



ACCESS TO INFORMATION MANUAL

Prepared in terms of the Promotion of Access to Information Act, 2000.

Last updated: 10 April 2026

1. INTRODUCTION

1.1 The Company

Stowell & Co Inc is a firm of Attorneys, Notaries Public and Conveyancers admitted to practice as such in the High Court of South Africa.

1.2 Legislation

The Promotion of Access to Information Act, 2000 (PAIA), read with the relevant sections of the Protection of Personal Information Act, Act No. 4 of 2013 (POPIA), aims to give effect to the constitutional right of access to information held by public and private bodies, subject to justifiable limitations.

This Manual has been compiled in compliance with the requirements of PAIA and POPIA and in line with our firm's culture of integrity.

The purpose of this manual is to:

- Inform the public of the South African Human Rights Commission (SAHRC) Guide on how to use PAIA and how to access the guide.
- Outline categories of records held by the firm.
- Outline the procedure applicable to requests for records.
- Outline fees applicable to requests for records.

1.3 Applicability

This Manual applies to all directors, partners, employees, consultants, and any other persons acting under the authority of the Firm.

2. CONTACT DETAILS

2.1. The Company

Name:	Stowell & Co Incorporated t/a Stowell & Co
Registration Number:	1996/006895/21
Physical Address:	295 Pietermaritz Street Pietermaritzburg, 3201
Postal Address:	P O Box 33, Pietermaritzburg, 3300
Telephone Number:	033-8450500
Fax Number:	033-3428840

Website: www.stowell.co.za

2.2 Information Officer

The Firm has appointed an Information Officer and a Deputy Information Officer in terms of section 55 of POPIA, who are responsible for compliance with both PAIA and POPIA. All requests in terms of PAIA and POPIA may be addressed to the Information Officer and Deputy Information officer.

Information Officer: The Hon. Rupert Edwardes

Telephone Number: 0338450500

Email Address: ruperte@stowell.co.za

Deputy Information Officer: Neermala (Susan) Ramchandra

Telephone Number: 0338450545

Email Address: susang@stowell.co.za

3. SAHRC GUIDE ON HOW TO USE PAIA

3.1 Section 10 of the Act imposes a duty upon the South African Human Rights Commission (SAHRC) to compile and make available to the general public a guide setting out the steps to be taken by a person wishing to access information in terms of the Act.

3.2 A copy of this Guide is available for inspection at the offices of SAHRC situated at Braampark Forum 3, 33 Hoof Street, Braamfontein, Gauteng, South Africa, and on their website at www.sahrc.org.za.

3.3 Contact details for SAHRC are as follows:

Post: The South African Human Rights Commission

Promotion of Access to Information Unit

Research and Documentation Department

Private Bag X2700

Houghton

2041

Telephone: 011-4848300

Fax: 011-4840582

Website: www.sahrc.org.za

4. CATEGORIES OF RECORDS HELD BY THE FIRM

CATEGORY	RECORDS
Client-related records	• litigation files; • conveyancing and property transaction records; • deceased estate and fiduciary records; • trust and commercial matter files; • correspondence, pleadings, opinions, and advice; • billing and payment records.
FICA and Compliance Records	• client identification and verification documentation; • risk assessments and compliance reports.
Trust and Financial Records	• trust accounting records; • bank statements; • audit reports; • financial statements.
Employment and Human Resources Records	• personnel files; • payroll records; • disciplinary and performance records.
Operational and IT Records	• internal policies and procedures; • electronic communications; • data security and access logs; • system usage records.

5. DISCLOSURE IN TERMS OF SECTION 51(1)(d) OF INFORMATION IN TERMS OF OTHER LEGISLATION

5.1. Stowell & Co Inc retains information and documents in accordance with the following legislation (please note that this is not an exhaustive list).

- Administration of Estates Act, No. 66 of 1965
- Basic Conditions of Employment Act, No. 75 of 1997
- Companies Act, No. 71 of 2008
- Employment Equity Act, No. 55 of 1998
- Financial Intelligence Centre Act, No. 38 of 2001
- Insolvency Act, No. 24 of 1936
- Skills Development Act, No. 97 of 1998
- Unemployment Insurance Act, No. 63 of 2001
- National Credit Act, No. 34 of 2005
- Protection of Personal Information Act, No. 4 of 2013

6. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION

6.1. A request from a Data Subject must comply with all the procedural requirements as contained in section 53 of PAIA relating to a Request for Access to a Record.

6.2. The requester must use the prescribed form to make the request for access to a record. The prescribed forms are available from the Information Officer and on the SAHRC website (www.sahrc.org.za). The request must be forwarded to the Information Officer by way of post or email.

