

PROMOTION OF ACCESS TO INFORMATION ACT

SECTION 51 MANUAL

Lindsay Hattingh Physiotherapy

0168564

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("the Act"). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person or entity, where such information is required by someone to protect his/her rights.

OVERVIEW

Lindsay Hattingh Physiotherapy is a solus practice whose principle business is rendering of general medical care and services in the field of physiotherapy.

This manual serves to inform members of the public of the categories of information I hold, and which may, subject to the grounds of refusal listed in the Act, be disclosed after evaluation of an access application being made in terms of the Act.

AVAILABILITY OF THIS MANUAL

A copy of this Manual is available -

- At my practice situated at 13a Tokai Road, Kirstenhof.
- On request from my Information Officer
- On my website: www.lindsayhattingh.co.za
- From the South African Human Rights Commission ("SAHRC") at the addresses and/or telephone numbers as published by the Commission

This Manual will be updated from time to time, as and when required.

INFORMATION OFFICER

The Information Officer for Lindsay Hattingh Physiotherapy is:

Lindsay Bresler (nee Hattingh)

Owner

Tel nr: 021 712 8134

E-mail: lindsay@physio.za.net

HOW TO REQUEST ACCESS TO RECORDS HELD BY LINDSAY HATTINGH PHYSIOTHERAPY

Requests for access to records held by Lindsay Hattingh Physiotherapy must be made on the request forms that are available from my office or website, or from the SAHRC website (www.sahrc.org.za).

When a record is requested, please note that:

- Fees may be payable for reproduction of the record requested. These fees are prescribed by law, and can change from time to time. The current fee list is attached to this manual.
- The Request Form known as “**Form C - REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**” must be completed. It can be obtained from my / our Information Officer, on the SAHRC website (www.sahrc.org.za) or on the website of the Department of Justice (www.justice.gov.za) under “PAIA” and “forms”.
- On the Request Form all details must be completed, including the right the requester wants to protect by requesting the information.
- If the requester is acting on behalf of someone else, the details of the other person as the one who has authorised the request must be included.
- The requester must state in which form (inspection of copy, paper copy, electronic copy, transcript, etc.) s/he wants to access the information.
- If the record is part of another record, the requester will only be allowed access to the part(s) that pertains to the information s/he wants or is entitled to, and not the rest of the record.

All requests will be evaluated against the provisions of the Act. The Act allows the Information Officer to refuse access on grounds stipulated in the Act. A requester can, for example, not access another person's confidential information, or trade or commercial secrets of a business.

An answer on a request for information must be made within 30 days of the request, and if not granted and the requester is not satisfied with the reasons for the refusal of access, s/he can approach the courts within 30 days of the request being refused.

HOW THE ACT WORKS AND INFORMATION PUBLISHED BY THE SAHRC

More information on how the Act works and all other information can be obtained from the SAHRC at:

Private Bag X2700

Braampark Forum 3

Houghton

33 Hoofd Street

2041

Braamfontein

Tel: 011 877 3600

There are also provincial SAHRC offices in all nine provinces. More information can be obtained from the SAHRC website at www.sahrc.org.za

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of the following legislation to the persons or entities specified in such legislation, as well as the specific protections offered by such laws. As legislation changes from time to time, and new laws may stipulate new manners and extend the scope of access by persons specified in such entities, this list should be read as not being an exhaustive list.

Business legislation (including all amendments and regulations issued in terms of such legislation):

The Companies Act 71 of 2008; Income Tax Act 58 of 1962; Value Added Tax Act 89 of 1991; Labour Relations Act 66 of 1995; Basic Conditions of Employment Act 75 of 1997; Employment Equity Act 55 of 1998; Skills Development Levies Act 9 of 1999; Unemployment Insurance Act 63 of 2001; Electronic Communications and Transactions Act 25 of 2002; Telecommunications Act 103 of 1996; Electronic Communications Act 36 of 2005; Consumer Protection Act 68 of 2008; Broad-based Black Economic Empowerment Act 53 of 2003; National Credit Act 34 of 2005; etc.

Health legislation (including amendments and regulations issued in terms of such legislation):

The Health Professions Act 56 of 1974, National Health Act 61 of 2003; Medical Schemes Act 121 of 1998; Medicines and Related Substances Act 101 of 1965; Children's Act 38 of 2005; Mental Healthcare Act 17 of 2002; Choice on Termination of Pregnancy Act 92 of 1996; Sterilisation Act 44 of 1998; etc.

RECORDS HELD BY LINDSAY HATTINGH PHYSIOTHERAPY

I hold records in the following categories. The fact that we list a record type here does not necessarily mean that we will disclose such records, and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

Internal records relating to my practice and business, which includes financial records; contracts; and other intellectual property; production, marketing records; internal correspondence; etc.

Patient records, which includes patient lists; health records, funding records, agreements, consents, needs assessments; financial and accounts information; research information; evaluation records; profiling;

and similar information. ***It must be noted that, in the health sector, personal and patient information are confidential and protected by legislation and ethical rules, and disclosure can only take place, if at all, within those frameworks.***

Supplier and service provider records, which includes supplier registrations; contracts; confidentiality agreements and non-disclosure agreements, communications; logs; delivery records; commissioned work; and similar information, some of which might be provided to us by such suppliers and providers under service and other contacts.

Technical records, which includes manuals, logs, electronic and cached information, product registrations, product dossiers, health professionals council / statutory body records, approvals, conditions and requirements, trade association information and similar product information.

Third party information, which may be in our possession but which would be subject to the conditions set in relation to such possession.

Environment and market information, which include information bought, publicly available information and commissioned information which pertains to the specific sector and market of our business and factors that affect the business, professional and healthcare environment.

This manual is signed by Lindsay Bresler (owner) on 29/12/2015]



Signature