

**MANUAL for**

# **SYMINGTON & DE KOK ATTORNEYS**

**Prepared in terms of the requirements of the  
PROMOTION OF ACCESS TO INFORMATION ACT**

**No 2 of 2000**

(hereinafter referred to as “**the Act**”)

**The manual may be amended from time to time and as soon any  
amendments have been finalised, the latest version of the manual will be  
made public.**



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## 1. INTRODUCTION

**The Act** gives effect to the constitutional right of access to any information held by the state or any information that is held by another person which is required for the exercise or protection of any rights. **The Act** sets out the requisite procedures associated with any such requests for information.

In terms of **the Act**, where a request for information is made to a body, there is an obligation to provide the information, except where **the Act**, expressly provides that the information may not be released. In that context, Section 9 of **the Act** recognises that access to information can be limited. The limitation relates to circumstances where its release would pose a threat to the protection of privacy, commercial confidentiality, and the exercising of efficient governance.

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## 2. CONTACT DETAILS

**Name:** Symington & De Kok Attorneys

**Nature of Business:** Attorneys, Conveyancers and Notaries

**Managing Partner:** Mr De Buys Human

### **BLOEMFONTEIN OFFICE:**

**Postal Address:** P. O. Box 12012  
Brandhof  
9324

**Street Address:** 169b Nelson Mandela Drive  
Bloemfontein

**Telephone Number:** (051) 505 6600

**Telefax Number:** (051) 430 4806

**Email Address:** giles@symok.co.za

**Information Officer:** Giles Johannes Rehbock

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**HERMANUS OFFICE:**

**Postal Address:** P. O. Box 1404  
Hermanus  
7200

**Street Address:** Suite nr. 8  
Hermanus Office Park  
Patersonstreet 7  
Hermanus  
7200

**Telephone Number:** (028) 312 2255

**Telefax Number:** (028) 312 2325

**Email Address:** [coetzee@symok.co.za](mailto:coetzee@symok.co.za)

**BELLVILLE OFFICE**

**Postal Address:** P. O. Box 5281  
Tygervalley  
7536

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**Street Address:** Ground Floor  
Vineyards Square South  
The Vineyards Office Estate  
99 Jip De Jager Drive  
Tygervalley  
Bellville  
7530

**Telephone Number:** (021) 913 3137

**Telefax Number:** (021) 913 3240

**Email Address:** [janine@symok.co.za](mailto:janine@symok.co.za)

Public information on Symington & De Kok Attorneys and its services are available in brochure form at the head office.

### 3. **GUIDE TO THE MANUAL AND ITS ACCESS**

At the time of the preparation of this Manual, the South African Human Rights Commission had not compiled the guide contemplated in Section 10 of **the Act**. It is understood that the guide is to contain such information as may reasonably be required by a person who wishes to exercise any rights contemplated in **the Act**. Therefore, any enquiries relating to this guide should be directed to the CEO of the South African Human Rights Commission, Private Bag 2700, Houghton, 2041. Telephone (011) 484 8300 or Fax (011) 484 1360.

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Further information may be accessed from the web site [www.sahrc.org.za](http://www.sahrc.org.za)

#### 4. **RECORDS**

##### 4.1 **Records available in terms of Section 52 of the Act** (records available without a person having to request access).

Symington & De Kok Attorneys keep information/documents in accordance with the following legislation (please note that this is not an exhaustive list): -

- ***Insolvency Act, 24 of 1936 (Sections 12,34 and 155)***
- ***Pension Funds Act, 24 of 1956***
- ***Income Tax Act, 58 of 1962 (Section 75)***
- ***Companies Act, 61 of 1973***
- ***Copyright Act, 98 of 1978***
- ***Attorneys Act, 53 of 1979***
- ***Regional Services Councils Act, 109 of 1985***
- ***Value Added Tax Act, 89 of 1991 (Section 65)***

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- ***Occupational Health and Safety Act, 85 of 1993***
  - ***Compensation for Occupational Injuries and Diseases Act, 130 of 1993 (Section 97)***
  - ***Labour Relations Act, 66 of 1995***
  - ***Basic Conditions of Employment Act, 75 of 1997 (Section 31)***
  - ***Employment Equity Act, 55 of 1998 (Section 26)***
  - ***Skills Development Act, 97 of 1998***
  - ***Medical Schemes Act, 131 of 1998***
  - ***Skills Development Levies Act, 9 of 1999***
  - ***Unemployment Insurance Act, 63 of 2001***

The above records, in so far as it being of a public nature are available automatically without a person having to request access thereto in terms of **the Act**, as envisaged in Section 52.

#### 4.2 **Records that are held at Symington & De Kok Attorneys' Head Office.**

(in terms of Section 51 (1)(e) of **the Act**)

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Symington & De Kok Attorneys hold the information/documents listed herein below:

- Details relating to the operational, commercial and financial interests of Symington & De Kok Attorneys
- Commercial contracts
- Client data base (personal information of client, commercial and financial information, information on contemplated existing and past litigation, information on agreements, proposals and intellectual property of such clients)
- Standard Employment Contracts
- Employment Equity Report
- Skills Development Report
- Symington & De Kok Personnel Report
- Human Resources (personal information of past, present and prospective employees and partners)
- List of trademarks and pending applications
- Insurance policies

- Rules and regulations relating to the pension fund

The Symington & De Kok website address is [www.symok.co.za](http://www.symok.co.za) and it is accessible to anyone with access to the internet. It contains a profile on Symington & De Kok, its contact particulars, services rendered and fields of expertise and its professional staff.

It is recorded that any and all documents/information requested pertaining to the aforementioned shall only be made available to the requestor subject to the provisions of **the Act**. None of the information held by Symington & De Kok is automatically available without a person having to request access in terms of and subject to the provisions of **the Act**.

## 5. INFORMATION REQUEST PROCEDURE

To request a document in terms of **the Act**, the requester must use the prescribed form. This must be submitted to the managing partner of Symington & De Kok Attorneys or the Information Officer of Symington & De Kok Attorneys. The requester must provide sufficient detail to enable Symington & De Kok to identify the record and the requester. The requester must identify the right that he/she is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right. If the request is made on behalf of a person, the requester must submit proof of the capacity in which the requester is making the request.

In terms of section 63 of **the Act**, the head of Symington & De Kok Attorneys must refuse a request for access to a record if its disclosure would involve the unreasonable disclosure of

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personal information about a third party, including a deceased individual. Furthermore, the head of Symington & De Kok Attorneys must refuse a request for access to a record of the partnership if the record contains; trade secrets, financial, commercial, scientific and technical information, the disclosure of which could harm the interests of Symington & De Kok Attorneys. Similarly, in terms of section 64 of **the Act**, the above refusal grounds apply in respect of the commercial information of third parties held by Symington & De Kok Attorneys. Access to such records will require the written permission of the third party concerned before Symington & De Kok Attorneys will permit access to view.

In accordance with the above mandatory refusal grounds, the Information Officer will make a decision whether to accede to a request for access to information.

Any search, reproduction, and document preparation necessitated by requests for information will be undertaken in accordance with the prescribed fees.

#### 6. **OTHER INFORMATION (Section 51(1)(f) of the Act)**

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this Section.

#### 7. **MANUAL AVAILABILITY**

In addition to the availability of this Manual at the South African Human Rights Commission, it can be accessed on the website of Symington & De Kok Attorneys [www.symok.co.za](http://www.symok.co.za). Copies

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may also be obtained from the Information Officer of Symington & De Kok Attorneys.

In respect of hard copies, any transmission costs/postage will be for the account of the requester.

