over by a magistrate designated in writing by the Minister, after consultation with the Magistrates Commission, within whose area of jurisdiction-

(aa) the decision of the information officer or relevant authority of a public body or the head of a private body has been taken;

(bb) the public body or private body concerned has its principal place of administration or business; or

(cc) the requester or third party concerned is domiciled or ordinarily resident.

- 2.3. **“Deputy Information Officers”** at the National Office of Legal Aid South Africa (hereinafter referred to as “Legal Aid SA”) mean the following officials of Legal Aid SA based at its National Office namely:
- 2.3.1 Chief Operations Officer;
 - 2.3.2 National Operations Executive;
 - 2.3.3 Chief Legal Executive; and
 - 2.3.4 Legal Executive.
- 2.4 **“Deputy Information Officers”** at the Provincial Offices of Legal Aid SA mean six (6) Provincial Executives who are employees of Legal Aid SA based at its Provincial Offices, who have been delegated in writing by the Information Officer of Legal Aid SA to exercise the powers and perform the duties assigned to the Information Officer in terms of the Act relating to requests for access to information in the possession or under the control of their respective Regions
- 2.5 **“Information Officer”** means the Chief Executive Officer of Legal Aid SA who may delegate in writing this function to any other personnel of Legal Aid SA to discharge the duties and responsibilities assigned to the Information Officer in terms of the Act. This authority may be withdrawn by the Information Officer on reasonable and justifiable grounds.
- 2.6 **“Legal Aid Manual”** means the Legal Aid_Manual published in the Government Gazette 41005 and effective from 22 August 2017 which has been designed to provide comprehensive information and guidance on the procedures regarding applications for legal aid and the relevant procedures regulating private legal practitioners as well as covering the systems and methods whereby legal aid is delivered to ensure proper implementation of legal aid. Copies of the Manual and its amendments are available on Legal Aid SA’s website at www.legal-aid.co.za; and a copy is also available for inspection at all offices of Legal Aid SA.
- 2.7 **“Manual”** means this manual published in compliance with Section 14 of the Act.
- 2.8 **“Personnel”** means any person who works for or provides services to or on behalf of Legal Aid SA and receives or is entitled to receive any remuneration. This includes, without limitation, Board members, all permanent, temporary and part time staff as well as contract workers.
- 2.9 **“Legal Aid SA”** means Legal Aid South Africa a national public entity established in terms of section 2 of the Legal Aid South Africa Act 39 of 2014 (*“Legal Aid SA Act”*).

- 2.10 **“Record”** means any recorded information, regardless of form or medium, which is in the possession or under the control of Legal Aid SA, irrespective of whether it was created by Legal Aid SA, or not.
- 2.11 **“Regulations”** means the Regulations published in the Government Gazette 41005 and effective from 22 August 2017 which seeks to prescribe the types of matters that Legal Aid SA can undertake in terms of its mandate, the process to follow when legal aid has been refused, and related processes.
- 2.12 **“Report”** means a report to be submitted annually to the SAHRC in terms of section 32 of the Act on or before the 30th April of each year, or at the date determined by the SAHRC.
- 2.13 **“Request”** means a request for access to a record or information under control or possession of Legal Aid SA.
- 2.14 **“Requester”**, in relation to-
- (a) a public body, means-
 - (i) any person (other than a public body contemplated in paragraph (a) or (b)(i) of the definition of ‘public body’, or an official thereof) making a request for access to a record of that public body; or
 - (ii) a person acting on behalf of the person referred to in subparagraph (i);
 - (b) a private body, means-
 - (i) 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; or
 - (ii) a person acting on behalf of the person contemplated in subparagraph (i).
- 2.15 **“SAHRC”** means the South African Human Rights Commission.
- 2.16 Unless a contrary intention clearly appears, words signifying:
- 2.16.1 The singular includes the plural and vice versa;
 - 2.16.2 Any one gender includes the other genders and vice versa; and
 - 2.16.3 Natural persons include juristic persons.

3. Availability of this Manual

A copy of this Manual will be made available on the Legal Aid SA's website www.legal-aid.co.za or by sending a request for a copy to Legal Aid SA's Information Officer or Deputy Information Officers by email or post at the addresses set out below. The Manual may also be obtained upon request from Legal Aid SA's offices as described below, or the SAHRC at the address set out below.

4. Updating of the Manual

This Manual will be updated and published, if necessary, at intervals of not more than 1 (one) year, as prescribed in the Act.

5. How to Access the Guide as described in Section 10 of the Act

The SAHRC Guide in terms of section 10 of the Act is available at the SAHRC, details of which are set out below:

South African Human Rights Commission

PAIA Unit

The Research and Documentation Department

Physical address: 33 Hoofd Street
Braampark, Forum 3
Braamfontein
2017

Postal address: Private Bag 2700
Houghton
2041

Telephone 011 877 3600

Fax 011 403 0668

Website www.sahrc.org.za

Email paia@sahrc.org.za

6. Legal Aid SA Overview

- 6.1. Legal Aid SA is a national public entity established in terms of section 2 of the Legal Aid South Africa Act 39 of 2014 (*“Legal Aid SA Act”*).
- 6.2. Legal Aid SA supports the constitutional right of access to information and is committed to provide to any requester, access to its records in accordance with the provisions of the Act.
- 6.3. The objects of Legal Aid SA are to:
 - 6.3.1 render or make available legal aid and legal advice;
 - 6.3.2 provide legal representation to persons at state expense; and
 - 6.3.3 provide education and information concerning legal rights and obligations, as envisaged in the Constitution and Legal Aid SA Act.

This in turn affords and ensures access to justice which is a fundamental cornerstone of our democracy.

7. Vision

A South Africa in which the rights and responsibilities enshrined in the Constitution are realised to ensure equality, justice and a better life for all.

