

LEGAL SECTOR CHARTER COUNCIL (LSCC): POLICY MANUAL

POPIA AND PAIA MANUAL: JULY 2026

1. SCOPE AND OBJECTIVES OF THE POLICY

- 1.1. Section 32(1) of the Constitution of the Republic of South Africa provides that everyone has the right of access to any information held by the state, and any information held by another person, that is required for the exercise or protection of any rights. The Promotion of Access to Information Act 2 of 2000, as amended, ("PAIA") was enacted to give effect to the constitutional right of access to information.
- 1.2. The purpose of PAIA is to foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information, and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all their rights.
- 1.3. Section 10(2)(f) – (g) of PAIA does this by requiring public (government) and private (non-government) bodies to create a manual describing the type of records they hold, the procedures for others to access that information and the fees to be paid in relation to requests for access.
- 1.4. Section 12 of PAIA, read with Section 14 of the Protection of Personal Information Act ("POPIA") also sets limits on the types of information that can be accessed i.e., information requested might not be granted under various circumstances.
- 1.5. PAIA reinforces the confidentiality of this information by providing that it must not be disclosed in terms of PAIA, except to the person to whom it relates or that person's authorised representative.
- 1.6. This manual informs requestors of procedural and other requirements which a request must meet as prescribed by PAIA and further incorporates or addresses the requirements of POPIA.

2. AVAILABILITY OF THIS MANUAL

- 2.1. In terms of section 52 of PAIA, read with the relevant regulations and provisions of POPIA, this manual is made available –
- 2.1.1. on the LSCC's website <https://lsc.org.za> at no cost;
- 2.1.2. by contacting the LSCC and arranging to inspect a hard copy during normal business hours at no cost; and
- 2.1.3. by contacting the Information Officer who will provide copies at a fee.

3. CONTACT DETAILS OF INFORMATION OFFICER

3.1. Information Officer (IO)

Name: Ms. Charity Nzuza
Position: Chief Executive Officer
Postal Address: Fairway Office Park,
Ground Floor, Gleneagles Building,
52 Grovenor Road,
Bryanston,
Sandton, 2191
Email: info@lsc.org.za

3.2. Deputy Information officer (DIO)

Name: Adv. Koketso Matlala
Position: Legal Officer
Postal Address: Fairway Office Park,
Ground Floor, Gleneagles Building,
52 Grovenor Road,
Bryanston,
Sandton, 2191
Email: info@lsc.org.za
Tel: 011 040 5608

3.3. Deputy Information officer (DIO)/ Access to general information

Name: Samantha Eriss

Position: Senior Executive Administrator

Postal Address: Fairway Office Park,
Ground Floor, Gleneagles Building,
52 Grovenor Road,
Bryanston,
Sandton, 2191

Email: info@lsc.org.za

Tel: 011 040 5608

4. CATEGORIES OF RECORDS AND AVAILABILITY

- 4.1. Records of a public nature, typically those disclosed on the website, in the Council's various annual reports, may be accessed without the need to submit a formal application. The table below sets out the categories of records, held by the LSCC, and those that are available automatically.

RECORDS THAT ARE AUTOMATICALLY AVAILABLE	
Information regarding the composition of the Charter Council	Available at https://lsc.org.za
Reporting templates and other reporting tools	Available at https://lsc.org.za
Legal Sector B-BBEE Codes of Good Practice_ Government Gazette No. 51271, published on 20 September 2024	Available at https://lsc.org.za and https://lpc.org.za and DOC-20240923-WA0078.pdf

- 4.2. Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application, however, please note that an appointment to view such records will still have to be made with the Information Officer.
- 4.3. Records and documents are retained in terms of legislation listed below. Unless disclosure is prohibited in terms of legislation, regulations and/or contractual agreements, records that are to be made available in terms of PAIA and/or POPI shall be made available for inspection by interested parties in terms of the requirements of PAIA. The request to access must be done in terms of the requirements of PAIA.
- 4.4. Whilst records are maintained in respect to the following laws, this does not imply that a request for access to such records shall be granted. All requests for access will be evaluated on a case-by-case basis in

accordance with the provisions of PAIA and/or POPIA. These records that are kept in terms of the following legislation –

