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This Manual applies to Medshield Medical Scheme ("Medshield")

Information Manual

Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000

1. FOREWORD

1.1. Introduction

On 9 March 2001, the Promotion of Access to Information Act. No. 2 of 2000 ("the Act") became operative, giving effect to the section 32(2) Constitutional right of access to information. One of the main requirements specified in the Act, is the compilation of an information manual that provides information on both the types and categories of records held by a private body. This document serves as the Scheme’s information manual and provides reference to the records held by the Scheme and the process to request access to such records.

1.2. Scope of the Manual

The scope of this manual includes Medshield Medical Scheme whose nature of business is the operation of a self-administered medical scheme within the Republic of South Africa. The scope of the manual is limited to the records held by Medshield Medical Scheme.

1.3. Availability of the Manual

A copy of this manual is available to the public for inspection on the Scheme’s website at www.medshield.co.za or on request from the designated contact person referred to in this manual.

2. DEFINITIONS

"Client/Customer" refers to any natural or juristic entity that receives services from Medshield.

"Employee" refers to any person who works for or provides services to or on behalf of the Medshield, and receives or is entitled to receive remuneration, and/or any other person who assists in carrying out or conducting the business of Medshield, and who has a written contract of employment with Medshield.

"Information Officer" means a person acting on behalf of Medshield and who has been assigned the responsibility for discharging the duties and responsibilities of Medshield as prescribed in terms of this Act, and may include a Deputy Information Officer.

"Medshield" Refers to all and/or any of the divisions that form part of Medshield Medical Scheme where applicable.

"Organization" refers to Medshield Medical Scheme herewith referred to as ‘Medshield’ of the ‘Scheme’.

"Other Requester" means any requester other than a personal requester.

"Personal Requester" means a requester who is seeking to access a record containing personal information about that requester.
“Requester” means any person making a request for access to a record that is under the control of Medshield.

“Third Party” means any natural or juristic person other than the requester or such party acting on behalf of the requester, or Medshield itself.

3. CONTACT INFORMATION

SECTION 51 (1) (a)

The responsibility for administration of, and compliance with the Act has been delegated by the Principal Officer (PO) of Medshield to the Information Officer. Requests pursuant to the provisions of the Act should be directed as follows:

Information Officer : Regan van Heerden
Deputy Information Officer : Khomotso Sethosa
Contact Number : 010 597 4999
Fax Number : 010 597 4999
Email : paiamanual@medshield.co.za

4. HUMAN RIGHTS COMMISSION GUIDE

SECTION 51 (1) (b)

A Guide has been compiled in terms of Section 10 of the Act by the Human Rights Commission. It contains information to assist a person wishing to exercise a right in terms of the Act. The Guide is available for inspection, inter alia, as follows:

The South African Human Rights Commission
Promotion of Access to Information Unit
Braampark Forum 3, 33 Hoofd Street
Braamfontein
Website : www.sahrc.org.za

Kindly direct queries to:
Postal Address : Private Bag 2700 | Houghton | 2041
Phone number : 011 877 3600
Fax number : 011 403 0625
E-mail : lidlamini@sahrc.org / PAIA@sahrc.org.za

5. AUTOMATIC DISCLOSURE

SECTION 51 (1) (c)

RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC

(A section 52(2) notice regarding the categories of records which are available without a person having to request access in terms of the Act has not been published.)

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6. LEGISLATIVE RECORDS

SECTION 51 (1) (d) RECORDS HELD IN ACCORDANCE WITH LEGISLATION

Records are held in accordance with the following legislation:

- Basic Conditions of Employment Act, 1997
- Broad Based Black Economic Empowerment Act, 2003
- Collective Investments Schemes Control Act, 2002
- Companies Act 2008 (Act No. 71 of 2008)
- Compensation for Occupational Injuries and Diseases Act, 1993
- Competition Act, 1998
- Consumer Protection Act, 2008
- Copyright Act, 1978
- Council for Medical Schemes Levies Act, 2000
- Criminal Procedure Act, 1977
- Electronic Communications Act, 2005
- Electronic Communications and Transactions Act, 2002
- Employment Equity Act, 1998
- Financial Intelligence Centre Act, 2001
- Formalities in Respect of Leases of Land Act, 1969
- Labour Relations Act, 1995
- Long Term Insurance Act, 1998
- Medical Schemes Act, 1998
- National Building Regulations and Building Standards Act, 1997
- Occupational Health and Safety Act, 1993
- Pension Funds Act, 1956
- Promotion of Access to Information Act, 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act, 2000
- Protected Disclosures Act, 2000
- Regulation of Interception of Communications and Provisions of Communication Related Information Act, 2002
- Skills Development Act, 1998
- Skills Development Levies Act, 1999
- Short Term Insurance Act, 1998
- South African Reserve Bank Act, 1989
- Unemployment Insurance Act, 2001
- Value-Added Tax Act, 1991
# 7. RECORDS HELD