8. Mission Statement

To be the leader in the provision of accessible, sustainable, ethical, quality and independent legal services to the poor and vulnerable.

9. Functions and Structure of Legal Aid SA

9.1 Functions of Legal Aid SA

Legal Aid SA has all such powers as are necessary to enable it to perform its duties and achieve its objectives in terms of the Legal Aid SA Act;

9.2 The functions of Legal Aid SA are, amongst others, to:

- 9.2.1 provide quality professional legal services, legal representation, legal advice, as well as education and information concerning legal rights and obligations as envisaged in the Constitution and Legal Aid SA Act by

employing legal practitioners, candidate attorneys and paralegals, and procuring the services of legal practitioners in private practice through a mixed model of legal services delivery which includes, legal practitioners and paralegals employed by Legal Aid SA, private legal practitioners (judicare), co-operation partners, agencies and through a toll free Call Centre (**0800 110 110**). The provision of legal aid assistance is subject to the criteria, terms and conditions, limitations, exclusions as well as the procedures as set out in the Legal Aid Manual;

- 9.2.2 fix conditions to which legal aid is to be rendered, including any costs to be recovered and ceded to Legal Aid SA as well as any payments of contributions to Legal Aid SA by a person who has received legal aid; and
- 9.2.3 do all things and perform all the functions necessary for, or incidental to, the attainment of its objects.

10. Composition of the Board of Directors of Legal Aid SA

The composition of the Board of Directors of Legal Aid SA is set out in section 6 of Legal Aid SA Act and consists of fourteen (14) voting members appointed in writing by the Minister of Justice and Correctional Services, namely:

- 10.1 A judge in active service of a court referred to in section 166(a), (b) or (c) of the Constitution, nominated by the Chief Justice of South Africa after consultation with the Board;
- 10.2 Eight (8) members who, as a whole, have the skills referred to in section 7(2) (e) of the Legal Aid SA Act;
- 10.3 The Chief Executive Officer of Legal Aid SA;
- 10.4 Three employees appointed by the Board from the management of Legal Aid SA, and who are responsible for the management, including the financial management of Legal Aid SA and who are actively involved in developing and implementing Legal Aid SA's strategy;
- 10.5 The Director-General: Justice and Constitutional Development (Justice and Correctional Services), or his or her nominee;

10.6 The Minister may appoint a person to serve as an alternate in the place of any member referred to in paragraphs 10.2, 10.3 and 10.4 of this Manual as set out above.

11. Structure of Legal Aid SA

11.1 Legal Aid SA has a National Office situated at Legal Aid House, 29 De Beer Street, Braamfontein, Johannesburg, 6 (six) Provincial Offices, 64 (sixty-four) Legal Aid SA Local Offices, and 64 (sixty four) Legal Aid SA Satellite Offices, details of which are set out in **Annexure 1** below.

11.2 Legal Aid SA staff complement consists of advocates, attorneys, candidate attorneys, paralegals, legal administration officers as well as administrative personnel.

12. Services Available to Members of the Public

12.1 Core Services

The core services delivered by Legal Aid SA are the rendering of legal aid to persons as contemplated in the Constitution and the Legal Aid SA Act. Although the majority of cases taken on by Legal Aid SA are in the criminal arena, the focus has been expanded to include civil matters (See Regulations 9 to 26 to the Legal Aid South Africa Act set out in the Government Gazette 41005 of 26 July 2017 and which became effective on 22 August 2017). The civil cases (subject to available resources) include amongst others:

- 12.1.1 Divorce and matrimonial matters including maintenance under limited circumstances where the other party is represented by attorney;
- 12.1.2 Cases involving children's justice including administration of estates;
- 12.1.3 Domestic violence matters and interdicts under certain circumstances;
- 12.1.4 Land claims and related matters under certain circumstances if funding is made available; and
- 12.1.5 Other Civil matters that are not specifically excluded or limited.

In addition, an Impact Litigation Unit has been established to litigate on cases of precedent setting nature, class actions or actions that can address systemic issues in a single case as well as cases that give content to socio-economic rights.

12.2. Nature of services

Legal Aid SA's services, as set out in the Legal Aid SA Act, include:-

- 12.2.1 The provision of legal aid through its internal legal practitioners, and where not possible, external legal practitioners.
- 12.2.2 The provision of legal representation as envisaged in the Constitution and the Legal Aid SA Act to persons not having the means to acquire legal services and representation of their own choice;
- 12.2.3 The evaluation and reporting on certain matters by Legal Aid SA which is referred to it by the relevant court in accordance with section 22 of the Legal Aid SA Act; and
- 12.2.4 The registration of articles of clerkship agreements between a principal at Legal Aid SA and the Candidate Attorney;
- 12.2.5 These services are available to members of the public who qualify in terms of Legal Aid SA's means test. Services so rendered must also fall within the ambit and objects of Legal Aid SA in terms section 3 of Legal Aid SA Act.

All of these services are more fully detailed in the Legal Aid SA Regulations.

12.3 Core Service Delivery Mechanisms

The core service delivery mechanism of Legal Aid SA is through:

- 12.3.1. representation by internal legal practitioners;
- 12.3.2 representation by accredited external legal practitioners. These instructions are allocated through an accreditation system that has specific regard to BBBEE Criteria;
- 12.3.3 representation in terms of the co-operation agreements, being the agreements entered into between Legal Aid SA and another party, not being an individual legal practitioner or a group/firm/company or legal practitioners. This is for the purpose of rendering legal services to persons for a specific area of law;

12.3.4 representation through agency agreement, where a private attorney is appointed through a procurement process to a specific remote court to provide legal services to qualifying legal aid applicants, and

12.3.5 Its Impact Litigation Unit on matters of a precedent setting nature.

12.3.6 Provision of legal advice through paralegals at the Legal Aid SA Local Offices and Satellite Offices as well as a toll free Advice Line/Call Centre (**0800 110 110**).

