

# PAIA MANUAL

OF

# Wynland Surgery Admin Trust

Prepared and compiled on 2021-12-15 in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 in respect of Wynland Surgery Admin Trust and its associated entities.

Registration number: IT00139/2017C

**DATE OF COMPILATION: 15/12/2021**

## 1. LIST OF ACRONYMS AND ABBREVIATIONS

1. **“CEO”** Chief Executive Officer
2. **“DIO”** Deputy Information Officer;
3. **“IO“** Information Officer;
4. **“Minister”** Minister of Justice and Correctional Services;
5. **“PAIA”** Promotion of Access to Information Act No. 2 of 2000( as Amended);
6. **“POPIA”** Protection of Personal Information Act No.4 of 2013;
7. **“Regulator”** Information Regulator; and
8. **“Republic”** Republic of South Africa

## 2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

1. check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
2. have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
3. know the description of the records of the body which are available in accordance with any other legislation;
4. access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
5. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

6. know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
7. know the description of the categories of data subjects and of the information or categories of information relating thereto;
8. know the recipients or categories of recipients to whom the personal information may be supplied;
9. know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
10. know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

### **3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE Wynland Surgery Admin Trust**

#### **3.1. Chief Information Officer**

Name: **RENIER VAN DER MERWE**  
Tel: 021 872 3126  
Email: renier@winelandsurgery.co.za  
Fax number: N/A

#### **3.2. Deputy Information Officer** *(NB: if more than one Deputy Information Officer is designated, please provide the details of every Deputy Information Officer of the body designated in terms of section 17 (1) of PAIA.*

Name: **HELEN PROZESKY**  
Tel: 021 872 3126  
Email: helen@winelandsurgery.co.za  
Fax Number: N/A

#### **3. Access to information general contacts**

Email: admin@winelandsurgery.co.za

#### 4. National or Head Office

Postal Address: Room 24  
Medical Centre  
Paarl Mediclinic

Physical Address: Room 24  
Medical Centre  
Paarl Mediclinic  
Paarl 7620

Telephone: 021 872 3126

Email: [admin@winelandsurgery.co.za](mailto:admin@winelandsurgery.co.za)

Website: [www.winelandsurgery.co.za](http://www.winelandsurgery.co.za)

#### 4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

4.2. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

- 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>;
- 4.3.3. the manner and form of a request for-
  - 4.3.3.1. access to a record of a public body contemplated in section 11; and
  - 4.3.3.2. access to a record of a private body contemplated in section 50;
- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
  - 4.3.6.1. an internal appeal;
  - 4.3.6.2. a complaint to the Regulator; and
  - 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

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<sup>1</sup> Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

<sup>2</sup> Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

- 4.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
  - 4.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
  - 4.3.10. the regulations made in terms of section 92.
- 4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5. The Guide can also be obtained-
- 4.5.1. upon request to the Information Officer;
  - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).
6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
- 6.1. English;
  - 6.2. Afrikaans (upon special request and availability)

**5. CATEGORIES OF RECORDS OF THE WYNLAND SURGERY ADMIN TRUST WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

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 to date not been published.

**6. DESCRIPTION OF THE RECORDS OF WYNLAND SURGERY ADMIN TRUST WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

***NB:** Please specify all the records which are created and available in accordance with any of the South African legislation. Below is an example of the table that can be used in describing the records and applicable legislation.*

<b>Category of Records</b>	<b>Applicable Legislation</b>
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Employment Contracts	Basic Conditions of Employment Act 1997
Privacy Statement	Protection of personal information Act, 2013
	Electronic Communications and Transactions Act 36 of 2005
	Compensation for Occupational Injuries and Diseases Act, 130 of 1993
	Constitution of the Republic of South Africa, 108 of 1996
	Consumer Protection Act, 68 of 2008
	Value Added Tax Act, 89 of 1991
	Income Tax Act, 58 of 1962
	Unemployment Insurance Act, 63 of 2001
	Copyright Act, No 98 of 1978
	Employment Equity Act, No 55 of 1998
	Financial Intelligence Centre Act, No 38 of 2001
	Labour Relations Act, No 66 of 1995
	Auditing Professions Act, No 26 of 2005
	National Health Act , No 61 of 2003
	Health Professions Act, No. 56 of 1974
	Occupational Health & Safety Act, No 85 of 1993

\* Kindly note that we have attempted to list all of the applicable legislation, it may well be possible that there are more applicable legislation and in that regard this is not a completed list. When existing or new legislation applies to the Company we shall endeavour to update the above list accordingly.

