PAIA Manual

This manual was prepared in accordance with section 51 of the Promotion of Access to Information Act, 2000 and to address requirements of the Protection of Personal Information Act, 2013.

This manual applies to

Dr's Botha & Shone
Vascular Practice

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1. BACKGROUND TO THE PROMOTION OF ACCESS TO INFORMATION ACT

1.1. The Promotion of Access to Information Act, No. 2of 2000 (the "Act) was enacted on 3 February 2000, giving effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 (the "Constitution") of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights.

1.2. In terms of section 51 of the Act, all Private Bodies are required to compile an Information Manual ("PAIA Manual").

1.3. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and / or regulatory requirements, except where the Act expressly provides that the information may be adopted when requesting information from a public or private body.

2. Dr's Botha & Shone Vascular Practice

2.1 Dr's Botha & Shone are vascular surgeons based in Port Elizabeth, Eastern Cape. The practice offers specialized vascular treatment and surgery.

3. PAIA MANUAL

3.1. The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability within Dr's Botha & Shone Vascular Practice by giving the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.

3.2. In order to promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in relation to public and privatebodies.

3.3. Section 9 of the Act recognises that the right to access information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

3.3.1. Limitations aimed at the reasonable protection of privacy;

3.3.2. Commercial confidentiality; and

3.3.3. Effective, efficient and good governance;

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and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

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3.4. This PAIA Manual complies with the requirements of guide mentioned in section 10 of the Act and recognises that upon commencement of the Protection of Personal Information Act 4 of 2013, that the appointed Information Regulator will be responsible to regulate compliance with the Act and its regulations by private and public bodies.

4. CONTACT DETAILS OF THE MANAGING DIRECTOR [SECTION 51(1)(A)]

Managing Director:	Dr RG Botha
Registered Address:	Suite 111 St Georges Hospital Medical Centre 40 Park Drive Port Elizabeth 6001 SOUTH AFRICA
Postal Address:	Suite 111 St Georges Hospital Medical Centre 40 Park Drive Port Elizabeth 6001 SOUTH AFRICA
Telephone Number:	083 264 2100 / 041 373 3361
Website:	https://vascularsurgeons.co.za/

5. THE INFORMATION OFFICER [SECTION 51(1)(B)]

5.1. The Act prescribes the appointment of an Information Officer for public bodies where such Information Officer is responsible to, inter alia, assess request for access to information. The head of a private body fulfils such a function in terms of section 51. Dr's Botha & Shone Vascular Practice has opted to appoint an Information Officer to assess such a request for access to information as well as to oversee its required functions in terms of the Act.

5.2. The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013. The Information Officer oversees the functions and responsibilities as required for in terms of both this Act as well as the duties and responsibilities in terms of section 55 of the Protection of Personal Information Act 4 of 2013 after registering with the Information Regulator.

5.3. The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of the Act as well as section 56 of the Protection of Personal Information Act 4 of 2013. This is in order to render Dr's Botha & Shone Vascular Practice as accessibleas reasonable possible for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of the Protection of Personal Information Act 4 of 2013. All request for information in terms of this Act must be addressed to the Information Officer.

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CONTACT DETAILS OF THE INFORMATION OFFICER

Information Officer: Dr RG Botha

Physical Address: Suite 111

St Georges Hospital Medical Centre

40 Park Drive

Port Elizabeth

6001

SOUTH AFRICA

Telephone Number: 083 264 2100 / 041 373 3361

Email: ruan@vascularsurgeons.co.za

6. GUIDE OF SA HUMAN RIGHTS COMMISSION (SECTION 51(1) (B))

6.1. 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. If a public body lodges a request, the public body must be acting in the public interest.

6.2. Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

6.3. 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.

6.4. The contact details of the Commission are:

Contact body:	**The South African Human Rights Commission**
Physical Address:	PAIA Unit 29 Princess of Wales Terrace Cnr York and Andrew Streets Parktown
Postal Address:	Private Bag 2700, Houghton 2041
Telephone Number:	+27 11 877 3600
E-Mail:	PAIA@sahrc.org.za
Web Site:	www.sahrc.org.za

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7. THE LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY)[SECTION 51(1)(C)]

No notice has been published on the categories of records that are automatically available without a person having to request access in terms of Section 52(2) of PAIA.