13. How to gain access to these services

13.1 Any person may gain access to Legal Aid SA services, provided that he or she qualifies in terms of the criteria and requirements stipulated in the Legal Aid Manual read with Regulations.

13.2 Such person may gain access to these services by submitting an application in the prescribed form at a Legal Aid SA Local Offices/Satellite Office and at any Court with any employee of Legal Aid SA at such court or where there is no Legal Aid SA employee at the Court, then to the Legal Aid Officer at the Court.

14. Arrangements for Public Participation in Policy Formulation

Formal mechanisms for public participation in policy formulation are not contained in the Legal Aid SA Act. Legal Aid SA welcomes public participation and inputs. However this cannot be translated into participation and representation on the Board, other than in accordance with the Legal Aid SA Act and the Board composition as set out above.

15. Contact details of Information Officer and Deputy Information Officers.

15.1 Information Officer

Name of Public Body	Legal Aid SA
Information Officer	CEO – Vidhu Vedalankar
Email address of Information officer	ceo@legal-aid.co.za
Street Address	29 De Beer Street Legal Aid House Braamfontein Johannesburg
Phone Number	011 877 2000
Fax number	011 877 2222
Docex	Docex 117, Johannesburg

15.2. The officials referred to in 2.3 and 2.4 above are delegated in writing by the Information Officer of Legal Aid SA to exercise the powers and perform the duties assigned to the Information Officer in terms of the Act relating to the requests for access to information in the possession or under the control of both support and legal functions of Legal Aid SA.

15.3. The Information Officer of Legal Aid SA has designated four Executives based at Legal Aid SA's National Office as Deputy Information Officers. All requests for access to information may be directed to them at the contact details set out below:

Deputy Information Officers	Chief Operations Officer (COO) – Jerry Makokoane
	National Operations Executive (NOE) – Brian Nair
	Chief Legal Executive (CLE) – Patrick Hundermark
	Legal Executive (LE) – Thembile Mtati
Email address	coo@legal-aid.co.za noe@legal-aid.co.za cle@legal-aid.co.za le@legal-aid.co.za
Postal Address	Private Bag X76 Braamfontein, 2107 Johannesburg
Street Address	29 De Beer Street Legal Aid House Braamfontein Johannesburg
Phone Number	011 877 2000
Fax number	011 877 2222
Docex	Docex 117, Johannesburg

15.4. Deputy Information Officers based at the Provincial Offices of Legal Aid SA

The Information Officer of Legal Aid SA has also designated six Provincial Executives as Deputy Information Officers. Requests that relate to a specific region are to be addressed to the Deputy Information Officer for that region at the contact details set out below. If a Requester is uncertain as to whether a request should be made to the National or Provincial Office or to which region his or her request relates to, the request must be addressed to the Information Officer of Legal Aid SA at the contact details set out above who will then direct the relevant Deputy Information Officer to deal with such request.

15.5 Gauteng Province

Name of Public Body	Legal Aid SA – Gauteng Province
Deputy Information Officer	Provincial Executive
Email Address	pegauteng@legal-aid.co.za
Postal Address	P O Box 16237 Lyttleton, 0157 Pretoria
Street Address	144 Cantonment Street Selborne Centre Lyttleton
Phone No.	012 664 2921
Fax No	012 664 6920
Docex	134, Pretoria

15.6 Western & Northern Cape Province

Name of Public Body	Legal Aid SA Western Cape/Northern Cape Province
Deputy Information Officer	Provincial Executive
Email Address	pewcnc@legal-aid.co.za
Postal Address	Shiraz House, Brandwacht Office Park, Stellenbosch
Street Address	Shiraz House, Brandwacht Office Park, Stellenbosch
Phone No.	021 861 3000
Fax No	021 886 8657
Docex	23 Stellenbosch

15.7 Limpopo & Mpumalanga Province

Name of Public Body	Legal Aid SA Limpopo/Mpumalanga Province
Deputy Information Officer	Provincial Executive
Email Address	pelmp@legal-aid.co.za
Postal Address	P O Box 11237, Bendor Park, 0713
Street Address	Cormar Building, 03 Rhodes Drift Ave, Bendor, Polokwane, 0700
Phone No.	015 296 0117 or 015 296 0148
Fax No	015 296 0102
Docex	56, Polokwane

15.8 Kwazulu –Natal Province

Name of Public Body	Legal Aid SA Kwazulu Natal Province
Deputy Information Officer	Provincial Executive
Email Address	pekzn@legal-aid.co.za
Postal Address	P O Box 2489, Pinetown, 3600
Street Address	7 th Floor, Charter House, Cnr Crompton/Union Street
Phone No.	031 717 8450
Fax No	031 702 1960
Docex	261, Durban

15.9 Free State & North West Province

Name of Public Body	Legal-Aid SA Northwest/Free State Province
Deputy Information Officer	Provincial Executive
Email Address	penwfs@legal-aid.co.za
Postal Address	P O Box 12798, Bloemfontein, 9301
Street Address	196 Nelson Mandela Drive, PHG Building, Bloemfontein, 9301
Phone No.	051 412 8040
Fax No	051 444 2386
Docex	125, Bloemfontein

15.10 Eastern Cape Province

Name of Public Body	Legal Aid SA Eastern Cape Province
Deputy Information Officer	Provincial Executive
Email Address	peec@legal-aid.co.za
Postal Address	P O Box 63799 Greenacres 6056
Street Address	5 Mangold Street, Newton Park
Phone No.	041 363 8863
Fax No	041 363 1216
Docex	131 Port Elizabeth

16. How to Request Access to Records held by Legal Aid SA

All the requests for access to information shall be made on a prescribed form accompanied by proof of payment of the prescribed fees. The requests shall be made

and addressed to the officials or designations set out in paragraph 15 above. The request shall be responded to in accordance with the provisions of the Act.