## 7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE WYNLAND SURGERY ADMIN TRUST

**NB:** Describe the subjects (i.e. Finance, SCM or HR), in respect of which the body holds records and the categories of records held on each subject. Below is an example of the table that can be used. .

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	<ul style="list-style-type: none"> <li>- HR policies and procedures</li> <li>- Advertised posts</li> <li>- Employees records</li> </ul>
Operating System	<ul style="list-style-type: none"> <li>- Tax Invoices</li> <li>- Financial statements</li> <li>- Appointments / consultation diary;</li> </ul>
Operational Documents and Records	<ul style="list-style-type: none"> <li>- Company policies</li> <li>- Work instruction manuals;</li> <li>- Patient database;</li> <li>- Medical related forms;</li> <li>- Product / service manuals;</li> <li>- Patient medical history.</li> </ul>
General	<ul style="list-style-type: none"> <li>- VAT records;</li> <li>- Tax Records;</li> <li>- PAYE Records;</li> <li>- UIF Records;</li> <li>- SDL Records;</li> <li>- Management Accounts and Audited Financial Statements;</li> </ul>

## 8. PROCESSING OF PERSONAL INFORMATION

### 8.1. Purpose of Processing Personal Information



- To compile a medical history for patients;
- To perform the administration functions aspect of a medical practice Klompje Prozesky and Van der Merwe;
- To comply with necessary legal obligations;
- For necessary employment related purposes
- To facilitate patients with their medical issues and needs.

**8.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto**

**NB:** Specify the categories of data subjects in respect of whom the body processes personal information and the nature or categories of the personal information being processed.

*Below is the template that can be used to set out the categories of data subjects and the description of the nature or categories of the personal information to be processed. Note that the nature or categories of the personal information is dependent on the purpose of the body in performing its functions or services. .*

<b>Categories of Data Subjects</b>	<b>Personal Information that may be processed</b>
Customers / Clients / Patients	name, address, registration numbers or identity numbers, employment status and bank details, medical results, medical history, any personal information medical-related or required.
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race, bank details, contact numbers, full name as well as any personal information required by the relevant Acts relating to employment

**8.3. The recipients or categories of recipients to whom the personal information may be supplied**

**NB:** Specify the person or category of persons to whom the body may disseminate personal information. Below is an example of the category of personal information which may be disseminated and the recipient or category of recipients of the personal information.

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Employee personal information	Labour services
Client & Employee personal information	Accountants
Medical history and results	Hospitals / Surgeries / Medical practitioners
Company personal information	IT Consultants

#### 8.4. Planned transborder flows of personal information

*Not applicable*

#### 8.5. General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

- *Lockable filing cabinets or office rooms;*
- *Password protected Computers, Laptops and/or servers.*
- *Limited access to personal information to only necessary staff.*
- *Anti-virus and Anti-Malware Solutions*

### 9. AVAILABILITY OF THE MANUAL

9.1. A copy of the Manual is available-

9.1.1. on [WWW.WINELANDSURGERY.CO.ZA](http://WWW.WINELANDSURGERY.CO.ZA) , if any;

- 9.1.2. head office of the **WYNLANDS SURGERY ADMIN TRUST** for public inspection during normal business hours;
  - 9.1.3. to any person upon request and upon the payment of a reasonable prescribed fee; and
  - 9.1.4. to the Information Regulator upon request.
- 9.2. A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

## **10. UPDATING OF THE MANUAL**

The head of **WYNLANDS SURGERY ADMIN TRUST** will on a regular basis update this manual.

*Issued by*

**RENIER VAN DER MERWE**  
**Chief Information Officer**  
**Trustee**

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