

SOUTHERN ANAESTHETICS TRUST

(IT950/1999)

SECTION 51 MANUAL

(In accordance with the Promotion of Access to Information Act, Act 2 of 2000)



SECTION 51 MANUAL FOR SOUTHERN ANAESTHETICS TRUST

Introduction:

The main business is the provision of anaesthetic services.

Particulars in terms of section 51 manual

1. Contact Details *[Section 51(1)(a)]*

Contact Person: Dr DHS Van Zijl

Business Address: 2 Seaview Road
Wynberg
7800

Postal Address: 2 Seaview Road
Wynberg
7801

Telephone: +27 21 762 6277

Fax: +27 21 797 6065

e-mail: doctors@southernanaesthetics.co.za

2. The section 10 Guide on how to use the Act: *[Section 51(1)(b)]*

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all the official languages. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700
Houghton
2041

Physical address: 29 Princess of Wales Terrace
Cnr of York & St Andrew Street
Parktown

Telephone: +27 11 484- 8300

Fax: +27 11 484-0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

3. Records available in terms of any other legislation [Section 51(1)(d)]

1. Basic Conditions of Employment No. 75 of 1997
2. Income Tax Act No. 95 of 1967
3. Labour Relations Act No. 66 of 1995
4. Skills Development Levies Act No. 9 of 1999
5. Unemployment Contributions Act No. 4 of 2002
6. Unemployment Insurance Act No.63 of 2001
7. Usury Act No.73 of 1968
8. Value Added Tax Act No. 89 of 1991
9. Compensation for Occupational Injuries and Disease Act 130 of 1993

4. Access to the records held by the private body in question [Section 51(1)(c) and 51(1)(e)]

i. Available information [Section 51(1)(c)]
Everything that is freely available on our website www.southernanaesthetics.co.za

ii. Records that may be Requested [Section 51(1)(e)]
We 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 our practice, which includes our practice's founding and other documents, minutes and policies; annual and other reports; financial records; operational records, policies and procedures; contracts; licences, trade marks and other intellectual property; production, marketing records; other internal policies and procedures; internal correspondence; statutory records; etc.

Personnel records, which includes records relating to temporary employees, fixed term employees, part-time employees, locums, permanent employees, contractors, partners, directors, executive directors, non-executive directors. It includes personal files and similar records, records a third parties have provided to us about their personnel; employment contracts, conditions of employment; workplace policies; disciplinary records; termination records; minutes of staff meetings; performance management records and systems and all employment-related records and correspondence.

Patient records, which includes patient lists; informed consent forms; health records; funding records; patient-practice agreements; pre-operative and needs assessments; financial and accounts information; research information; evaluation records; medical scheme profiling; and similar information. ***It must be noted that, in the health sector, personal and patient information are protected by health legislation and ethical rules, and disclosure can only take place, if at all, within these frameworks. As a general rule, we cannot disclose another person's personal information to anyone else.***

Supplier and service provider records, which includes supplier; 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- and professional information and records, which includes manuals; logs; electronic and cached information; health professionals council / statutory body records, registration and cards; HPCSA conditions and requirements; professional association communications, minutes, reports and documents; etc.

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.

iii. The Request Procedures
Form of Request:

- The requestor must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. The request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a, b, c)].
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [s 53(2)(f)].

Fees:

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

- The head of the private body must notify the requester (other than the personal requester) by notice requiring the requester to pay the prescribed fee (if any) before further processing the request [s54(1)].
- The fee that requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [s54 (3)(b)].
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.

- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

5. Other Information as may be prescribed [Section 51(1)(f)]

The Minister of Justice and Constitutional Development has not made any regulation in this regard.

6. Availability of manual [Section 51(3)]

This manual is available for inspection at the offices of Southern Anaesthetics, free of charge; and copies are available with South African Human Resources Commission, in the Gazette and on this body's website (www.southernanaesthetics.co.za).