

## **PRIMERIO FORENSICS ("FORENSICS")**

### **ACCESS TO INFORMATION MANUAL**

#### **PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 ("THE ACT/ PAIA")**

#### **Introduction**

1. Primerio Forensics is a forensic services firm based in Sandton, Gauteng, specialising in forensic investigations, anti-fraud services, cross-border and commercial disputes, asset recovery, regulatory advice, and bespoke forensic and advisory services.

2. This PAIA manual has been prepared pursuant to and in accordance with the PAIA manual requirements for a private body as provided by Section 51(1) of the Act.

#### **Information Officer**

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4. Email: nicolas.o@primerioforensics.com

5. Telephone: 011 083 2412

#### **Primerio Forensics details**

6. Street address: 135 Daisy St, Sandown, Sandton, 2031

7. Phone: +27 (0) 11 083 2411

8. Email: info@primerioforensics.com

9. Website: <https://primerioforensics.com>

#### **Description of the guide referred to in section 10 of the Act and how to obtain access to it**

10. For further guidance on how to exercise rights under PAIA, see the Information Regulator's PAIA Manual prepared in terms of Section 14 of the Act, as amended June 2021, available in each official language of South Africa.

11. In this regard see the following information of the Information Regulator:

11.1 Website: <https://www.justice.gov.za/infoereg/docs.html>

11.2 Postal address: P.O Box 3153, Braamfontein, Johannesburg, 2017

11.3 Physical address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

#### **Categories of information available without having to request access in terms of the Act and/or documents available in terms of other legislation.**

12. All brochures and other marketing material prepared by Primerio Forensics is available on our website without having to make a formal request. Further, details relating to Primerio Forensics's registration and general company details can be found on the [CIPC Bizportal](#).

13. All other information held by Primerio Forensics is confidential and must be requested in accordance with the procedure set out below.

14. A request for information does not create a right to receive such information. In this regard see Chapter 4 of the Act which provides the grounds of refusal.

### **Records available in accordance with other legislation - Section 51(1)(d)**

15. To the extent applicable, Primerio Forensics keeps records as may be required in terms of the following legislation (not automatically available):

- 15.1 Attorneys Act, 53 of 1979;
- 15.2 Basic Conditions of Employment Act, 75 of 1997;
- 15.3 Broad-Based Black Economic Empowerment Act, 53 of 2003;
- 15.4 Companies Act, 71 of 2008;
- 15.5 Compensation for Occupational Injuries and Diseases Act, 130 of 1993;
- 15.6 Consumer Protection Act, 68 of 2008;
- 15.7 Employment Equity Act, 55 of 1998;
- 15.8 Electronic Communications and Transactions Act, 25 of 2002;
- 15.9 Financial Intelligence Centre Act, 38 of 2001;
- 15.10 Income Tax Act, 58 of 1962;
- 15.11 Information Act, 70 of 2002;
- 15.12 Insolvency Act, 24 of 1936;
- 15.13 Labour Relations Act, 66 of 1995;
- 15.14 Legal Practice Act 28 of 2014;
- 15.15 Medical Schemes Act, 131 of 1998;
- 15.16 National Credit Act, 34 of 2005;
- 15.17 Occupational Health and Safety Act, 85 of 1993;
- 15.18 Promotion of Access to Information Act, 2 of 2000;
- 15.19 Protection of Personal Information Act 4 of 2013;
- 15.20 Skills Development Act, 97 of 1998;
- 15.21 Skills Development Levies Act, 9 of 1999;
- 15.22 Unemployment Insurance Act, 63 of 2001;
- 15.23 Unemployment Insurance Contributions Act, 4 of 2002; and
- 15.24 Value Added Tax Act, 89 of 1991

### **Information held by Primerio Forensics**

16. A request for records can be made for the following categories:

<b>Subject of records</b>	<b>Categories of records</b>
Management records	Memorandum of Incorporation Incorporation documents Shareholder's agreement Shareholder's register Founding documents Firm records Director resolutions

	<ul style="list-style-type: none"> <li>Minutes of meetings</li> <li>BEE credentials</li> <li>POPIA policy</li> <li>Establishment records</li> <li>Intellectual property records</li> </ul>
Financial records	<ul style="list-style-type: none"> <li>Tax records</li> <li>Creditors and debtors</li> <li>Banking details</li> <li>Insurance records</li> <li>Invoices</li> <li>Income statements</li> <li>Reconciliations</li> <li>Cashflow statements</li> </ul>
Human resources	<ul style="list-style-type: none"> <li>Employee contracts</li> <li>Payroll records</li> <li>PAYE records</li> <li>Fidelity Fund certificates</li> <li>Company policy</li> <li>Employee records</li> <li>HR policy</li> <li>UIF records</li> </ul>
Regulatory documents	<ul style="list-style-type: none"> <li>Auditors certificate</li> <li>Trust investments</li> <li>Fidelity Fund certificates</li> <li>Documentation required by applicable legislation</li> </ul>
Clients	<ul style="list-style-type: none"> <li>Documentation received from clients</li> <li>Correspondence with clients and third parties</li> <li>Records relating to legal proceedings involving Primerio</li> <li>Forensics and its clients</li> <li>Agreements with clients</li> <li>Client files</li> <li>Opinions</li> </ul>
IT records	<ul style="list-style-type: none"> <li>Records and software used</li> <li>Policies and procedures</li> <li>Network and systems</li> </ul>
Administration records	<ul style="list-style-type: none"> <li>Suppliers and customer agreements</li> <li>Asset register</li> <li>Agreements of lease of moveable and immovable property</li> </ul>

### **Procedure to request access to records**

17. PAIA requires a requester to submit the request on the required form, as prescribed by Regulations, accessible at: <https://www.justice.gov.za/infoREG/docs/forms/InfoRegSAPAIA-Form02-Reg7.pdf> and attached as Annexure "A" hereto.

18. The form must be sent to the Information Officer via the email address provided above.

19. Sufficient detail should be provided to allow the Information Officer to identify the record of information that is being requested and specify the right that the requester seeks to protect.
20. A letter of authority or power of attorney must be submitted where the request is made on behalf of another person.
21. Failure to use the correct form may result in a rejection of the request, refusal of the request due to insufficient information or a delay in processing the request.
22. Upon lodging the request, a request fee will be payable before the request is considered.
23. The requester will be informed on the amount that must be paid in accordance with the prescribed fees for requests for access to the records of private bodies, available at: <https://www.justice.gov.za/legislation/notices/2021/20210827-gg45057gon757-PAIAregulations.pdf>.

### **Notification of decision**

24. The requester will be notified of the outcome to the request in accordance with the method provided by the requester in the prescribed form.
25. In accordance with Section 57 and 58 of the Act, the requester will be notified of a decision to grant or decline the request within 30 days (subject to the possibility of a 30 day extension).
26. If the Information Officer does not give a decision within the aforementioned period, the request is deemed to have been refused.

### **Remedies available for a refusal to provide the request for information**

27. The Act does not prescribe an internal appeal procedure for private bodies.
28. Should the requester be aggrieved by a decision they can lodge an application to court in accordance with the procedure provided in section 78-82 of the Act.

### **Availability of Primerio Forensics's PAIA manual**

29. A copy of Primerio Forensics's PAIA manual is freely available on our website and at our principal place of business for public inspection (during normal business hours).
30. Upon request, a hard copy can be provided upon payment of a reasonable fee.
31. Primerio Forensics's PAIA manual is freely available to the Information Regulator upon request.

### **Updates to this Manual**

32. This manual will be updated and published whenever material changes are made thereto.