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Medies • Health  
FSP 22983

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# **PROMOTION OF ACCESS TO INFORMATION (PAIA) MANUAL**

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## **1. Introduction:**

The information in this manual relates to **HERMITAGE HEALTH (PTY) LTD** and associated companies, referred to as the company in the remainder of this document. This manual provides an outline of the types of records kept by the company and explains how one can submit requests for access to these records. Everyone has a constitutional right to access information kept by companies and government institutions, provided that there is a valid reason for requesting the information.

This manual is prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (PAIA) and Government Notice No. R187 of 15 February 2002. (herein referred to as "the Act") for **HERMITAGE HEALTH (PTY) LTD** and its associated companies:

- **None**

## **2. Availability of this manual:**

All requests for information in terms of this manual should be directed to:

Name of Information Officer: TANIA SUTER  
Address: 33 RIEBEECK STREET  
PAGLANDE  
WORCESTER  
Telephone number: 023 348 8888  
Email address: [tsuter@hermitage.co.za](mailto:tsuter@hermitage.co.za)

The manual is available for inspection, from the compliance department on request.

**HERMITAGE HEALTH (PTY) LTD** is legally and morally bound to protect the confidentiality of its clients. Access to all records will be limited to authorised persons unless where ordered by an appropriate Court Order as determined in the Act.

## **3. South African Human Rights Commission Guide:**

In terms of section 10 of the Act, the South African Human Rights Commission ("SAHRC") is required to compile a guide containing information, which someone intending to exercise any right contemplated in the Act would require. Such guide must be made available in all official languages and if necessary must be updated and published every 2 years. The first guide is to be made available by 31 August 2005.

You may obtain further information from the SAHRC, using the contact details below:

Private Bag 2700  
Houghton  
2041  
Telephone: +27 11 484 8300  
Fax: +27 11 484 0582  
E-mail: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)

Subject to availability, the guide can be viewed on request from the Compliance Department.

#### **4. Records available in terms of other legislation:**

All records kept and made available in terms of legislation applicable to any of the subjects listed in this Manual and the Financial Services Industry in general, as it applies to the specific environment in which the company operates, are available in accordance with said legislation.

The company keeps records in terms of the following applicable legislation:

Income Tax Act 58 of 1962  
Companies Act 71 of 2008  
Financial Advisory and Intermediary Services Act 37 of 2002  
Skills Development Levies Act 66 of 1995  
Financial Intelligence Centre Act 38 of 2001  
Value Added Tax Act 89 of 1991  
Labour relations Act 66 of 1995  
Unemployment Insurance Act 63 of 2001  
Basic Conditions of Employment Act 75 of 1997  
Compensation for Occupational Injuries and Diseases Act 130 of 1993  
Employment Equity Act 55 of 1998  
Promotion of Access of Information Act No 2 of 2000  
Medical Schemes Act No 131 of 1998

**HERMITAGE HEALTH'S** company register is available for perusal subject to a legislated fee. The company register includes such items as:  
minutes of the annual general meetings and directors' meetings,  
a list of shareholders and share movements,  
and all directors' resolutions.

Please note that this does not mean that a request for documents will automatically be granted. All requests have to be evaluated on a case by case basis as required by the Act.

#### **5. Subjects and categories of records held by the company:**

Records are held on the following subjects:

- Client-related records
- Personnel records
- Company records
- Records in the possession of or pertaining to other parties

### **Client-related records:**

A client includes any natural or juristic entity, who receives services from the company. Client-related information includes the following:

#### **Company and Trust Client:**

- Statutory documents
- Trust financial statements
- Company financial statements
- Investment/transactional information
- Trust documents
- Taxation information

#### **Individual Client records:**

- Personal details
- Wills
- Investment/transactional information
- Long and Short Term insurance details
- Taxation information
- Correspondence

### **Personnel Records:**

Personnel refers to any person who works for or provides services to or on behalf of the private body and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of the private body. This includes, without limitation, directors, executives, non-executives, all permanent, temporary and part-time staff as well as contract workers.

- Personal Records
- Correspondence
- Conditions of employment
- Training Material
- Evaluation records

### **Company Records:**

- Operational records
- Internal correspondence
- Databases
- Product records
- Marketing records
- Statutory records
- Internal policies and procedures

These records include, but are not limited to, records pertaining to the company's own affairs.

### **Other parties:**

The company may possess records pertaining to other parties, including and without limitation: contractors, suppliers, subsidiary/holding/sister companies, joint venture companies and service providers. Alternatively, such other parties may possess records, which can be said to belong to the company.

The following records fall under this category:

- Personnel, client or company records which are held by another party as opposed to being held by the company
- Records held by the company pertaining to other parties, including without limitation financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors/suppliers.