Should the requester be illiterate, the paralegals at the offices of Legal Aid SA (Local Offices or Satellite Offices) must assist the requester to complete the prescribed forms. In the event of persons who would ordinarily qualify for legal aid, no fee should be payable.

17. Records that may be requested

The records to be requested by a Requester means any recorded information regardless of its form or medium which is in the possession or under the control of Legal Aid SA, whether or not it was created by Legal Aid SA.

18. Request Procedures

18.1. A Requester shall be given access to a record held by Legal Aid SA if the following requirements as set out in the Act, are met, namely:

18.1.1 That the Requester complies with all the procedural requirements contemplated in the Act relating to a request; and

18.1.2 That access to that requested record is not refused in terms of any ground for refusal contemplated in the Act.

18.2 The right of a Requester to access information in terms of the Act is not affected by any reasons given by that Requester, or any belief by the Information Officer or Deputy Information Officer as to what the reasons for the request may be;

18.3 Requests for access to records held by Legal Aid SA must be made on the prescribed request forms (on payment of the prescribed fees, if any) that are available from the SAHRC's website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) under "regulations". For convenience a copy is also included in this Manual as **annexure 3**;

18.4 Requests for access to records must be made to the Information Officer or Deputy Information Officer at the address or fax number or electronic mail address provided herein above;

18.5 The Requester must provide sufficient detail on the request form to enable the Information Officer or Deputy Information Officer to identify the record requested.

The Requester should also indicate which form of access is required and indicate the manner in which he/she wishes to be informed of Legal Aid SA's decision regarding such request and state the necessary particulars to be so informed. The Requester must also state whether the record concerned is preferred in a particular language and also specify his or her postal address, fax number or electronic mail in the Republic of South Africa;

- 18.6 If a request is made on behalf of a person, the requester must then submit proof of the capacity in which he or she is making the request to the satisfaction of the Information Officer or Deputy Information Officer;
- 18.7 Should an individual be unable to make a request for access to a record of Legal Aid SA because of illiteracy or disability, he or she may make such a request personally and orally by visiting Legal Aid SA's offices. The Information Officer or Deputy Information Officer of Legal Aid SA or such person as may be delegated by them to assist (National or Provincial Office) or a Paralegal at Legal Aid SA Local Office or Satellite Office must then reduce the oral request to writing in the prescribed form and supply the requester with a copy thereof.
- 18.8 A standard form that must be used for the making of requests is attached as **annexure 3**. The form is included in this Manual which Legal Aid SA delivers after each review to the SAHRC and is also available from Legal Aid SA's offices and its website.
- 18.9 All requests to Legal Aid SA will be evaluated and considered in accordance with the Act. Publication of this Manual and describing the categories and subject matter of information held by Legal Aid SA does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of this Act.
- 18.10 The following records are automatically available and accessible for inspection without a fee and without compliance with the Act:
 - 18.10.1 Legal Aid SA's Annual Report;
 - 18.10.2 Legal SA's Tender Register;
 - 18.10.3 The Employment Equity Plan;
 - 18.10.4. Legal Aid South Africa Act 39 of 2014;
 - 18.10.5 The Legal Aid Manual.
 - 18.10.6. Regulations to Legal Aid South Africa Act

18.11 All records or information published on the website of Legal Aid SA and which are in the public domain do not require to be accessed in terms of the Act. However, in case of such request, it shall be sufficient to refer the Requester to the website, namely, www.legal-aid.co.za;

18.12 The Information Officer shall annually submit to the Minister an annual report or such further information as may be required by law.

19. Remedies available to the Requester in terms of the Act

19.1 A Requester that is aggrieved by a decision of the Information Officer or a Deputy Information Officer of Legal Aid SA, to refuse his or her request for access to any record may, by way of an application made within 30 days, approach the court for an appropriate relief.

19.2 A Requester that is aggrieved by a decision of the Information Officer or Deputy Information Officer of Legal Aid SA for requesting payment of the prescribed request fee, deposit or access fee in terms of section 22 of the Act, may by way of an application made within 30 days, approach the court for an appropriate relief.

19.3 A Requester that is aggrieved by a decision of the Information Officer or Deputy Information Officer of Legal Aid SA of extending the period over which to make a decision of whether or not to grant a request for access may, by way of an application made within 30 days, apply to court for an appropriate relief.

19.4 A Requester that is aggrieved by a decision of the Information Officer or Deputy Information of Legal Aid SA of not providing the access in a particular form, as requested by the Requester, may by way of an application made within 30 days, apply to court for an appropriate relief.

20. Other Information as may be prescribed in the Act

The information relating to the fees payable by the Requester has been included in **annexure 2**.

21. Prescribed Fees

- 21.1 The Act sets out two types of fees, namely a request fee and an access fee that are required to be paid prior to Legal Aid SA processing the request for information.
- 21.2 A personal requester, i.e. a requester who requests access to a record containing personal information is not required to pay the request fee. Any other requester, who is not a personal requester, will be required to pay such fees.
- 21.3 The Requester (other than a personal requester) must be notified by the Information Officer or Deputy Information Officer to pay the prescribed request fee before processing the request.
- 21.4 Should the Requester be aggrieved by the tender or payment of the request fee, the requester may bring an application to court.
- 21.5 The Information Officer or Deputy Information Officer must notify the Requester of his/her decision in the manner specified by the requester.
- 21.6 In the event that the Information Officer or Deputy Information Officer grants the request, a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours(6) six hours to prepare and search for the requested record.

The prescribed fees are set out below in terms of the regulations contemplated in the Act as **annexure 2**.