8. SUBJECTS AND CATEGORIES OF RECORDS AVAILABLE ONLY ON REQUEST TO ACCESS IN TERMS OF THE ACT (SECTION 51(1) (E))

8.1. **Records held by** Dr's Botha & Shone Vascular Practice

For the purposes of this clause 8.1, "Personnel" refers to any person who works for, or provides services to, or on behalf of Dr's Botha & Shone Vascular Practice and receives or is entitled to receive

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remuneration and any other person who assist in carrying out or conducting the business of v. This includes, without limitation, directors (executive and non- executive), all permanent, temporary and part-time staff, as well as contract workers.

This clause serves as a reference to the categories of information that Dr's Botha & Shone Vascular Practice holds. The information is classified and grouped according to records relating to the following subjects and categories:

SUBJECT	CATEGORY
Companies Act Records	• All trust deeds; • Documents of Incorporation; • Index of names of Directors; • Memorandum of Incorporation; • Minutes of meetings of the Board of Directors; • Minutes of meetings of Shareholders; • Proxy forms; • Register of debenture-holders; • Register of directors' shareholdings; • Share certificates; • Share Register and other statutory registers and/or records and/or • documents; • Special resolutions/Resolutions passed at General and Class • meetings; • Records relating to the appointment of: • Auditors; • Directors; • Prescribed Officer. • Public Officer; and • Secretary
Financial Records	• Accounting Records; • Annual Financial Reports; • Annual Financial Statements • Asset Registers; • Bank Statements; • Banking details and bank accounts;
	• Banking Records; • Debtors / Creditors statements and invoices; • General ledgers and subsidiary ledgers; • General reconciliation; • Invoices; • Paid Cheques; • Policies and procedures; • Rental Agreements; and • Tax Returns

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Income Tax Records	• PAYE Records; • Documents issued to employees for income tax purposes; • Records of payments made to SARS on behalf of employees; • All other statutory compliances: • VAT • Regional Services Levies • Skills Development Levies • UIF • Workmen's Compensation
Personnel Documents And Records	• Accident books and records; • Address Lists; • Disciplinary Code and Records; • Employee benefits arrangements rules and records; • Employment Contracts; • Employment Equity Plan • Forms and Applications; • Grievance Procedures; • Leave Records; • Medical Aid Records; • Payroll reports/ Wage register; • Pension Fund Records; • Safety, Health and Environmental records; • Salary Records; • SETA records • Standard letters and notices • Training Manuals; • Training Records; • Workplace and Union agreements and records.
Procurement Department	• Standard Terms and Conditions for supply of services and products; • Contractor, client and supplier agreements; • Lists of suppliers, products, services and distribution; and • Policies and Procedures.
Sales Department	• Customer details • Credit application information • Information and records provided by a third party •
Marketing Department	• Advertising and promotional material •
Risk Management and Audit	• Audit reports; • Risk management frameworks; and • Risk management plans. •
Safety, Health and Environment	• Complete Safety, Health and Environment Risk Assessment • Environmental Managements Plans • Inquiries, inspections, examinations by environmental authorities •

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IT Department	• Computer / mobile device usage policy documentation; • Disaster recovery plans; • Hardware asset registers; • Information security policies/standards/procedures; • Information technology systems and user manuals • Information usage policy documentation; • Project implementation plans; • Software licensing; and • System documentation and manuals.
Corporate Social Responsibility (CSR)	• CSR schedule of projects/record of organisations that receive funding; • Reports, books, publications and general information related to CSR • spend; • Records and contracts of agreement with funded organisations.

8.2. Note that the accessibility of the records may be subject to the grounds of refusal set out in this PAIA manual. Amongst other, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before Dr's Botha & Shone Vascular Practice will consider access.