### **5. Availability of information:**

#### **Records Freely available**

**HERMITAGE HEALTH's** clients are able to have free access to their own personal files, which are obtainable from their relevant Liaison officer.

#### **Process for requesting information**

- all **HERMITAGE HEALTH's** clients are allowed to access their own information without having to go through this formal information request process. All clients should contact their Liaison officer to access their information.
- This process may not be used to obtain information for the use in any legal action. Records for legal action should be obtained using the rules and procedures for discovery of information that are defined for legal proceedings. The company has the right to claim all expenses and other damages that result from a request that breaks the abovementioned law.
- The process only applies to records that exist at the time of the request for information. It does not require the company to create a record which does not exist at the time the request is made.
- Provided that none of the restrictions mentioned above apply, any person wishing to access a record, in terms of the Act, that is not freely available, are required to file a request using the prescribed form (Annexure 1). The form may be obtained from the Liaison Officer at the contact details contained within this document. The completed form is to be submitted to the Liaison Officer, together with the details of the authority to request the information and payment of any applicable request fees or deposits as defined by the Act and Notice R187. The fee structure can be seen in Appendix 2.
- A request made on behalf of another person should be accompanied by proof of the capacity or authority to request information.
- Failure to fully complete the prescribed form will result in delaying the process while the company requests further information.

Contact details:

The Liaison Officer  
Hermitage Health (Pty) Ltd  
PO Box 961  
Worcester  
6849

The Liaison Officer  
Hermitage Health (Pty) Ltd  
33 Riebeeck Street  
Worcester  
6850

Telephone: +27 23 348 8888

Fax: +27 23 342 6600

This Liaison Officer is happy to assist any person with the completion of the request forms.

**7. Fees payable:**

Where applicable, the prescribed fees detailed below must be paid and proof of payment must be submitted along with the request. For banking details, please contact the compliance officer using the details mentioned earlier in this document.

Please ensure that the following reference is used for a deposit to assist in identifying the deposit: PAIA followed by the individuals' initial and surname. The fee structure can be seen in Appendix 2.

**8. Considering a request:**

- The company will consider all requests as having been received once the applicable requirements detailed in this manual have been met. The request will be processed within 30 days, unless stated special reasons dictate that the above time period not be complies with. In the event that the company need more time, they will notify the requester accordingly.
- A written confirmation will be sent to advise whether access to information has been granted or denied.

**9. Option available when a request for access to information has been denied:**

The company does not have internal appeal procedures. The decision made by the company is final. Of a request for access to information has been denied, a court order with appropriate authority may be applied for.

The company may deny access to information in the following instances:

- Obligation to protect the privacy of a third party (natural person) whose personal information would be compromised by releasing information.
- Obligation to protect the commercial information of a third party (e.g. trade secrets; financial, commercial and technical information that if disclosed could likely cause damage to the financial interest of the third party; information disclosed in confidence by a third party).
- Obligation to protect confidential information of third parties if it is protected in terms of an agreement.
- Obligations to protect the safety of individuals and their property.
- Obligations to protect records which would be regarded as privileged in legal proceedings.

**ANNEXURE 1: REQUEST FOR ACCESS TO INFORMATION**

This annexure must accompany the cover letter addressed to the Liaison Officer.

**A. Particulars of Hermitage Health:**

Address: 33 Riebeeck Street  
Paglande  
Worcester

Tel no: 023 348 8888

Fax no: 023 342 6600

**B. Particulars of person requesting access to information:**

- 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 provided
- c) Proof of the capacity in which the request is made, if applicable, must be attached

Full names and Surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal Address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Capacity in which request is made when made on behalf of another person:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C. Particulars of person on whose behalf request is being 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: \_\_\_\_\_



**E. 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 to access to record?

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Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Signature of requester/person on whose behalf request is made

**FOR INTERNAL USE ONLY:**

Reference number: \_\_\_\_\_

Liaison Officer: \_\_\_\_\_

Request Fee (if any): R \_\_\_\_\_

Deposit (if any): R \_\_\_\_\_

Access Fee: R \_\_\_\_\_

\_\_\_\_\_  
Signature of Liaison officer (or duly authorised representative)

**ANNEXURE 2: APPLICABLE PAIA FEES**

The request fee payable by a requester, other than a personal requester	R50.00
For every photocopy of an A4-size page or part thereof	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
For a copy of visual images	R60.00
For a copy on compact disc or DVD	R70.00
For a copy in a computer-readable form on compact disc or DVD	R70.00
For a copy of an audio record	R30.00

To search for and prepare the requested record, R30.00 for each hour or part of an hour, excluding the first hour, reasonably required for search and preparation.

Six hours as the hours to be exceeded before a deposit is payable; and

One third of the access fee is payable as a deposit by the requester

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

*Signed L J Groenewald*

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**L J GROENEWALD  
MANAGING DIRECTOR**

**25 JUNE 2021**