22. Records held by Legal Aid SA

Legal Aid SA keeps records on the categories and subject matters stipulated below. The recording of any category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis and in accordance with the provisions of the Act, and no right (contractual or otherwise) is created by describing such information.

22.1 Internal Records

The following are records pertaining to Legal Aid SA's own affairs:

22.1.1 Organogram of Legal Aid SA;

- 22.1.2 Financial records;
- 22.1.3 Operational records;
- 22.1.4 Intellectual property;
- 22.1.5 Marketing records;
- 22.1.6 Internal correspondence;
- 22.1.7 Statutory records;
- 22.1.8 Internal policies and procedures; and
- 22.1.9 Records held by officials of a public body.

22.2 **Personnel records**

Personnel records include:

- 22.2.1 any personnel records provided to the public body by their personnel;
- 22.2.2 any records a third party has provided to the public body about any of their personnel;
- 22.2.3 conditions of employment and other personnel related contractual and quasi-legal records;
- 22.2.4 internal evaluation records; and
- 22.2.5 other internal records and correspondence.

22.3 **Legal records**

Legal records include the following:

- 22.3.1 Information provided by client/users of Legal Aid SA services and those seeking its assistance;
- 22.3.2 Information, records, copies of documentation and the like provided to Legal Aid SA by legal representatives concerning matters funded by Legal Aid SA;
- 22.3.3 Records where Legal Aid SA is representing a client; and
- 22.3.4 Records relating to matters in which Legal Aid SA has an interest.

It should be noted that most, if not all of the information under this section is subject to legal privilege. Whilst all requests for such information will be considered, having regard to section 40 of the Act, it is likely that such requests will be granted only in very limited circumstances. The requesters are accordingly advised to confirm that they are in fact entitled to such records before making a request and to set out very clearly the reasons that such access is required so as to enable Legal Aid SA to evaluate such requests.

22.4 Records relating to other Parties

Legal Aid SA keep records in respect of other parties, including and without limitation to, attorneys and advocates, workers, contractors, suppliers, Departments, divisions and service providers. Alternatively, such other parties may possess records which can be said to belong to the public body. The following records fall under this category:

22.4.1 Personnel work or service related records which are held by another party as opposed to being held by Legal Aid SA;

22.4.2 Legal and other related client records held by a client's legal representative but paid for by Legal Aid SA; and

22.4.3 Records held by Legal Aid SA pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about their contractors or suppliers.

22.4.4 Other Records

Further records are held including, usual general ledger expenses, vouchers, invoices and the like; and research information belonging to Legal Aid SA or carried out on behalf of a third party.

23. Roles and Responsibilities of Deputy Information Officers

23.1 The Executives based at the National Office of Legal Aid SA and who are designated as Deputy Information Officers are delegated with all the powers and duties of the Information Officer of Legal Aid SA conferred to the Information Officer by the Act and are required to exercise the delegated powers and to perform the delegated functions in dealing with all requests for access of information held by Legal Aid SA at its National Office relating to their areas of functionality;

23.2 The Provincial Executives based at the Provincial Offices of Legal Aid SA are delegated with all the powers and duties of the Information Officer of Legal Aid SA conferred to the Information Officer by the Act and are required to exercise the delegated powers and to perform the delegated functions in dealing with all requests for access of information held by respective Regions of Legal Aid SA.

Annexure 1

LEGAL AID SOUTH AFRICA – PROVINCIAL AND LOCAL OFFICES TELEPHONE LIST
LEGAL AID SOUTH AFRICA
GAUTENG REGION

No	Legal Aid SA Local Office	Responsible Person	Postal Address	Physical Address	Telephone Number	Fax Number
GAUTENG PROVINCE						
1	Alexandra	Head of Office	P O Box 1192 Bramley 2018 Docex 5 Glen Hazel	650 Louis Botha Ave, Bramley Johannesburg 2018	011 786 3603 011 786 8170 011 786 9311	011 786 0862
2	Benoni	Head of Office	P O Box 2972 Benoni 1500 Docex 12	23 Tom Jones Street Bedford Court Building Benoni 1501	011 845 4311	011 420 2097
3	Germiston	Head of Office	P O Box 4302 Germiston South 1401 Docex 23	175 Corner Meyer & Library Street., United Building, 2 nd Floor	011 842 7300	011 872 1527

No	Legal Aid SA Local Office	Responsible Person	Postal Address	Physical Address	Telephone Number	Fax Number
4	Johannesburg	Head of Office	P O Box 62378 Marshalltown 2107 Docex 259	70 Fox Street Johannesburg 2001	011 870 1480	011 838 6658
5	Krugersdorp	Head of Office	P O Box 660 Krugersdorp 1740 Docex 19	3 rd Floor ABSA Building Cnr Kruger & Human Street Krugersdorp	011 660 2335	011 660 2050
6	Pretoria	Head of Office	P O Box 1281 Pretoria 0001 Docex 350	2 nd Floor FNB Building 206 Church Street Pretoria	012 401 9200	012 324 1950
7	Soshanguve	Head of Office	P O Box 401 Soshanguve 0152 Docex 5 Pretoria North	Medicos Centre Stand No 2093 Bock H Soshanguve 0152	012 797 2721	012 797 2573
8	Soweto	Head of Office	Private Bag X392 Pimville 1808 Docex 115	Office 411 Maponya Mall Klipspruit Soweto 1804	011 938 3547	011 983 8220

No	Legal Aid SA Local Office	Responsible Person	Postal Address	Physical Address	Telephone Number	Fax Number
9	Tembisa	Head of Office	P O Box 1725 Tembisa 1620 Docex 30 Kempton Park	Shop No. 42 & 42, Tembisa Mega Mart Tembisa 1620	011 316 0164	086 650 1248
10	Vereeniging	Head of Office	P O Box 3948 Vereeniging 1930 Docex 25	8 Jasmine Mansions Senator Marks Ave Vereeniging 1938	016 421 3527	016 421 4287
Gauteng Provincial Office		Provincial Executive	P O Box 16237 Lyttelton 0140 Docex 134	144 Cantonment Street Selborn Centre Lyttelton Pretoria 0157	012 664 2921	012 664 6920

