



**AHMED AL-KADI PRIVATE HOSPITAL LIMITED**

**Registration number 2013/002123/06**

**Access to Information Manual ("Manual")**

**in terms of Section 51 of**

**The Promotion of Access to Information Act No. 2 of 2000**

**(the "ACT")**

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## 1. INTRODUCTION

Ahmed Al-Kadi Private Hospital Limited conducts business as a private healthcare facility. We are registered with the Province of Kwazulu-Natal Department of Health as a Private Hospital.

## 2. COMPANY CONTACT DETAILS (Section 51 (1) (a))

Full Name: Ahmed Al-Kadi Private Hospital Limited  
Registration number: 2013/002123/06  
Registered Address: 490 King Cetshwayo Highway, Mayville, Durban 4091  
Postal Address: PO Box 37472, Overport, Durban, 4067  
Telephone Number: +27 31 492 3400  
Fax Number: +27 31 492 9938  
Information officer: Ebrahim Asmal  
Email: [info@aakh.co.za](mailto:info@aakh.co.za)  
Website: [www.ahmedalkadi.com](http://www.ahmedalkadi.com)

## 3. THE SECTION 10 GUIDE ON HOW TO USE THE ACT (Section 51(1) (b))

- 3.1 The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041  
Telephone Number: +27-11-877 3600  
Fax Number: +27-11-403 0625  
Email: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

#### 4. INFORMATION AUTOMATICALLY AVAILABLE (Section 52 (2))

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of the ACT.

#### 5. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION (Section 51 (1) (d))

Records are held in accordance with the following legislation:

<u>No</u>	<u>Ref</u>	<u>Act</u>
1	No 71 of 2008	Companies Act
2	No 130 of 1993	Compensation for Occupational Injuries and Disease Act
3	No 55 of 1998	Employment Equity Act
4	No 58 of 1962	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 58 of 1962	Value Added Tax Act
7	No 97 of 1998	Skills Development Act
8	No 55 of 1998	Skills Development Levies Act
9	No 75 of 1997	Basic Conditions of Employment Act
10	No 61 of 2003	National Health Act
11	No 30 of 1966	Unemployment Insurance Act

#### 6. SUBJECTS AND CATEGORIES OF RECORDS HELD (Section 51 (1) (e))

We hold the following categories of information:

##### Statutory company information:

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers
- Share Register and other statutory registers

##### Financial records

- Annual Financial Statements
- Accounting Records
- Banking Records Bank Statements
- Electronic banking records
- Asset Register
- Invoices

##### Income tax records

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
  - ✓ VAT
  - ✓ Regional Services Levies
  - ✓ Skills Development Levies
  - ✓ UIF
  - ✓ Workmen's Compensation

### Personnel documents and records

- Employment contracts
- Employment Equity Plan
- Disciplinary records
- SETA records
- Disciplinary code
- Leave records
- Training records

### Other records

- Health information

## **7. PROCEDURE FOR REQUESTING A RECORD (Section 53)**

To facilitate the processing of your request:

- 7.1** The requestor must use the prescribed Form C to make the request for access to a record.
- 7.2** The request must be addressed to the Information Officer.
- 7.3** The request must be sent to the address, fax number or email address.
- 7.4** The request must provide sufficient details on the request form to enable the Information Officer to identify:
  - (a) The record(s) requested;
  - (b) The identity of the requester (if the request is made on behalf of another person, submit proof of the capacity in which the requester is making the request);
  - (c) The form of access required;
  - (d) The postal address or fax number of the requester in the Republic;
  - (e) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
  - (f) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

