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MANUAL

IN ACCORDANCE WITH

**THE PROMOTION OF ACCESS TO
INFORMATION ACT (NO. 2 OF 2000)**



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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Dr C Smith

Practice Number: 1700049
Registration: 0233021

Manual to access information in terms of section 51 of the Promotion of Access to Information Act

Introduction to the practice

This private practice is the practice of Dr Clifford Smith. I run my practice according to the requirements set by the Health Professions Act of 1974, and am subject to the authority of the Health Professions Council of South Africa (HPCSA). My business is to practice medicine within the scope and ambit of my competence and training, as defined from time to time. I am bound by a number of ethical rules issued by the HPCSA, most notably the duty to preserve patient confidentiality, unless legislation or a court order compels me to breach this duty. Requesters should note that commercial information and financial information may be withheld on the grounds of sections.

Section A – My details

Full name	: Dr Clifford Smith
Registration Number	: MP 0233021
Registered Address	: P O Box 652543, Benmore, 2010
Postal Address	: P O Box 652543, Benmore, 2010
Telephone Number	: 011-884-5651
Fax Number	: 011-883-7072

Section B – The official S A Human Rights Commission Guide

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act. The SAHRC Guide will contain the following information: The objects of the Act, Particulars of the information officer of every public body; Particulars of every private body as are practicable; The manner and form of a request for access to information held by a body; Assistance available from both the information officers and the Human Rights Commission in terms of this Act; All remedies in law regarding acts, omissions, rights and duties including how to lodge an internal appeal and a court application; Schedules of fees to be paid in relation to requests for access to information; Regulations made in terms of the Act. Copies of this Guide will be available as soon as it is published by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows: South African Human Rights Commission, Promotion of Access to Information Act Unit, Private Bag 2700, Houghton 2041 Telephone: (011) 484-8300, Fax (011) 484-0582; website: www.sahrc.org.za; E-mail PAIA@sahrc.org.za

Section C – Information available from this practice in terms of the Act

1. Categories of information

(a) INFORMATION OF FORM OF PRACTICE

I am practising in solus practice and no official constituting documentation is held.

(b) INFORMATION RELATING TO THE PROFESSIONAL STATUS OF PERSONS WORKING IN THE PRACTICE

Certificates and cards proving professional registration at the HPCSA and other relevant Boards and Councils; Proof of payment of annual and registration fees; certificates of good standing.

(c) ASSETS, FINANCIAL INFORMATION AND RECORDS HELD IN TERMS OF MEDICINES CONTROL ACT OF 1965

Register of Mortgages and Debentures and Fixed Assets; Annual Financial Statements including: Annual accounts; Auditor's report, Books of Account, Supporting schedules to books of account and ancillary books of account; Accounting records; Books of Account including journals and ledgers, Bank statements; Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange; Claims to medical schemes.

(d) PATIENT RECORDS

Records are held on all patients, Records are kept between 6 and 9 years, or as legislation from time to time determine. Children's records are kept until the age of 21. These records constitute personal confidential information that is protected from unauthorised third party access.

(e) EMPLOYMENT RECORDS

Employees' names and occupations; Time worked by each employee; Remuneration paid to each employee; Attendance register; Salary and wages register; Skills Development Plan and training records; Staff records (after date of employment ceases); IRP5's and Tax information pertaining to the employment of employees; Employee contracts; Conditions of Employment and Policies (including but not limited to leave policies, Motor vehicle scheme, telephone policy, etc).

(f) HEALTH AND SAFETY

Evacuation plan; Information related to Health and Safety Committee/Officer.

(g) PROPERTY (FIXED AND MOVABLE)

Leases; Asset register' Finance and Lease Agreements.

(h) INTELLECTUAL PROPERTY

Research and development agreements.

(i) AGREEMENTS AND CONTRACTS

Software house/data warehouse/IT agreements.

(j) TAX AND VAT

Copies of all Income Tax Returns and other tax returns and documents relating to Income Tax and VAT.

(k) LEGAL

Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation; Settlement agreements.

(l) INSURANCE

Insurance policies; Professional Indemnity; Claim records; Details of insurance coverages, limits and insurers.

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2. Procedure for requesting access to the above information

If you wish to request access to any of the above categories of information, you are required to complete a request form available from: our information officer (see above); the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development website (www.doj.gov.za). There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form. You may also be called upon to pay the additional fees prescribed by the regulation for searching for and compiling the information which you have requested, including copying charges.

Access to information is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for this right. You will be notified whether your request has been approved. The fact that information is held by us and being listed in this manual should not be construed as conferring upon any requester a right to that information.