No	Legal Aid SA Local Office	Responsible Person	Postal Address	Physical Address	Telephone Number	Fax Number
EASTERN CAPE PROVINCE						
1	Aliwal North	Head of Office	P O Box 153 Aliwal North Docex 4	67 Somerset Street Aliwal North 9750	051 633 2530 051 633 2579	051 634 2662
2	Butterworth	Head of Office	P O Box 553 Butterworth 4960 Docex 1	ECDC Building 31 High Street Butterworth 4960	047 401 3800 047 491 0006	086 530 4119
3	East London	Head of Office	P O Box 7570 East London 5200 Docex 57	33 Fleet Street Entrance Commissioner Street East London 5200	043 704 4700	043 722 3503
4	Graaf-Reinet	Head of Office	P O Box 326 Graaf-Reinet 6280 Docex 3	64 Church Street Graaf-Reinet 6280	049 807 2500	049 892 6033
5	Grahamstown	Head of Office	P O Box 105 Grahamstown 6140 Docex 18	69 High Street Grahamstown 6140	046 622 9350	046 622 8873
6	King Williams Town	Head of Office	P O Box 2323 King Williams Town	2 nd Floor Old Mutual Bld Cnr Cathcart & Macclean Street King Williams Town	043 604 600	043 642 4885

			5600 Docex 4			
7	Mthatha	Head of Office	P O Box 536 Mthatha 5099 Docex 13	PRD Building 96 Sutherland Street Mthatha 5099	047 501 4600	047 531 4144
8	Port Elizabeth	Head of Office	P O Box 27989 Port Elizabeth Docex 127	1 Uitenhage road Volvo Building Port Elizabeth 6011	041 408 2800	041 487 3335 041 484 2421
9	Queenstown	Head of Office	P O Box 1398 Queenstown 5320 Docex 28	No 2- 4 Shepstone Road Queenstown 5319	045 807 3500	045 838 4620
10	Uitenhage	Head of Office	P O Box 459 Uitenhage 6230 Docex 6	32-36 Baird Street Uitenhage 6230	041 991 1811	041 991 1815
Eastern Cape Provincial Office		Provincial Executive	P O Box P O Box 63799 Greenacreas Port Elizabeth 6056 Docex 131	5 Mangold road Newton Park Port Elizabeth 6056	041 373 8863	041 373 1216

No	Legal Aid SA Local Office	Responsible Person	Postal Address	Physical Address	Telephone Number	Fax Number
KWAZULU NATAL PROVINCE						
1	Durban	Head of Office	P O Box 4397 Durban 4000 Docex 214	22 Dorothy Nyembe Marine Building 4000	031 304 0100 031 304 3162 031 304 3163	031 304 3564 031 304 0471
2	Empangeni	Head of Office	P O Box 38 Empangeni 3880 Docex 18	Mazuli House 7 Maxwell Street Empangeni 3008	035 792 4949 035 792 4952	035 792 4954
3	Ladysmith	Head of Office	P O Box 1181 Ladysmith 3370 Docex 9	371 Murchison Street(Cnr Murchison & Eggbert opposite Anderson Motors) PBS Building Ladysmith 3370	036 638 2500	036 637 5036
4	Newcastle	Head of Office	P O Box 1850 Newcastle 2940 Docex 7	65 Scott Street Newcastle 2940	034 328 7100	034 312 3426
5	Pietermaritzburg	Head of Office	Suite 173 Postnet X9118 Pietermaritzburg 3200 Docex 64	183 Church Street, Pietermaritzburg 3201	033 394 2190 033 394 2264	033 342 2576

No	Legal Aid SA Local Office	Responsible Person	Postal Address	Physical Address	Telephone Number	Fax Number
6	Pinetown	Head of Office	P O Box 1006 Pinetown 3600 Docex 162	1 st Floor ABSA Building 1 Church road Pinetown 3600	031 719 2700	031 701 5880
7	Port Shepstone	Head of Office	P O Box 50148 Port Shepstone 4240 Docex 5	2 nd Floor MB Building 49 Aiken Street Opposite ABSA Bank Port Shepstone, 4240	039 688 9600	039 682 5908
8	Umlazi	Head of Office	P O Box 36265 Ntokozweni 4089 Docex 1	V1332 Ithala Industrial Park Cnr Mangosuthu Highway & Road 1902 Umlazi, 4031	031 918 8100	031 906 1477
9	Verulam	Head of Office	P O Box 183 Verulam 4340 Docex 380	Suite 1 Ayesha Razak Centre 1 st Floor Ayesha Razak Centre 31 Groom Street Verulam, 4340	032 533 2654 032 533 2657 032 533 2449 032 533 3068 032 533 3417 032 533 5328	032 533 2651
10	Vryheid	Head of Office	P O Box 852 Vryheid 3100 Docex 5	Ground Floor Suite ABSA Building 199A Church Street Vryheid, 3100	034 989 8300 034 989 8301	034 989 8311
KwaZulu Natal Provincial Office		Provincial Executive	P O Box 2489 Pinetown 3600 Docex 261	7 th Floor Charter House Crompton Street Pinetown 3600	031 717 8450	031 702 1960