**SECTION 51 (1) (e) **

RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION

Scheme Records Guide

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| SECRETARIAL SERVICES                                          | Applicable statutory documents such as but not limited to                  |
|---------------------------------------------------------------|Certificates of Incorporation and Certificates to Commence business         |
|                                                               | Annual Reports                                                             |
|                                                               | Corporate Structure diagrams                                              |
|                                                               | Memorandum and Articles of Association                                    |
|                                                               | Statutory Returns to Relevant Authorities                                 |
|                                                               | Meetings minutes                                                           |
8. ACCESS REQUESTS

SECTION 51 (1) (e)

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application to access to a record is subject to certain limitations if the requested record falls within a certain category as specified with Part 3 and Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading, legal proceedings may be instituted against such requester.

8.1. Completion of the Access Request Form

In order to facilitate a timely response to requests for access, all Requestors should take note of the following when completing the Access Request Form:

- The Access Request Form must be completed;
- Proof of identity is required to authenticate the identity of the Requestor; in addition to the Access Form, Requestors will be required to supply a copy of their Identification Document;
- Complete the form in BLOCK LETTERS and answer every question;
- If a question does not apply state N/A in response to that question;
- If there is nothing to disclose in reply to a particular question state “nil” in response to that question;
- If there is insufficient space on a printed form, additional information may be provided on an attached folio;
- When the use of an attached folio is required, precede each answer with the applicable title.

8.2. Submission of Access Request Form

The complete Access Request Form together with a copy of the Identity Document must be submitted either via post, e-mail or fax and must be addressed to the Contact Person as indicated in this Manual. This fee is not applicable to Personal Requestors. A Personal Requestor is any person seeking to access records that contain their Personal Information.

An initial, request fee of R57.00 (including VAT) is payable on submission.

8.3. Payment of Fees

Payment details can be obtained from the Contact Person as indicated above and can be made either via a direct deposit, by bank guaranteed cheque or postal order. Proof of payment must be supplied at all times.

The Access Fee must be paid prior to access being given to the requested record. If the request for access is successful an, Access Fee may be required for the search, reproduction and/or preparation of the record(s). This additional fee will be calculated based on the Prescribed Fees.

If a deposit has been paid in respect of a request for access which is refused, then the Information Officer will refund the deposit to the Requestor.
9. ACCESS REQUESTS

SECTION 51 (1) (e) 

ACCESS REQUEST PROCEDURE

NOTIFICATION
The Scheme will, within 30 days of receipt of the request decide whether to grant or decline the request and give notice with reasons to that effect. The 30 day period within which the Scheme has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days, if the request is for a large volume of information and the information cannot be reasonably obtained within the original 30 day period. The Scheme will notify the Requestor in writing should an extension be sought.

10. GROUNDS FOR REFUSAL

CHAPTER 4

GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The following are the main reasons/grounds on which the Scheme may refuse or decline a request for information held by it:

1. Mandatory protection of the privacy of a third party who is natural person, which would involve the unreasonable disclosure of Personal Information of that natural person;

2. Mandatory protection of the commercial information of a third party, if the record contains
   (i) Trade secrets of that party
   (ii) Financial, commercial, scientific or technical information whose disclosure could likely cause harm to the financial or commercial interests of that party
   (iii) Information disclosed in confidence by a third party to the Scheme if the disclosure could prejudice that third party in any way.

3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

4. Mandatory protection of the safety of individuals and the protection of property;

5. Mandatory protection of records which could be regarded as privileged in legal proceedings;

6. The Commercial Activities of the Scheme which may include:
   (i) Trade secrets of the Scheme
   (ii) Financial, commercial, scientific or technical information whose disclosure could likely cause harm to the financial or commercial interests of the Scheme.
11. FORMS

SECTION 51 (1) (e)  ACCESS REQUEST FORM

(Section 53(1) of the Promotion of Access of Information Act, 2000 (Act No 2 of 2000)
[Regulation 10]

1. Particulars of Private Body

Requests can be submitted either via post, e-mail or fax addressed to the relevant Contact Person as indicated in this Manual and below:

Medshield Medical Scheme

Contact Person: ________________________________
Postal Address: ________________________________
Physical Address: ________________________________
Phone number: ________________________________
E-mail Address: ________________________________

2. (a) Particulars of Requester (If Natural Person)

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 given;

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

Full Name(s) 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:

______________________________

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2 (b) Particulars of person requesting access to the record (If a Legal Entity)

a) The particulars of the entity 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 given
c) Proof of capacity in which request is made, if applicable, must be attached.

