

**CLINIX HEALTH GROUP (PTY) LTD GROUP
OF COMPANIES MANUAL IN TERMS OF
THE PROMOTION OF ACCESS TO INFORMATION ACT, NO 2 OF 2000
(for the period December 2022 to December 2023)**

The purpose of the Promotion of Access to Information Act, No. 2 of 2000 (PAIA) is to give effect to the constitutional right 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 and to provide for matters connected therewith.

The Information Regulator has recognized limitations with the provisions of PAIA and the Protection of Personal Information Act, No. 4 of 2013 (POPIA) as it outlines various restrictions or limitations in accordance with the duty to balance contained in the Constitution.

Manual of the Clinix Health Group of Companies, as per the individual companies and entities on the attached list, herein represented by Clinix Health Group (Pty) Ltd, prepared in terms of section 51 of the PAIA.

1. **PARTICULARS OF COMPANY AND THE INFORMATION OFFICER**

Name of company:	Clinix Health Group (Pty) Ltd Registration number: 1997/017587/07
Chief Executive Officer:	Khamane Obed Peter Matseke
The Information Officer:	Johanesi Musiyiwa
Postal Address:	P. O. Box 805, Houghton, 2041

Registered Address: Clinix Health Group (Pty) Ltd
47 St Patrick Road Houghton

Telephone number: +27 11 429 1000

Fax number: +27 11 429 1110

E-mail address: cosec@clinix.co.za

2. The Human Rights Commission has prepared a guide in terms of Section 10 of the PAIA, containing information required by a person wishing to exercise any right contemplated in the Act. Any queries concerning the guide should be referred to the Human Rights Commission in Johannesburg.

Website Address: www.justice.gov.za

Head Office Address: 29 Princess of Wales Terrace, Cnr York and St
Andrews Street, Parktown, Johannesburg Private Bag
2700, Houghton, Johannesburg 2041

Telephone number: +27 11 484 8300

3. **CATEGORIES OF RECORDS AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS
IN TERMS OF THE ACT**

Media publications

4. **DESCRIPTION OF RECORDS THAT ARE AVAILABLE IN ACCORDANCE WITH THE FOLLOWING LEGISLATION**

a. All records that are legally required to be kept by the company in terms of the following legislation are available:

- i. National Health Act
- ii. Companies Act /Close Corporation Act
- iii. Labour Relations Act
- iv. Occupational Health and Safety Act
- v. Basic Conditions of Employment Act
- vi. Consumer Protection Act
- vii. Electronic Communications and Transaction Act
- viii. Employment Equity Act
- ix. Compensation for Occupational Injuries and Diseases Act
- x. Unemployment Insurance Act
- xi. Income Tax Act
- xii. Promotion of Access to Information Act
- xiii. Promotion of Equality and Prevention of Unfair Discrimination Act
- xiv. Protection of Personal Information Act
- xv. Skills Development Act
- xvi. Value-Added Tax Act
- xvii. Unemployment Contributions Act
- xviii. Trademarks Act
- xix. Medical Schemes Act
- xx. Any other legislation relevant to the business concerned.

The list is not exhaustive.

3. **SUBJECTS AND CATEGORIES OF RECORDS HELD**

- 3.1 Records relating to corporate governance;
- 3.2 Records relating to the company's personnel;
- 3.3 Records relating to the company's contractors/suppliers or any other third party exchanged in the course of the company's business operations;
- 3.4 Records relating to the company's clients;
- 3.5 Finance and Accounting-related records;
- 3.6 Records relating to:
 - Administration;
 - Insurance;
 - Intellectual Property;
 - Marketing; and
 - Medical and Health information

Access to these records will be considered, keeping the relevant legal, including the legislative provisions and ethical duties in mind, including but not limited to the Protection of Personal Information Act, Sections 14 and 15 of the National Health Act, 2003 (Act No. 61 of 2003), section 13 of the Mental Health Care Act, 2000 (Act No. 17 of 2002) and Booklet 14 of the Health Professional Council of South Africa (HPSCA) and the purpose of the processing.