- 4.4.1. Basic Conditions of Employment Act, No 75 of 1997;
 - 4.4.2. Companies Act, No 71 of 2008;
 - 4.4.3. Compensation for Occupational Injuries & Diseases Act, 130 of 1993;
 - 4.4.4. Customs & Excise Act, 91 of 1964
 - 4.4.5. Employment Equity Act, No 55 of 1998;
 - 4.4.6. Electronic Communications and Transactions Act, No 25 of 2002;
 - 4.4.7. Income Tax Act, No 58 of 1962;
 - 4.4.8. Labour Relations Act, No 66 of 1995;
 - 4.4.9. Occupational Health & Safety Act, No 85 of 1993;
 - 4.4.10. Promotion of Access to Information Act, No 4 of 2013;
 - 4.4.11. Skills Development Levies Act, No 9 of 1999;
 - 4.4.12. Unemployment Contributions Act 4 of 2002; and
 - 4.4.13. Value-added Tax Act, No 89 of 1991.
- 4.5. The table below sets out the categories of records, held by the LSCC, that may be accessed upon request. Please note however, recording of a category or subject in this manual does not imply that a request for access to such records will be granted. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA and/or POPIA and any other applicable laws.

RECORDS THAT ARE NOT AUTOMATICALLY AVAILABLE	
These documents include but are not limited to, the memorandum of incorporation, NPO certificate, PBO exemption letter, records relating to the appointment of Council members, records relating to the appointment of the CEO, Auditors and/or company secretariat, minute books, Council resolutions, delegations of authority, declarations of interests, policy documents, material contracts and, compliance certificates	Company Secretarial
These documents include but are not limited to, MoUs, lease agreements, asset registers, agreements with other companies, suppliers, service providers and other parties, licensing	Legal Services

agreements, trademarks, patents, designs, know-how, insurance policies and insurance claims.	
These documents include but are not limited to policies and procedures, employment equity information, employee information and records, personnel files, payroll data, general conditions of service, employment contracts, forms and applications and workplace records.	Human Resources
These documents include but are not limited to, accounting records, financial statements, reports and returns, banking details and bank statements, debtors/creditors statements, invoices, annual financial statements, and tax records	Finance and Accounting
These documents include but are not limited to, permits, licenses, consents, approvals, authorisations, applications and registrations, policies and procedures, reports and supporting documentation, contractor, client and supplier agreements and information, and security documents.	Operations and Administration
These documents include but are not limited to, system documentation and manuals, IT policies, business rescue (cyber), disaster recovery and implementation plans.	Information Technology
These documents include but are not limited to, stakeholder information, reports, B-BBEE records, correspondence and the minutes of engagement sessions.	Stakeholder Services

5. PROCESSING OF PERSONAL INFORMATION

- 5.1. PAIA requires the Council to provide data subjects or requesters with certain information related to POPI. This information relates to how personal information that is processed by the Council, is amongst others, used, disclosed and destroyed.
- 5.2. The Council is also required to provide you with information on your rights in relation to Personal Information that is collected, processed and stored.
- 5.3. The Council is committed to its data privacy obligations and the Council will be receptive to any queries or requests made by requesters or data subjects in relation to their personal information.

- 5.4. Personal Information will only be processed in accordance with the provisions of POPIA. This includes but is not limited to Personal Information that is required for –
- 5.4.1. rendering services, such as receiving annual report submissions and fulfilling the Council's responsibilities in terms of paragraph 13.7 of the Legal Sector Code;
 - 5.4.2. employee administration;
 - 5.4.3. transacting with suppliers;
 - 5.4.4. maintaining records;
 - 5.4.5. recruitment purposes;
 - 5.4.6. stakeholder engagements;
 - 5.4.7. complying with tax laws and other applicable legislation; and
 - 5.4.8. any other relevant administrative purposes in terms of any other law, code or standard.
- 5.5. The Council may possess or possesses records relating to legal practitioners, suppliers, employees, and Council members. Below is a non-exhaustive list of all the categories of data subjects and categories of personal information that the Council process which include but are not limited to –

CATEGORY OF PERSONAL INFORMATION PROCESSED	CATEGORY OF DATA SUBJECT
Names; contact details, physical and postal addresses, date of birth; ID number; Passport number; Financial information, Tax related information, nationality, gender; confidential correspondence	Natural Persons
Names of contact persons, Name of Legal Entity, Physical and Postal address and contact details, Financial information, Registration Number; Founding documents; Tax related information, authorised signatories, beneficiaries, ultimate beneficial owners.	Juristic persons
Names of contact persons, Name of Legal Entity, Physical and Postal address and contact details; Financial information, Registration Number; Founding documents, Tax related information, authorised signatories, beneficiaries, ultimate beneficial owners.	Suppliers