9. RECORDS AVAILABLE WITHOUT A REQUEST TO ACCESS IN TERMS OF THE ACT

9.1. Records of a public nature, typically those disclosed on the Dr's Botha & Shone Vascular Practice website and in its various annual reports, may be accessed without the need to submit a formal application.

9.2. 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.

10. DESCRIPTION OF THE RECORDS OF THE BODY WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION (SECTION 51(1) (D))

10.1. Where applicable to its operations Dr's Botha & Shone Vascular Practice also retains records and documents in terms of the legislation below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement or otherwise, records that are required to be made

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available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act; the below mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled to such information. A request to access must be done in accordance with the prescriptions of the Act.

a. Auditing Professions Act, No 26 of 2005;
b. Basic Conditions of Employment Act, No 75 of 1997;
c. Broad- Based Black Economic Empowerment Act, No 75 of 1997;
d. Business Act, No 71 of 1991;
e. Companies Act, No 71 of 2008;
f. Compensation for Occupational Injuries & Diseases Act, 130 of 1993;
g. Competition Act, No.71 of 2008;
h. Constitution of the Republic of South Africa 2008;
i. Copyright Act, No 98 of 1978;
j. Customs & Excise Act, 91 of 1964;
k. Electronic Communications Act, No 36 of 2005;
l. Electronic Communications and Transactions Act, No 25 of 2002;
m. Employment Equity Act, No 55 of 1998;
n. Financial Intelligence Centre Act, No 38 of 2001;
o. Identification Act, No. 68 of 1997;
p. Income Tax Act, No 58 of 1962;
q. Intellectual Property Laws Amendment Act, No 38 of 1997;
r. Labour Relations Act, No 66 of 1995;
s. Long Term Insurance Act, No 52 of 1998;
t. Occupational Health & Safety Act, No 85 of 1993;
u. Pension Funds Act, No 24 of 1956;
v. Prescription Act, No 68 of 1969;
w. Prevention of Organised Crime Act, No 121 of 1998;
x. Promotion of Access to Information Act, No 2 of 2000;
y. Protection of Personal Information Act, No. 4 of 2013;
z. Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002

aa. Revenue laws Second Amendment Act. No 61 of 2008;
bb. Skills Development Levies Act No. 9 of 1999;
cc. Short-term Insurance Act No. 53 of 1998;
dd. Trust Property Control Act 57 of 1988

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ee. Unemployment Insurance Contributions Act 4 of 2002;

ff. Unemployment Insurance Act No. 30 of 1966;

gg. Value Added Tax Act 89 of 1991.

* *Although we have used our best endeavours to supply a list of applicable legislation, it is possible that this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, we shall update the list accordingly. If a Requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.*

10.2. It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in this PAIA Manual.

11. DETAIL TO FACILITATE A REQUEST FOR ACCESS TO A RECORD OF Dr's Botha & Shone Vascular Practice (SECTION 51(1) (E))

11.1. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.

11.2. The requester must complete the prescribed form enclosed herewith, and submit same as well as payment of a request fee and a deposit (if applicable) to the Information Officer or the Deputy Information Officer at the postal or physical address, fax number or electronic mail address as noted in clause 5 above.

11.3. The prescribed from must be filled in with sufficient information to enable the Information Officer to identify:

a. the record or records requested; and

b. the identity of the requester.

11.4. The requester should indicate which form of access is required and specify a postal address of fax number of the requester in the Republic;

11.5. The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The requester must clearly specify why the record is necessary to exercise or protect such a right (section 53(2)(d)).

11.6. Dr's Botha & Shone Vascular Practice will process the request within 30 (thirty) days, unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate that the above time periods not be complied with.

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11.7. The requester shall be advised whether access is granted or denied in writing. If, in addition, the requester requires the reasons for the decision in any other manner, the requester will be obliged to state which manner and the particulars required.

11.8. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer (section 53(2)(f)).

11.9. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

11.10. The requester must pay the prescribed fee, before any further processing can take place.

11.11. All information as listed in clause 11 herein should be provided and failing which the process will be delayed until the required information is provided. The prescribed time periods will not commence until the requester has furnished all the necessary and required information. The Information Officer shall sever a record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.