6.3. The request must be submitted to the Information Officer and must:

- provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester,
- identify the right sought to be exercised or protected,
- indicate which form of access is required, and
- indicate if any other manner is to be used, in addition to a written reply, to inform the requester of the outcome of the request.

6.4. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

6.5. The firm will process the Request for Access and notify the Requestor of the decision within 30 days of receipt of the Request for Access, unless the Request for Access is of such a nature that an extension of the prescribed time limit is necessitated in accordance with section 57 of PAIA.

7. GROUNDS FOR REFUSAL OF A REQUEST FOR INFORMATION

7.1. Access to records may be refused on grounds provided for in Chapter 4 of PAIA.

7.2. Such grounds include, but are not limited to:

- mandatory protection of personal privacy of third parties;
- protection of confidential commercial information of a third party;
- protection of attorney-client privilege;
- records privileged from disclosure in legal proceedings.

7.3. Where a request for access to records concerns a third party in any manner above-mentioned, the firm will inform the third party within 21 days of receiving the request and allow the third party to make representations and/or submissions regarding the granting of access to the record. The third party will be informed of the decision made to grant or refuse access to the record.

7.4. Despite any provisions of the Act, access to information must be granted if the disclosure of the information would reveal evidence of a substantial contravention of, or failure to comply with, the law, or imminent and serious public safety or environmental risk, and the public interest in the disclosure of the record clearly outweighs the harm contemplated.

8. DECISION ON REQUEST AND NOTICE THEREOF

8.1 The Information Officer will, as soon as reasonably practicable, within 30 days of receiving the request, decide to grant or refuse the request to access and notify the requester of the decision, and if access is granted, state the fee applicable.

9. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

9.1. If a requested record cannot be found or if the records do not exist, the Information Officer shall, by way of an affidavit or an affirmation, notify the Requestor that it is not possible to give access to the requested record.

9.2. The affidavit or affirmation shall provide an account of all reasonable steps taken to find the record or to determine its existence.

9.3. This notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of PAIA.

9.4. If the record should later be found, the Requestor shall be given access to the record in the manner stipulated by the Requestor in the prescribed form unless access is refused by the Information Officer.

10. FEES

10.1 A requester who seeks access to a record containing personal information about that requester is not required to pay a request fee. Every other requester, who is not a personal requester, must pay the prescribed request fee.

10.2 A requester will be requested to pay the prescribed fee before the request is processed. The prescribed fees are available on request from the Information Officer, as well as from the SAHRC website at www.sahrc.org.za.

10.3 If the request is granted, the requester will be required to pay the prescribed access fee for the search, reproduction, and preparation of the record and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

11. PROTECTION OF PERSONAL INFORMATION ACT (POPIA)

10.1. The Firm implements appropriate technical and organisational measures to safeguard personal information against loss, unauthorised access, or unlawful processing.

10.2. In terms of POPIA, a requester to whom certain personal information relates may request the Firm to confirm, free of charge, whether or not it holds personal information about that particular requester.

10.3. A requester may make a request that the Firm provides the record or a description of the personal information about the requester which is held by it, including information about the identity of third parties, or categories of third parties, who have, or have had, access to the information. This request must be made within a reasonable time, in a reasonable manner, and format, at a fee, and in a form that is generally understandable.

10.4. Purposes of processing personal information:

- the provision of legal services;
- compliance with legal and regulatory obligations;
- financial and administrative management.
- To carry out actions necessary for the performance of employment contracts in respect of employees or the consideration of applications for employment.

10.5. Data Subject Rights:

In terms of POPIA, data subjects may:

- request access to their personal information;
- request correction, deletion, or destruction of inaccurate or unlawfully held information;
- object to the processing of personal information in certain circumstances.

12. COMPLAINTS TO THE INFORMATION REGULATOR AND FURTHER RELIEF

- 12.1. Data subjects may lodge complaints with the Information Regulator in respect of the unlawful processing of their personal information.
- 12.2. Contact details of the Information Regulator are as follows:
Email: infoREG@justice.gov.za
- 12.3. A requester who is dissatisfied with the decision of the Information Officer of Stowell & Co Inc may, subject to the provisions of the Act, apply to the Court for appropriate relief within 30 days from the date of notification of the decision.

13. AVAILABILITY OF MANUAL

- 13.1 This manual is available on the Stowell & Co website at www.stowell.co.za.
- 13.2 A copy of the manual may be requested from the Information Officer, subject to the payment of the prescribed fee.