Gender; Marital Status, Ethnicity, Age, Home Language, Education information, Financial Information, Employment History, ID number; Physical and Postal address, Contact details, Opinions, Criminal behaviour, Well-being.	Council Members and Employees
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- 5.6. The Council may supply personal information to service providers who render the following services –
- 5.6.1. restoring of data; and
 - 5.6.2. conducting due diligence checks.
- 5.7. The Council may share personal information with international associations or regulators on an ad hoc basis. If the Council does transfer personal information to third parties outside of South Africa, the Council will ensure that the recipient of the information is subject to a law, binding corporate rules or binding agreement which provide an adequate level of protection.
- 5.8. The Council is required to employ appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information.
- 5.9. The Council employs up to date technology to ensure the confidentiality, integrity and availability of the personal information under its care, measures include firewalls, virus protection software and update protocols, secure access control, secure setup of hardware and software making up the IT infrastructure; outsourced service providers who process personal information on behalf of the Council are contracted to implement security controls.

6. ACCESS TO RECORDS AND REQUEST PROCEDURE

- 6.1. Requests for information can be submitted either online or in hard copy by completing the attached formal request form (Annexure 1), which is also available on the LSCC's website; and sending the request to the addresses listed in paragraph 3 above.
- 6.2. The Council will acknowledge receipt of a request, in writing, within fourteen (14) days of receipt and will advise within 30 (thirty) days whether the information is accessible and how and where it may be collected.

- 6.3. Should a requester not receive an acknowledgement of receipt in writing within fourteen (14) days, the requester should contact the Deputy Information Officer(s) to ensure that the request has been received.
- 6.4. The 30 (thirty) day period within which the Council will decide on the request, may be extended once for a further period of not more than 60 (sixty) days, if –
 - 6.4.1. the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with activities of the Council;
 - 6.4.2. consultation with another entity is necessary or desirable to decide upon the request and that consultation cannot reasonably be completed within the original period;
 - 6.4.3. the requester consents in writing to the extension.
- 6.5. Should the Council extend the original period, the Council shall as soon as reasonably possible, but in any event within 60 days after the request is received, notify the requester of the extension, the reasons for the extension and the period of the extension.
- 6.6. The requester will be required to pay the fee to the Council, as provided for in PAIA and the regulations; before the Council will begin searching for the required information and before the record that has been requested is made available.
- 6.7. On receipt of the prescribed fee, Council may provide the record in the format that was requested on submission of the request form, or in the format in which the record exists, if the requested format is not available.
- 6.8. If the requester is requesting information on behalf of another individual, he or she must indicate the capacity in which he or she is related to the individual, and provide appropriate written authority to represent that person, with a view to avoiding the denial of access on the basis that the information is confidential to that individual.
- 6.9. The requester must mention the format of the record that has been requested when making the request, so that Council can be of maximum assistance to the requester.

- 6.10. If the requester has a disability or is unable to read or write, he or she should contact the Deputy Information Officer(s) who will assist him or her in completing the request.

7. FACTORS TO BE TAKEN INTO CONSIDERATION WHEN REQUESTING ACCESS

- 7.1. Access to records requested will be given if –

- 7.1.1. the request is properly made on the prescribed form Annexure 1;
- 7.1.2. proof of authority to act on behalf of another is provided, in cases where the request is made as such;
- 7.1.3. the record requested is sufficiently described to enable the Council to identify it;
- 7.1.4. the required fees have been paid; and
- 7.1.5. access to the record is not refused on one or more grounds of refusal stipulated in PAIA.

- 7.2. The grounds for refusal as set out in POPIA and/or PAIA are categorised as follows –

- 7.2.1. requester's identity cannot be verified;
- 7.2.2. requested information contains evaluative material and its disclosure would breach an implied or express expectation of confidentiality;
- 7.2.3. mandatory protection of privacy of a third party who is a natural person;
- 7.2.4. mandatory protection of commercial information of a third party;
- 7.2.5. mandatory protection of certain confidential information of a third party;
- 7.2.6. mandatory protection of safety of individuals and protection of property;
- 7.2.7. mandatory protection of records privileged from production in legal proceedings;
- 7.2.8. commercial information of the Council; and
- 7.2.9. mandatory protection of research information of a third party and protection of research information of the Council.