WESTERN CAPE & NORTHERN CAPE PROVINCE

No	Legal Aid SA Local Office	Responsible Person	Postal Address	Physical Address	Telephone Number	Fax Number
WESTERN CAPE						
1	Athlone	Head of Office	P O Box 166 Athlone 7760 Docex 9	2 nd Floor Melofin Centre Athlone	021 697 5252	021 697 5316
2	Bellville	Head of Office	Docex 70	68 2 nd Floor Van der Stel Building Cnr Voortrekker & Durban Durban Road Belville,7535	021 949 3062	021 949 2534
3	Cape Town	Head of Office	P O Box 516 Cape Town 8000 Docex 19	60 St. Georges Mall, Reserve Bank Building Cape Town 8001	021 426 4126	086 662 8100
4	George	Head of Office	Docex 27	Tommy Joubert Building Cnr Craddock & Courtenay Street George 6530	044 802 8600	044 874 0779
5	Caledon	Head of Office	Docex 3	22 Church Street Caledon 7230	028 212 1815	028 212 1826

6	Malmesbury	Head of Office	Docex 6	47 Voortrekker Road The Frank Building 1 st Floor Malmesbury	022 482 1784	022 482 4449
7	Stellenbosch	Head of Office	P O Box 534 Stellenbosch 7600 Docex 38	Office 201, 2 nd Floor Eikestad Mall Stellenbosch,7600	021 882 9221	021 882 9237
8	Vredendal	Head of Office	Docex 3 Vredendal	9 Dorp Street Vredendal 8160	027 201 1030	027 213 2627
9	Worcester	Head of Office	Docex 1	First Floor WC Building Cnr High & Stockenstrom Street Worcester, 6850	023 348 4040	023 348 4051
NORTHERN CAPE						
10	Colesburg	Head of Office	Docex 4 Colesburg	8 Campbell Street Colesburg 9795	051 753 2280/3 051 753 2281	051 753 2284
11	Kimberley	Head of Office	P O Box 846 Kimberley 8300 Docex 4	5 Sydney Street Pretmax Building Kimberley 8570	053 832 2348	053 832 2356
12	Upington	Head of Office	Postnet 100 P/Bag X5879 Upington, 8800 Docex 12	16 Weideman Street Upington 8801	054 337 9200	054 337 9210

Western & Northern Cape Provincial Office	Provincial Executive	Docex 23 Stellenbosch	Shiraz House Brandwacht Office Park Trumali Road Stellenbosch,7600	021 861 3000	021 886 8657	
FREE STATE & NORTH WEST PROVINCE						
No	Legal Aid SA Local Office	Responsible Person	Postal Address	Physical Address	Telephone Number	Fax Number
FREE STATE						
1	Bethlehem	Head of Office	P O Box 1324 Bethlehem 9700 Docex 15	24 Cnr Commissioner and Naude Street Bethlehem 9700	058 303 6824	058 303 6823
2	Bloemfontein	Head of Office	P O Box 9899 Bloemfontein 9300 Docex 46	41 Charlotte Maxeke Street, Southern Life Plaza building Bloemfontein 9301	051 447 9915 051 447 7263 051 447 0466 051 447 2136 051 447 0902 051 447 5043	051 447 2106
3	Botshabelo	Head of Office	P O Box 6141 Botshabelo 9781 Docex 1	Suite No 5 Varese Centre Botshabelo 9781	051 534 4398	051 534 4930
4	Kroonstad	Head of Office	P O Box 2229 Kroonstad 9500 Docex 12	99 Murray Street Kroonstad 9501	056 216 4800	056 212 4522
5	Phuthadithjaba	Head of Office	Private Bag X831 Witsieshoek	FDC Office Block E Cnr Motlounge & Setai Street	058 713 4953 058 713 4983 058 713 5000	058 713 5002

			9870	Phuthadithjaba 9866		
NORTH WEST						
7	Ga-Rankuwa	Head of Office	P O Box 23 Ga-Rankuwa North 0209 Docex 3 Akasia	Shop No 58A Ga-Rankuwa City Centre Ga-Rankuwa North 0209	012 700 0595 012 700 0587 012 700 0565 012 700 1416	012 700 0890 012 700 1908
8	Klerksdorp	Head of Office	P O Box 2793 Klerksdorp 2570 Docex 9	19 BraamFischer Street Klerksdorp 2571	018 464 3022	018 462 8607
9	Lichtenburg	Head of Office	P O Box 1208 Lichtenburg 2740 Docex 7	25 Bantjes Street Lichtenburg 2740	018 632 7600	018 632 7609
10	Mafikeng	Head of Office	Private Bag x2125 Mafikeng 2745 Docex 8	3 rd Floor, East Gallery Mega City Complex Mmabatho 2735	018 384 3505 018 384 4668 018 384 4267 018 384 4768	018 384 4796
11	Potchefstroom	Head of Office	P O Box 1447 Potchefstroom 2520 Docex 23	2 nd Floor Royal Building James Moroka Avenue Potchefstroom 2531	018 293 0045	018 297 7425
12	Rustenburg	Head of Office	P O Box 2090 Rustenburg 0300 Docex 31	122 Beyers Naude Albech Building Rustenburg 0300	014 592 3185	014 592 3187

13	Vryburg	Head of Office	P O Box 652 Vryburg 8601 Docex 7	71 Vry Street Vryburg 8601	053 927 0095 053 927 0145 053 927 0142	053 927 0119
Free State & North West Provincial Office		Provincial Executive	P O Box 12798 Bloemfontein 9301 Docex 125	196 Nelson Mandela Drive PhG Building Bloemfontein 9301	051 412 8040	051 444 2386

