

**Dr(s) ..... (full particulars of practice name, registered nrs (if incorporated, etc.))**  
**Manual to access information in terms of section 51 of the Promotion of Access to Information Act**

**Introduction to the practice**

This private practice is the practice of Drs ..... . We/I run our practice according to the requirements set by the Health Professionals Act of 1974, and are subject to the authority of the Health Professionals Council of South Africa (HPCSA). Our business is to practice medicine within the scope and ambit of our competence and training, as defined from time to time. We are bound by a number of ethical rules issued by the HPCSA, most notably the duty to preserve patient confidentiality, unless legislation or a court order compels us to breach this duty. Requesters should note that commercial information and financial information may be withheld on the grounds of sections 63-70.

**Section A – Our details**

Full Name :  
Registration Number (if applicable) :  
Registered Address :  
Postal Address :  
Telephone Number :  
Fax Number :  
Head (Dr who is main partner / chosen director / solus) :  
Designated Information Officer : (If none is chosen, the head becomes the information officer)

**Section B – The official SA Human Rights Commission Guide**

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act. The SAHRC Guide will contain the following information: The objects of the Act; Particulars of the information officer of every public body; Particulars of every private body as are practicable; The manner and form of a request for access to information held by a body; Assistance available from both the information officers and the Human Rights Commission in terms of this Act; All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application; Schedules of fees to be paid in relation to requests for access to information; Regulations made in terms of the Act. Copies of this Guide will be available as soon as it is published by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows: **South African Human Rights Commission, Promotion of Access to Information Act Unit, Private Bag 2700, Houghton 2041 Telephone: (011) 484-8300; Fax: (011) 484-0582; website: www.sahrc.org.za; E-mail: PAIA@sahrc.org.za**

**Section C – Information available from this practice in terms of the Act**

**(\*delete what is not applicable to your specific practice)**

**1. Categories of information**

**(a) INFORMATION ON FORM OF PRACTICE**

\*We are practising in an incorporated practice and hold documentation and records required by the Companies Act of 1973, including, but not limited to the prescribed certificates, memorandum and articles of association, minute books, resolutions, forms and registers of directors and shareholders, etc./ \*We are practising in partnership and hold partnership agreements, list of partners, etc./ \*I am practising in solus practice and no official constituting documentation are held. / \*I am practising in association with other practitioners, each holding their respective information on the forms that they practice in, and I hold a copy of the association agreement. \*Sale of practice agreement and documentation relating to goodwill.

**(b) INFORMATION RELATING TO THE PROFESSIONAL STATUS OF PERSONS WORKING IN THE PRACTICE**

Certificates and cards proving professional registration at the HPCSA and other relevant Boards and Councils; Proof of payment of annual and registration fees; \*certificate of good standing; \*dispensing certificate.

**(c) ASSETS, FINANCIAL INFORMATION AND RECORDS HELD IN TERMS OF MEDICINES CONTROL ACT OF 1965**

Register of Mortgages and Debentures and Fixed Assets; Annual Financial Statements including: Annual accounts; \*Directors' reports; Auditor's report; Books of Account; Supporting schedules to books of account and ancillary books of account; Accounting records; Books of Account including journals and ledgers; Bank statements; Stock sheets; Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange; \*Claims to medical schemes; \*Registers to be kept in terms of the Medicines and Related Substances Control Act of 1965.

**(d) PATIENT RECORDS**

Records are held on all patients. Records are kept between 6 and 9 years, or as legislation from time to time determine. Children's records are kept until the age of 21. These records constitute personal confidential information that is protected from unauthorised third party access.

**(e) EMPLOYEMENT RECORDS**

Employees' names and occupations; Time worked by each employee; Remuneration paid to each employee; Attendance register; \*Employment equity plan and -reports; Salary and wages register; \*Collective agreements; \*Disciplinary proceedings, \*Arbitration awards and CCMA cases; Skills Development Plan and training records; Staff records (after date of employment ceases); \*Expense accounts (including account(s) held by doctor(s)); IRP5's and Tax information pertaining to the employment of employees; Employee contracts; Performance management records; \*Incentive schemes; \*Study assistance schemes; Conditions of Employment and Policies (including but not limited to leave policies, Motorvehicle scheme, telephone policy, etc.); \*Group personal accident; \*Group life; \*Locum agreements and locum records.

**(f) \*PENSION AND RETIREMENT FUND RECORDS**

\*Pension Fund Rules; \*Account records; \*Minutes of Meetings of trustees and members; etc.

**(g) HEALTH AND SAFETY**

Evacuation plan; Information related to Health and Safety Committee/Officer.

**(h) PROPERTY (FIXED AND MOVABLE)**

Title Deeds; Leases; Building plans; Mortgage Bonds or servitudes to fixed property; Asset register; Finance and Lease Agreements; \*Medicines held in terms of Medicines Control Act.

**(j) \*INTELLECTUAL PROPERTY**

\*Licence agreements, \*secrecy agreements, \*research and development agreements, \*consulting agreements, \*use agreements, \*joint venture agreements.

**(k) \*AGREEMENTS AND CONTRACTS**

\*Managed care agreements; \*agreements with utility company/ies/close corporation(s), \*software house / datawarehouse /IT agreements; \*agreements concerning provision of services or materials; \*agreements with contractors and suppliers; \*sale agreements; \*purchase or lease agreements.

**(l) TAXATION & VAT**

Copies of all Income Tax Returns and other tax returns and documents relating to Income Tax and VAT.

**(m) \*LEGAL**

Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation; Settlement agreements.

**(n) INSURANCE**

Insurance policies; Professional Indemnity; Claim records; Details of insurance coverages, limits and insurers.

**Section D - Information available in terms of other legislation**

\*My/our practice holds certain extracts of information of the following statutes: - Basic Conditions of Employment Act No. 75 of 1997, Employment Equity Act No. 55 of 1998, Health Professions Act No. 56 of 1974, Labour Relations Act No. 66 of 1995, Medicines and Related Substances Control Act Of 1965, Unemployment Insurance Act No. 63 of 2001 (*list any other Acts, if any, which are relative to your practice*)

## Section E – Information Automatically available

The following categories of records are automatically available for (i) \*inspection, \*purchase or \*photocopying, (ii) \*are / are not freely available, without having to request access in terms of the Act. Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual : - \*Newsletters, \*Booklets, \*Pamphlets / \*Brochures, \*Reports, \*Posters, \*not applicable (*list any other information, if any, which is relative to your practice or if none of the above is available, select "not applicable"*)

### 2. Procedure for requesting access to the above information

If you wish to request access to any of the above categories of information, you are required to complete a request form available from: our information officer (see above); the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)) or the Department of Justice and Constitutional Development website ([www.doj.gov.za](http://www.doj.gov.za)). There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form. You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges. **Access to information is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for this right. You will be notified whether your request has been approved. The fact that information is held by us and being listed in this manual should not be construed as conferring upon any requester a right to that information.**