12. REFUSAL OF ACCESS TO RECORDS

12.1. Grounds to Refuse Access

A private body such as Dr's Botha & Shone Vascular Practice is entitled to refuse a request for information.

12.1.1. The main grounds for Dr's Botha & Shone Vascular Practice to refuse a request for information relates to the:

a. mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63) or a juristic person, as included in the Protection of Personal Information Act 4 of 2013, which would involve the unreasonable disclosure of personal information of that natural or juristic person;
b. mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory or contractual agreements, comply with the provisions of the Protection of Personal Information Act 4 of 2013;
c. mandatory protection of the commercial information of a third party (section 64) if the record contains:
    i. trade secrets of the third party;
    ii. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
    iii. information disclosed in confidence by a third party to Dr's Botha & Shone Vascular Practice, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
d. mandatory protection of confidential information of third parties (section 65) if it is protected in terms of any agreement;
e. mandatory protection of the safety of individuals and the protection of property (section

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66);

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f. mandatory protection of records which would be regarded as privileged in legal proceedings (section 67).

12.1.2. The commercial activities (section 68) of a private body, such as Dr's Botha & Shone Vascular Practice, which may include:

a. trade secrets of Dr's Botha & Shone Vascular Practice;

b. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Dr's Botha & Shone Vascular Practice;

c. information which, if disclosed could put Dr's Botha & Shone Vascular Practice at a disadvantage in negotiations or commercial competition;

d. a computer program which is owned by Dr's Botha & Shone Vascular Practice, and which is protected by copyright;

e. the research information (section 69) of Dr's Botha & Shone Vascular Practice or a third party, if its disclosure

would disclose the identity of Dr's Botha & Shone Vascular Practice, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

12.1.3. Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

12.1.4. All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.

12.1.5. If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record. Such a notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of the Act. If the record should later be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such record.

13. REMEDIES AVAILABLE WHEN Dr's Botha & Shone Vascular Practice REFUSES A REQUEST

13.1. Internal Remedies

Dr's Botha & Shone Vascular Practice does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not

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satisfied with theanswer supplied by the Information Officer.

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13.2. External Remedies

13.2.1. A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (thirty) days of notification of the decision, may apply to a Court for relief.

13.2.2. A third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief.

For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status and a Magistrate's Court designated by the Minister of Justice and Constitutional Development and which is presided over by a designated Magistrate.

14. ACCESS TO RECORDS HELD BY Dr's Botha & Shone Vascular Practice

14.1. Prerequisites for Access by Personal/Other Requester

14.1.1. Records held by Dr's Botha & Shone Vascular Practice may be accessed by requests only once the prerequisite requirements for access have been met.

14.1.2. A requester is any person making a request for access to a record of Dr's Botha & Shone Vascular Practice. There are two types of requesters:

a. Personal Requester

i. A personal requester is a requester who is seeking access to a record containing personal information about the requester.

ii. Dr's Botha & Shone Vascular Practice will voluntarily provide the requested information, or giveaccess to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

b. Other Requester

i. This requester (other than a personal requester) is entitled to request access to information on third parties.

ii. In considering such a request Dr's Botha & Shone Vascular Practice will adhere to the provisions of the Act. Section 71 requires that the Information Officer take all reasonable steps toinform a third party to whom the requested record relates of the request, informinghim/her that he/she may make a written or oral representation to the Information Officer why the request should be refused or, where required, give written consent for the disclosure of the Information.

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Dr's Botha & Shone Vascular Practice is not obliged to voluntarily grant access to such records. The requester must fulfil the prerequisite requirements, in accordance with the requirements of the Act and as stipulated in Chapter 5; Part 3, including the payment ofa request and access fee.

15. PRESCRIBED FEES (SECTION 51 (1) (F))

15.1. Fees Provided by the Act

15.1.1. The Act provides for two types of fees, namely:

a. A request fee, which is a form of administration fee to be paid by al! requesters except personal requesters, before the request is considered and is not refundable; and

b. An access fee, which is paid by all requesters in the event that a request for access is granted. This fee is inclusive of costs involved by the private body in obtaining and preparing a record for delivery to the requester.