- 3.7 Operators that would have access to the information:
 - Auditors
 - B-BBEE Consultants
 - IT Consultants
 - Labour Consultants
 - Payroll Administrators
 - Attorneys and Legal Council
 - Risk Committee Members
 - Billings and Pharmacy Managers

- Collections Managers
- Other Operators relevant to the company's business operations.

4. **HOW TO GO ABOUT REQUESTING RECORDS**

- 4.1 Access to records may be requested by completing the prescribed form, (attached and known as Form C) and submitting it to the Information Officer or Deputy Information Officer as set out in paragraph 1. The prescribed form must be completed comprehensively showing sufficient particularity to enable the Information Officer to process the request.
- 4.2 The requester is entitled to request access to information, including information pertaining to third parties, but the company is not obliged to grant such access and may be refused, in terms one of the prohibited grounds set out in the provisions of PAIA.
- 4.3 A requester may also be required to submit proof of payment of the request and access fee.
- 4.4 If an individual who is unable to make a request for access to a record on the basis of illiteracy or a disability, the request shall be orally. The oral request shall be reduced to writing by the Information Officer in the prescribed form.
- 4.5 If the request is made on behalf of another Person, proof must be submitted of the capacity in which such Person makes the Request.
- 4.6 The Information Officer/ deputy will notify the Requester within 30 days whether access is granted or refused, which period may be extended as set out in section 57 of PAIA.

5. **IF THE REQUEST IS GRANTED**

- 5.1 The Information Officer will notify the requester of the decision and will include the following details:
- The access fee (if any) to be paid upon access;
 - The prescribed form which access will be given;
 - The requester may lodge an internal appeal or an application with the court, as the case may be, against the access fee to be paid or the form of access granted and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

7 IF THE REQUEST FOR ACCESS IS REFUSED

7.1 The Information Officer will notify the requester and state the following:

7.1.1 Adequate reasons for the refusal, including provisions of the PAIA;

7.1.2 The requester may lodge an internal appeal or an application with a court, as the case may be, against the refusal of the request and the procedure (including the period) for lodging the internal appeal or application, as the case may be.

8 ACCESS TO HEALTH RECORDS

8.1 When a request relates to health records or information about the physical or mental health or wellbeing of the requester or the request is made on behalf of the person to whom the record relates, and the Information Officer is of the opinion that the disclosure of the record to the relevant person might cause serious harm to his or her physical or mental health or wellbeing, the Information Officer may, before giving access consult with a health practitioner who has been nominated by the requester.

8.2 If the requester is:

8.2.1 under the age of 16 years, then a person having parental responsibilities for the requester must nominate the health practitioner; or

8.2.2 incapable of managing his or her affairs, a person appointed by the court to manage those affairs must make that nomination.

8.3 If access to health records and information is granted and the health practitioner nominated is of the opinion that the disclosure of the records would likely cause serious harm to the requester's physical or mental health or wellbeing, the Information Officer may only give access to the record if requester proves to the satisfaction of the Information Officer that adequate provision is made for counselling or arrangements practicable before, during or after the disclosure of the record to limit, alleviate or avoid such harm.

9 RIGHT OF INTERNAL APPEAL

9.1 The requester shall have a right of internal appeal if the request for information is waived or deemed to be waived, that needs to be exhausted before the requester can escalate the request to litigation.

9.2 The internal appeal—

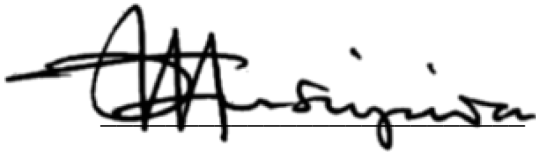
9.2.1 must be lodged within 60 days of the date of refusal or deemed refusal;

9.2.2 must be delivered or sent to the Head of Legal at legal@clinix.co.za and a hard copy thereof must be addressed to the Legal Manager, Clinix Health Group (Pty) Ltd and delivered to 47 St. Patrick's Road, Houghton, Johannesburg.

9.2.3 must identify the subject of the internal appeal and state the reasons for the internal appeal and may include any other relevant information known to the appellant.