## **8. ACCESS TO HEALTH AND OTHER RECORDS (Section 61)**

- 8.1** In this section the term “relevant person” shall refer to the requester and / or the authorised person acting on behalf of the person to whom the record relates.
- 8.2** Requesters must stipulate in their request for information what health information is required, understanding that information held by a medical practitioner must be obtained directly from him or her. No hospital can release information held by another party, or information that is protected by a medical practitioner /patient relationship.
- 8.3** If the Information Officer is of the opinion that the disclosure of the record to the relevant person may cause serious harm to his or her physical or mental health, or wellbeing, the Information Officer may consult with the treating medical practitioner who, subject to Section 61(2) had been nominated by the relevant person.
- 8.4** If the relevant person is:
  - (a) under the age of 16 years, a person having parental responsibilities for the relevant person, must make the nomination referred to in Section 61(1) of the Act; and/or
  - (b) incapable of managing his or her affairs, a person appointed by the court to manage those affairs

must make that nomination.

- 8.5 If after the information Officer has given access to the medical practitioner, and the medical practitioner is of the opinion that the disclosure of the record to the relevant person, would likely cause serious harm to his or her physical and/or mental health, or wellbeing, the Information Officer may only grant access to that record if the requester proves to the satisfaction of the Information Officer, that adequate provision has been made for such counseling or arrangement as are reasonably practicable before, during or after the disclosure of the record to limit, alleviate or avoid such harm to the relevant person.
- 8.6 Before access to the record is so given to the requester, the person responsible for such counseling or arrangements must be given access to the record.
- 8.7 The Information Officer may also refuse access to the Information and/or records in terms of any other law.

## **9. PRESCRIBED FEES**

- 9.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 9.2 If the requestor is seeking access to a record containing personal information about the requestor, the information officer may waive the prescribed fee;
- 9.3 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 9.4 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 9.5 If the request is granted then a further access fee is payable for the search, reproduction and preparation of the record in a particular format as well as for any time, that has exceeded the prescribed hours to search and prepare the record.
- 9.6 Records may be withheld until the fees have been paid;
- 9.7 The fee structure is available on the website of the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za)

## **10. AVAILABILITY OF THE MANUAL IN TERMS OF SECTION 51 (3) OF THE ACT**

A copy of this manual is available at the Company's registered office, on the Company's website ([www.ahmedalkadi.com](http://www.ahmedalkadi.com)), and from the South African Human Rights Commission

**FORM C**

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

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

**A. PARTICULARS OF PRIVATE BODY**

The Head:

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**B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD**

- (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 furnished.  
(c) Proof of the capacity in which the request is made, if applicable, must be attached.*

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:

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**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 name 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 page and attach it to this form. The requestor must sign all additional pages.*

Description of record or relevant part of the record requested: \_\_\_\_\_

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Reference number, if available: \_\_\_\_\_

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) Your indication as to the required form of access depends 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.

<b>1. If the record is in written or printed form:-</b>							
<input type="checkbox"/> Copy of record *		<input type="checkbox"/> Inspection of record					
<b>2. If record consists of visual images: -</b> This includes photographs, slides, video recordings, computer-generated images, sketches etc							
<input type="checkbox"/> View the images	<input type="checkbox"/>	<input type="checkbox"/> Copy of the images *	<input type="checkbox"/> Transcription of the images *				
<b>3. If record consists of recorded words or information which can be reproduced in sound:-</b>							
<input type="checkbox"/> Listen to the soundtrack (audio cassette)	<input type="checkbox"/>	<input type="checkbox"/> Transcription of soundtrack * (written or printed document)	<input type="checkbox"/>				
<b>4. If record is held on computer or in an electronic or machine-readable form:-</b>							
<input type="checkbox"/> Printed copy of record *	<input type="checkbox"/>	<input type="checkbox"/> Printed copy of information derived from the record *	<input type="checkbox"/> Copy of 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? <b>Postage is payable.</b>			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Yes</td> <td style="width: 50%; text-align: center;">No</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No						
<input type="checkbox"/>	<input type="checkbox"/>						

**G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

*If the provided space is inadequate, please continue on a separate page and attach it to this form. The requestor must sign al additional pages.*

Indicate which right is to be exercised or protected: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Explain why the requested record is required for the exercising 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 thereof 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**