15.1.2. When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request (section 54(1)).

15.1.3. If the search for the record has been made 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 Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

15.1.4. The Information Officer shall withhold a record until the requester has paid the fees as indicated below.

15.1.5. A requester whose request for access to a record has been granted, must pay an access fee that is calculated to include, where applicable, the request fee, the process 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 request form.

15.1.6. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.

16. REPRODUCTION FEE

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16.1. Where Dr's Botha & Shone Vascular Practice has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, theonly charge that may be levied for obtaining such records, will be a fee for reproduction of therecord in question.

Reproduction of Information Fees	**Fees to be Charged**
Information in an A-4 size page photocopy or part thereof	R l,10
A printed copy of an A4-size page or part thereof	R 0,75
A copy in computer-readable format, for example: Compact disc	 R 70,00
A transcription of visual images, in an A4-size page or part thereof	R 40,00
A copy of visual images	R 60,00
A transcription of an audio record for an A4-size page or part thereof	R 20,00
A copy of an audio record	R 30,00

16.2. **Request Fees**

Where a requester submits a request for access to information held by an institution on a person
other than the requester himself/herself, a request fee in the amount of R50,00 is payable up-front
before the institution will further process the request
received.

16.3. **Access Fees**

16.3.1. An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of section 54(8).

The applicable access fees which will be payable are:

Access of Information Fees	**Fees to be Charged**
Information in an A-4 size page photocopy or part thereof	R 1,10
A printed copy of an A4-size page or part thereof	R 0,75
A copy in computer-readable format, for example: Stiffy disc Compact disc	 R 7,50 R 70,00
A transcription of visual images, in an A4-size page or part thereof	R 40,00
A copy of visual images	R 60,00

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A transcription of an audio record for an A4-size page or part thereof	R 20,00
A copy of an audio record *Per hour or part of an hour reasonably required for such sea	R 30,00*

Where a copy of a record needs to be posted the actual postal fee is payable.

DEPOSITS

16.4.1. Where the institution receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester.

16.4.2. The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

16.5. **Collection Fees**

16.5.1. The initial "request fee" of R50,00 should be deposited into the bank account below and a copy of the deposit slip, application form and other correspondence / documents, forwarded to the Information Officer via fax.

16.5.2. The officer will collect the initial "request fee" of applications received directly by the Information Officer via email.

16.5.3. All fees are subject to change as allowed for in the Act and as a consequence such escalations may not always be immediately available at the time of the request being made. Requesters shall be informed of any changes in the fees prior to making a payment.

17. DECISION

17.1. **Time Allowed to Institution**

17.1.1. Dr's Botha & Shone Vascular Practice will, within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

17.1.2. The 30 (thirty) day period within which Dr's Botha & Shone Vascular Practice has to decide whether to grant or refuse the request, may be extended for a further period of not more than (30) thirty days if the request is for a large number of information, or the request requires a search for information held at another office of Dr's Botha & Shone Vascular Practice and the information cannot reasonably be obtained within the original 30 (thirty) day period.

17.1.3. Dr's Botha & Shone Vascular Practice will notify the requester in writing should an extension be

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sought.

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This Manual is for informative and educational purposes only and will be governed by and construed in accordance with the laws of South Africa, without regard to its conflicts of law provisions. If for any reason, any provision of this Manual is found incorrect or inaccurate, that provision shall be enforced to the maximum extent permissible so as to affect the intent of the parties as reflected in that provision, and the remainder of the Manual shall continue in full force and effect. The section titles used in this Manual are purely for convenience and carry with them no legal or contractual effect. No Legal Advice or Attorney-Client Relationship is created by this Manual between the Author and the User.

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APPENDIX 1: ACCESS REQUEST FORM



J752

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.

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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:

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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.

(b) You will be notified of the amount required to be paid as the request fee.

(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.

(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

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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 X.		Form in which record is required:	

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.

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

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*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.

The requester must sign all the additional folios.

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

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