Name of Entity: ________________________________
Registration Number: __________________________
Postal Address : __________________________________________
Fax Number: __________________________________________
Telephone Number: ______________________________________
E-mail Address: _________________________________________

3. Particulars of person on whose behalf request is made

This section must ONLY be completed if a request for information is made on behalf of another person

Full Name(s) and Surname: ________________________________
Identity Number: _________________________________________

4. Particulars of record

a) Provide full particulars of the record to which access is requested, including the reference number if it is known to you, to enable the record to be requested
b) If the provide space is inadequate, please use a separate folio and attach it to this form. Please sign additional folios.

Description of record or relevant part of the record:

_____________________________________________________
_____________________________________________________
_____________________________________________________

Reference Number (if available): __________________________
Any further particulars of Record:

5. 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 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 of payment of fees:

6. (a) Form of Access to Record

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 under certain circumstances. In such a case you will be informed whether 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;
   [ ]

2. If record consists of visual images;
   View the images [ ]  Copy of the images [ ]  Transcription of the images [ ]
3. If the record consists of recorded information that can be reproduced in sound:

Listen to the soundtrack (audio) [ ] Transcription of soundtrack [ ]

4. If the record is held on computer or in an electronic or machine-readable form (this includes photographs, slides, video recordings, computer generated images, sketches etc.)

Printed copy of record [ ] Printed copy of information derived from the record [ ] Copy in computer readable form [ ]

5. If you requested a copy or transcription of a record (above) do you wish the copy of transcription to be posted to you? (Postage is payable)

Yes [ ] No [ ]

6. In which language would you prefer the record:

(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.)

6. (b) In the event of a disability

If you are prevented by a disability from reading, viewing or listening to the record in the Form of Access provided for in 1 to 4 above, state your disability and indicate in the form in which the record is required

Disability:

__________________________________________

Form in which Record is required:

__________________________________________

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7. Particulars of Right to be Exercised or Protected

*If the space provided is inadequate, please continue on a separate folio and attach it to this form. The Requestor must sign all folios.*

1. Indicate the right to be exercised or protected:

    _____________________________________________________________

    _____________________________________________________________

    _____________________________________________________________

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

    _____________________________________________________________

    _____________________________________________________________

8. Notice of Decision Regarding Request for Access

*You will be notified in writing whether your request has been approved or 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:

    _____________________________________________________________

    _____________________________________________________________

9. Signed at .........................on this............. day of...................................................... 20.....

    Signature of Requester/Person on Whose Behalf Request is Made

**YOU MUST**

1. Complete all necessary spaces
2. Sign the Access Request Form
3. Sign any additional folios completed

**SEND WITH THIS APPLICATION**

1. The request fee (if not personal Requestor)
2. Any additional folios completed
3. Certified copy of Identity Document

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12. FEES

**SECTION 51 (1) (e)**

(Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000) [Regulation 11 (3)]
[ Fees for Record of Private Body]

A. PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE INCLUSIVE OF VALUE ADDED TAX

a. For every photocopy of an A4 size page or part thereof
   
   R 1.10

b. For every printed copy of an A4 size page or part thereof held on computer or in an electronic or 
   machine readable form
   
   R 0.75

c. For a copy in a computer-readable form on;
   
   (i) Compact Disc
       
       R70.00

d. For a transcription of visual images;
   
   (i) For an A4 size page or part thereof
       
       R 40.00
   
   (ii) For a copy of visual images
       
       R 60.00

e. For a transcription of an audio record;
   
   (i) For an A4 size page or part thereof
       
       R20.00
   
   (ii) For a copy of audio record
       
       R 30.00

f. To search for and prepare the record for disclosure
   
   (for each hour or part thereof reasonably required for such search and preparation)
   
   R50.00

   (Section 54(2) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000)
   [Regulation 11(3)]

B. PLEASE NOTE THAT ALL PRICES LISTED ABOVE ARE INCLUSIVE OF VALUE ADDED TAX

   i. Six (6) hours as the hours to be exceeded before a deposit is payable and;

   ii. One third of the Access Fee is payable as a deposit by the Requestor

   (Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000)
   [Regulation 11(3)]

C. PLEASE NOTE THAT ALL PRICES LISTED ABOVE ARE INCLUSIVE OF VALUE ADDED TAX

   (i) The actual postage fee is payable when a copy of a record must be posted to a Requestor.

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13. ADDITIONAL INFORMATION

SECTION 51(1) (f)  ADDITIONAL PRESCRIBED INFORMATION

The Minister of Justice has prescribed no additional information to be contained in this Manual.

14. UPDATING OF MANUAL

The Scheme may update this manual every 12 months or at such intervals as may be deemed necessary.

FOR AND ON BEHALF OF THE MEDSHIELD MEDICAL SCHEME

Thoneshan Naidoo
Principal Officer