8. PRESCRIBED FEES

- 8.1. Section 54 of PAIA sets out two (2) types of fees, a request fee (which will be a standard fee) and an access fee (which must be calculated by considering reproduction costs, search and preparation time and cost, as well as postal costs where applicable), that are required to be paid prior to the Council accessing the request for information.
- 8.2. A personal requester, that is a requester who requests access to a record containing that person's personal information, is not required to pay the request fee. Any other requester will be required to pay

such fee, as stipulated below. The access fee in respect of the search, preparation time and disclosure of records does not apply to the personal record of a requester.

- 8.3. When the DIO receives the PAIA request he/she shall, by notice, require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.
- 8.4. If a search for the record is necessary and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the DIO shall notify the requester to pay as a deposit the prescribed portion (being not more than one third) of the access fee which would be payable if the request is granted.
- 8.5. The Deputy Information Officer shall withhold a record until the requester has paid the fee or fees as indicated.
- 8.6. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the requested form.
- 8.7. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer will repay the deposit to the requester.
- 8.8. A request fee of **R150.00** and relevant access fee is payable in advance where a requester submits a request for access to information other than personal information relating to the requester him or herself.

DESCRIPTION	AMOUNT
Request fee	R150.00
Photocopy of A4-size page	R7.00 per page or part thereof
Printed copy of A4-size page	R7.00 per page or part thereof
For a copy in a computer readable form on either a Flash Drive (USB) or Compact Disc (NB! USB/Compact Disc to be provided by requester)	R100.00
For a transcription of visual images per A4-size page	Service to be outsourced.
Copy of visual images	

Transcription of an audio record, per A4-size page	Will depend on quotation from Service provider.
For a copy of an audio record on either a Flash Drive (USB) or Compact Disc (NB! USB/Compact Disc to be provided by requester)	R100.00
To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of	R100.00
Deposit: If search exceeds 6 hours One third of amount per request calculated in terms of items 2 to 8	If search exceeds 6 hours, one-third (1/3) of amount per request calculated depending on the type of request
Postage, e-mail or any other electronic transfer	Actual expense, if any.

9. APPLICATION TO COURT

- 9.1. A requester who is aggrieved by a decision of the Council may, by way of an application, within 30 days of the date of the decision, apply to a court for appropriate relief in terms of Section 82 of PAIA.
- 9.2. The court hearing the application may grant any order that is just and equitable, including an order –
 - 9.2.1. confirming, amending or setting aside the decision which is the subject of the application concerned;
 - 9.2.2. requiring the Council to take such action or to refrain from taking such action as the court considers necessary within a period mentioned in the order;
 - 9.2.3. granting an interdict, interim or specific relief, a declaratory order or compensation; or
 - 9.2.4. as to costs.

10. IMPLEMENTATION AND REVIEW

- 10.1. This policy comes into effect from the approval date of Council and must be reviewed every three (3) years from the date of approval or as and when there are changes to organisational operations and/or relevant legislation.

Policy Owner	Legal Sector Charter Council		
Effective Date	1 July 2026		
Review Date	1 July 2029		
Authorised by	Chairperson		
		Signature	Date
	Chief Executive Officer		
		Signature	Date
Note	The Legal Sector charter Council reserves the right to amend this manual as and when required.		

ANNEXURE 1

REQUEST FOR ACCESS TO RECORD

[REGULATION 7]

NOTE:

- 1) *Proof of identity must be attached by the requester.*
- 2) *If the request is made on behalf of another person, proof of authorisation must be attached to this form.*

TO: The Deputy Information Officer

ADDRESS:

EMAIL:

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		
Email Address		
Contact Numbers	Tel:	
	Cell:	
PERSONAL INFORMATION OF THE PERSON ON WHOSE BEHALF THE REQUEST IS MADE		
Full Names		
Identity number		
Postal Address		
Street Address		
Email Address		
Contact Numbers	Tel:	
	Cell:	
PARTICULARS OF RECORDS REQUESTED		
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.)		
Description of record or relevant part of the record		
Reference number (if available)		

Any further particulars of record	
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>	
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 <i>a) A request fee must be paid before the request will be considered.</i> <i>b) You will be notified of the amount of the access fee to be paid.</i> <i>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.</i> <i>d) If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>		
Reason		

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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, by **marking the applicable box with an "X."**

☐ Postal Address

☐ Email

Signed at _____ on this _____ day of _____ 202 _____

Signature of requester/ person on whose behalf request is made

FOR OFFICIAL USE	
<i>Reference number:</i>	
<i>Request received by: (State Rank, Name And Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

Signature of Information Officer