9.3 If an internal appeal is lodged after the expiry of the period referred to above, the relevant authority will, upon good cause shown, allow the late lodging of the internal appeal.

SIGNED AT **JOHANNESBURG** ON THE 5th DAY OF **DECEMBER 2022**



JOHANESI MUSIYIWA

GROUP COMPANY SECRETARY

LIST OF COMPANIES / ENTITIES

NAME OF HOSPITAL	REGISTRATION NUMBERS
PHYSICAL ADDRESS 47 St Patrick Road Houghton	
Clinix Botshelong-Empilweni (Pty) Ltd	1993/002389/07
Dr Phakisa Mokhesi Private Hospital (Pty) Ltd	1996/009414/07
Clinix Tshepo - Themba (Pty) Ltd	1994/007666/07
Dr SK Matseke Memorial Hospital (Pty) Ltd	1980/004750/07
Clinix Selby Park (Pty) Ltd	2003/024982/07
Clinix Health Management (Pty) Ltd	1995/007347/07
Itokolle-Clinix Private Hospital Mafikeng (Pty) Ltd	2005/019767/07
Clinix Phalaborwa Private (Pty) Ltd – Limpopo	2008/016716/07
Clinix Health Group (Pty) Ltd – Head Office	1997/017587/07
Clinix Cullinan Wellness Hospital (Pty) Ltd	2010/015989/07
Cullinan Health Services (Pty) Ltd	1988/005079/07
Clinix Agency (Pty) Ltd	2004/011522/07
Clinix Health Academy (Pty) Ltd	2013/179768/07
Dr GM Pitje Day Hospital (Pty) Ltd	2019/179039/07

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, Act No 2 of 2000)

[Regulation 10]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

- | |
|--|
| <p>(a) The particulars of the person who requests access to the record must be given below.</p> <p>(b) The address and/or fax number in the Republic to which the information is to be sent must be given.</p> <p>(c) Proof of the capacity in which the request is made, if applicable, must be attached.</p> |
|--|

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____ Telephone 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: _____

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: _____

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 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request 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)

* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? **Please note that 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 _____ 20_____.

**SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF
REQUEST IS MADE**

PAIA FEES TO BE CHARGED ON REQUEST OF RECORDS

<https://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>

Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

Promotion of Access to Information Regulations, 2002

Annexure A : General – Value-added Tax

Part III : Fees in respect of Private Bodies

The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1.10 for every 1) photocopy of an A4 size page or part thereof.

2) The fees for reproduction referred to in regulation 11(1) are as follows :

	R
a) For every photocopy of an A4size page or part thereof	1.10
b) For every printed copy of an A4-site page or part thereof held on a computer or in electronic or machine - readable form	0.75
c) For a copy in a computer-readable form on –	
i) stifty disc compact	7.50
ii) disc	70.00
d)	
i) For a transcription of visual images, for an A4-size page or part thereof	40.00
ii) For a copy of visual images	60.00
e)	
i) For a transcription of an audio record, for an A4-size page or part thereof	20.00
ii) For a copy of an audio record	30.00

The request fee payable by every requester, other than a personal requester, referred to in 3) regulation 11(2) is R50,00.

4) The access fees payable by a requester referred to in regulation 11(3) are as follows :

	R
(1)	
a) For every photocopy of an A4-size page or part	1.10
b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable	0.75
c) For a copy in a computer-readable form on –	
i) stiffy disc compact	7.50
ii) disc	70.00
d)	
i) For a transcription of visual images, for an A4-size page or part thereof	
ii) For a copy of	40.00
	60.00
e)	
For a transcription of an audio record, for an A4-size page or part i) thereof	20.00
ii) For a copy of an audio record	30.00
f) For a copy of ICU charts per page @ R60.00	
g) To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	
h) For the retrieval of storage files cost per file @ R181.14 to be charged to requestor	

(1) For purposes of [section 22\(2\)](#) of the Act, the following applies :

- a) Six hours as the hours to be exceeded before a deposit is payable; and
- b) one third of the access fee is payable as a deposit by the requester.

(2) The actual postage is payable when a copy of a record must be posted to a requester.

CLINIX HEALTH GROUP PTY LTD