





**MARX GORE CHARTERED ACCOUNTANTS (S.A.)**  
**PARTNERSHIP**  
**BETWEEN ERIC MICHAEL MARX AND MARC CHARLES GORE**

**PAIA MANUAL**  
**in terms of**  
***Section 51***  
**of the Promotion of Access to Information Act**  
**Act 2 / 2000**  
**("PAIA, the "ACT")**

*Updated by Marx Gore - 26 June 2021*

## INDEX

1. Introduction:
2. Contact Details **(Section 51 (1) (a))**
3. The ACT and Section 10 Guide **(Section 51(1) (b))** *please note that this clause is mandatory to be included in all S 51 Manuals as is.*
4. Applicable Legislation **(Section 51 (1) (c))**
5. Schedule of Records **(Section 51 (1) (d))**
6. Form of Request **(Section 51 (1) (e))**
7. Any other Information **(Section 51 (1) (f))** *e.g.prescribed fees, organogram, etc*

## 1. **INTRODUCTION**

**Marx Gore Chartered Accountants (S.A.) ("Marx Gore") trade as Registered Accountants and Auditors in Public Practice offering a host of related services including, but not limited to:**

- **Compilation, Review and Audit of annual financial statements**
- **Taxation compliance and Tax Practitioner Services**
- **CIPC compliance and Company Secretarial Services**
- **Payroll and Accounting Services**
- **Various other related services**

**The head of Marx Gore is the Information Officer.**

## 2. **BUSINESS CONTACT DETAILS** (Section 51 (1) (a))

- Physical Address – 1 The Pavilion, Central Park, Esplanade Road, Century City, 7441
- Postal Address – Postnet Suite 160, Private Bag X18, Milnerton, 7435
- Telephone Number – 021 555 3 6666
- Email – [info@marxgore.co.za](mailto:info@marxgore.co.za)
- Website – [www.marxgore.co.za](http://www.marxgore.co.za)
- Partners: Eric Michael Marx and Marc Charles Gore
- Information Officer: Eric Michael Marx
- Information Officer Email – [eric@marxgore.co.za](mailto:eric@marxgore.co.za)

## 1. **THE PAIA ACT** (Section 51(1) (b))

- 3.1** The Act grants a Requester access to Records of a Private Body, if the Record is required for the exercise or protection of any Rights.
- 3.2** Requests in terms of the Act shall be made in accordance with the prescribed procedures.
- 3.3** Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain Information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the SA Humans Rights Commission are:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone Number:	+27-11-877 3600
Fax Number:	+27-11-403 0625
Website:	<a href="http://www.sahrc.org.za">www.sahrc.org.za</a>

4. **APPLICABLE LEGISLATION (Section 51 (1) (c))**

No	Ref	Act
1	No 71 of 2008	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 37 of 2002	Financial Advisory and Intermediary Services Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 69 of 1984	Close Corporations Act
10	No 25 of 2002	Electronic Communications and Transactions Act
11	No 2 of 2000	Promotion of Access of Information Act
12	No 30 of 1996	Unemployment Insurance Act
13	No 9 of 1999	Skills Development Act 9 of 1999 and amendments
14	No 53 of 2003	Broad Based Black Economic Empowerment Act
15	No 130 of 1993	Compensation for Occupational Injuries and Disease Act
16	No 85 of 1993	Occupational Health & Safety Act No. 85 of 1993

5. **SCHEDULE OF RECORDS (Section 51 (1) (d))**

Records	Subject
Public Affairs	<ul style="list-style-type: none"><li>• Public Service Information</li><li>• Public Firm Records</li><li>• Firm communications</li></ul>
Financial and Tax	<ul style="list-style-type: none"><li>• Financial Statements</li><li>• Financial and Tax Records</li><li>• Asset Register</li></ul>
Clients	<ul style="list-style-type: none"><li>• Client information</li><li>• Client engagement letters</li></ul>
Suppliers	<ul style="list-style-type: none"><li>• Supplier information</li><li>• Supplier contracts</li></ul>
Human Resources	<ul style="list-style-type: none"><li>• Salary records</li><li>• Company Policies and Procedures</li><li>• Leave records</li><li>• Employee records</li></ul>

6. **FORM OF REQUEST (Section 51 (1) (e))**

To facilitate the processing of your request, kindly:

- 6.1 Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za).

- 6.2 Address your request to the Head of the Business (CEO).
- 6.3 Provide sufficient details to enable the Business to identify:
- (a) The Record(s) requested;
  - (b) The Requester (and if an agent is lodging the request, proof of capacity);
  - (c) The form of access required;
  - (d) (i) The postal address or fax number of the Requester in the Republic;  
(ii) If the Requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
  - (e) The right which the Requester is seeking to exercise or protect with an explanation of the reason the Record is required to exercise or protect the right.

7. **PRESCRIBED FEES (Section 51 (1) (f))**

The following applies to requests (other than personal requests):

- 7.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2 If the preparation of the Record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.3 A requestor may lodge an application with a Court against the tender/payment of the request fee and/or deposit;
- 7.4 Records may be withheld until the fees have been paid.
- 7.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za).

8. **INFORMATION OR RECORDS NOT FOUND**

If all reasonable steps have been taken to find a record, and such a record cannot be found or if the records do not exist, then Marx Gore will notify the requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested record. If the record in question should later be found, the requester shall be given access to the record in the manner stipulated by the requester unless access is refused by Marx Gore as permitted by PAIA.

9. **INFORMATION REQUESTED ABOUT A THIRD PARTY**

Where any information is requested from Marx Gore that relates to a third party, Marx Gore is required to notify the third party of the request. The third party has an opportunity to grant his, her or its consent to the disclosure of the record or to make representations as to why the requested record should not be disclosed to the requester. If Marx Gore decides to grant access to the record, it will notify the affected third party again. The third party is entitled to apply to court in relation to that decision. The court will then determine whether the record should be disclosed by Marx Gore or not.



REPUBLIC OF SOUTH AFRICA

**FORM C**  
**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**  
**(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))**  
**[Regulation 10]**

**A. Particulars of private body**

The Head:

**B. Particulars of person requesting access to the record**

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

Full names and surname:

.....

...

Identity number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Postal address:

.....

...

Telephone number:

(.....) .....

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

Reason for exemption from payment of fees:

.....

.....

.....

.....

.....



**F. Form of access to record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:  Mark the appropriate box with an <b>X</b> .  NOTES: (a) Compliance with your request for access in the specified form may depend on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.	Form in which record is required:
---	-----------------------------------

<b>1. If the record is in written or printed form:</b>					
	copy of record*		inspection of record		
<b>2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):</b>					
	view the images		copy of the images*		transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)		
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
--	-----	----

**G. Particulars of right to be exercised or protected**

If the provided space is inadequate, please continue on a separate folio and attach it to this form. <b>The requester must sign all the additional folios.</b>
---

1. Indicate which right is to be exercised or protected:

.....

.....

.....

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

.....

.....

.....

**H. Notice of decision regarding request for access**

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

.....

Signed at ..... this day..... of .....year .....

.....

SIGNATURE OF REQUESTER /

PERSON ON WHOSE BEHALF REQUEST IS MADE