LIMPOPO & MPUMULANGA PROVINCE

No	Legal Aid SA Local Office	Responsible Person	Postal Address	Physical Address	Telephone Number	Fax Number
LIMPOPO						
1	Makhado	Head of Office	P O Box 4591 Louis Trichardt,0920	Noor Gardens Cnr Krogh & Devenish Street Louis Trichardt,0920	015 519 1100	015 519 1103
2	Modimolle	Head of Office	P O Box 4373 Modimolle 0510 Docex 8	Shop 8 Nyl Sake Sentrum Nelson Mandela Drive Modimolle, 0510	014 717 4977	014 717 4980
3	Polokwane	Head of Office	P O Box 1314 Polokwane 0700 Docex 24	Corner Bicard and Bodnsteis Street, High Court Building, Polokwane,0700	015 291 2429	015 295 4386
4	Thohoyandou	Head of Office	P O Box 3550 Thohoyandou 0950 Docex 3	Shop 2 Metropolitan Complex Thohoyandou 0950	015 9626206 015 962 6268 015 962 6269	015 962 6383
5	Tzaneen	Head of Office	P O Box 2365 Tzaneen 0850 Docex 16	2 nd Floor Tzaneen Crossing Mall Cnr Lydenburg & Skurving Street Tzaneen, 0850	015 307 3129 015 307 6223 015 307 3227 015 307 3216	015 307 3113

MPUMALANGA						
6	Ermelo	Head of Office	P O Box 656 Ermelo 2350 Docex 9	14 Joubert Street Ermelo 2350	017 8197291 017 819 7292	017 819 7270
7	Middelburg	Head of Office	P O Box 827 Middelburg 1050 Docex 3	5A Lavers Street Clubville Middleburg 1050	013 282 1253	013 282 1235
8	Nelspruit	Head of Office	P O Box 5103 Nelspruit 1200 Docex 31	Room 806 8 th Floor 30 Brown Street Nedbank Building Nelspruit 1200	013 753 2154 013 755 5019 013 752 6635 013 752 3691 013 752 2384 013 752 6207	013 755 1540
9	Witbank	Head of Office	P O Box 4373 Witbank 1035 Docex 51	Vusani Building Arras Street 7 th floor Witbank, 1035	013 656 5296 013 656 2061 013 656 0583 013 690 2283	013 656 5291
Limpopo & Mpumalanga Provincial Office		Provincial Executive	P O Box 11237 Bendor Park 0713 Docex 56 Polokwane	Cormar Building, 03 Rhodes Drift Avenue Bendor Polokwane 0700	015 296 0117 015 296 0148	015 296 0102

Annexure 2

Fees in respect of Public Bodies

Part II of Notice 187 in the Government Gazette on 15th February 2002.

1. The fees for a copy of the manual as contemplated in Regulation 5(c) is 0.60 for every copy of an A-4 page or part thereof.
2. The fees for reproduction referred to in regulation 7(1) are as follows:

	R
(a) For every photocopy of an A-4 size page or part thereof	0.60
(b) For every printed copy of an A4-size page or part thereof held on a computer in electronic or machine readable form	0.40
(c) For a copy in a computer-readable form on	
(i) stiffy disc	5.00
(ii) compact disc	40.00
(d) (i) for a transcription of visual images or an A-4 size page or part thereof	22.00
(ii) for a copy of an visual images	60.00
(e) (i) for a transcription of visual images or an A-4 size page or part thereof	12.00
(ii) for a copy of an audio record	17.00

3. The request fee payable by every requester, other than a personal requester, referred to in Regulation 7(2) is **R35, 00**.
4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	0.60
(b) for every printed copy of an A4-size page or thereof held on a computer or in electronic or machine readable form	0.40
(c) for a copy in computer – readable form on	
(i) stiffy disc	5.00
(ii) compact disc	40.00
(d)for a transcription of visual images for an A-4 size page or part thereof	20.00
for a copy of visual images	60.00

(f) For a transcription of audio record, for an A4-size page or part thereof	12.00
(g) To search for and prepare the record for disclosure R15.00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation	

5. For purposes of section 22(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) One third of the access fee is payable as a deposit by the requester.

6. The actual postage is payable when a copy of a record must be posted to a Requester.

Annexure 3

Prescribed Forms for Access to Information Request for Access to Record of Public Body

(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

For Departmental Use
Request received by (state rank, name and surname of Information Officer/deputy Information Officer) on (date) at (place)
Request fee (if any) R _____
Deposit (if any) R _____
Access fee R _____
Signature of Information Officer/Deputy Information Officer

A. Particulars of public body

Name of Public Body	
Information Officer	
Deputy Information Officer (if any)	
Email address of Information Officer/Deputy Information Officer	
Postal address	
Street Address	
Phone Number	
Fax Number	

- (a) The particulars of the person who requests access to the record must be recorded below:
- (b) Furnish an address and/or fax number in the Republic to which information must be sent
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

B. Particulars of person requesting access to the record

Full names and surname: Identity number: Postal address:

Fax Number; Telephone Number; E-mail address.

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed only if a request for information is made on behalf of another person

Full names and surname:

Identity number:

D. Particulars of record

- (a) 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.
- (b) If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign off all the additional folios.**

1. Description of record or relevant part of the record
2. Reference number, if available
3. Any further particulars of record.

E. Fees

- (a) A request for access to a record, other than record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) 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.
- (d) If you qualify for exemption of the payment of any fee, please state the reason therefore

Reason for exemption from payment of fees:

F. Form of access to record

Disability	Form in which record is required
<p>NOTES</p> <p>(a) Your indication as to the required form of access depends on the form in which the record is available.</p> <p>(b) Access in the form requested maybe effused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>	

Mark the appropriate box with an "x"

1. If the record is in written printed form			
	Copy of record		Inspection of record

2. If record consists of visual images:- (this includes photographs, slides, video recordings, computer-generated images, sketched, etc)			
	View the images		Copy of the images
			Transcription of the images

3. If record consists of recorded words or information which can be reproduced in sound			
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack (written or printed document)

4. If record is held on computer or in an electronic or machine-readable form:	
Printed copy of record	printed copy of information derived from the record