

PAIA MANUAL FOR



(Hereinafter referred to as “3Sixty Health Solutions”)

Prepared in accordance with Section 51 of Promotion of Access to Information Act 2 of 2000

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ANNEXURE A: Form C for the request for access to records



1 Contact details of the duly authorised person (hereinafter referred to as the Information Officer) to whom requests, pursuant to the provisions of the Act, should be made (section 51(1) (a) of the Act):

The Group Executive Governance, Legal, Risk & Compliance
Physical Address 7 West Street, Houghton, Johannesburg, 2000
Telephone 011 353 0001
Email address paia.requests@3Sixtyhealth.co.za

2 Introduction

The Act gives effect to the constitutional right of access to any information held by any public or private body that is required for the exercise or protection of any rights. The Act sets out the procedures attached to such request.

Section 9 of the Act recognises that the right to access information is subject to certain justifiable limitations, for instance limitations aimed at, but not limited to the reasonable protection of privacy; commercial confidentiality; and effective, efficient and good governance.

The purpose of this Manual is to inform a person on how to obtain access to records held by 3Sixty Health, thereby giving effect to Section 51 of the Act.

3 The Section 10 Guide on how to use the Act (Section 51(1)(B) of the Act):

The Guide is available in each official language free of charge for public inspection at the following places:

- the South African Human Rights Commission;
- the communication office of the head of the national department responsible for government: Government Communications and Information Services;
- places of legal deposit as defined in section 6 of the Legal Deposit Act 54 of 1997;
- all offices of public bodies;
- all Magistrate's offices;
- all post offices; and
- in the Government Gazette.

Any person may request a copy of the Guide. Payment for such copy is required at the fee prescribed.

Queries relating to the Guide must be directed to:

The South African Human Rights Commission, PAIA Unit
The Research and Documentation Department

Postal address : Private Bag 2700, Houghton, 2041
Telephone : 011 484 8300
Email address : PAIA@sahrc.org.za
Website : www.sahrc.org.za

4 Access to records held (Section 51(1)(C), 51(1)(D) and 51(1)(E) of the Act)

- The latest notice, in terms of section 52(2) of the Act, regarding the categories of records of the companies which are available without a person having to request access (section 51(1)(c) of the Act)

No description submitted and no notice published.

- Records are kept and available in accordance with the following legislation, as amended (section 51(1) (d) of the Act):

Arbitration Act No. 42 of 1965

Basic Conditions of Employment Act No. 75 of 1997

Broad Based Black Economic Empowerment Act No. 53 of 2003

Broadcasting Act No. 4 of 1999

Companies Act No. 71 of 2008

Compensation for Occupational Injuries and Disease Act No. 130 of 1993

Competition Act No. 89 of 1998 as amended

Constitution of South Africa Act No. 108 of 1996

Consumer Protection Act 68 of 2008

Copyright Act No. 98 of 1978

Currency and Exchanges Act No. 9 of 1933

Customs and Excise Act No. 91 of 1964

Deeds Registries Act No. 47 of 1937

Drugs and Drug Trafficking Act No. 140 of 1992

Electronic Communications Amendment Act No. 1 of 2014

Electronic Communications and Transactions Act No. 25 of 2002

Employment Equity Act No. 55 of 1998

Financial Advisory and Intermediary Services Act No. 37 of 2002

Financial Intelligence Centre Act No. 38 of 2001

Foreign Corrupt Practices Act of 1977 (US Statute)

Health Professions Act No. 56 of 1974

Income Tax Act No. 58 of 1962

Inquests Act No. 58 of 1959

International Health Regulations Act No. 28 of 1974

Labour Relations Act No. 66 of 1995

Medical Schemes Act No. 131 of 1998

Medicines and related Substances Control Act No. 101 of 1965

Merchandise Marks Act No. 17 of 1941

National Credit Act No. 34 of 2005

National Road Traffic Act No. 93 of 1996

Nursing Act No. 33 of 2005

Occupational Health and Safety Act No. 85 of 1993

Patents Act No. 57 of 1978

Prevention and Combating of Corrupt Activities Act No. 12 of 2004

Promotion of Access to Information Act No. 2 of 2000

Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000

Skills Development Levies Act No. 9 of 1999

Skills Development Act No. 97 of 1998

Stock Exchange Control Act No. 1 of 1985

Tax Administration Act No. 28 of 2011

Unemployment Insurance Act No. 63 of 2001

Value Added Tax Act No. 89 of 1991

- Records, to which the right and manner of access will be provided in accordance with the Act (subject to the restrictions and right of refusal to access provided for in the Act), are available in respect to the following aspects of 3Sixty Health:-
 - **Branding**
 - brand policy and standards
 - brand and advertising material
 - print and audio-visual advertisements
 - **Communications**
 - documents relating to public communications
 - documents relating to internal communications
 - **Company Secretarial Services**
 - memoranda of incorporation
 - statutory returns to appropriate authorities
 - annual reports
 - applicable statutory documents such as, but not limited to, certificates of incorporation and certificates to commence business
 - corporate structure diagrams
 - **Corporate Social Investment**
 - agreements and applications for donations
 - reports relating to Corporate Social Investment

- documents relating to Corporate Social Investment projects
- **Financial**
 - accounting records
 - audited financial statements
 - agreements
 - income tax returns
 - banking records
 - invoices and statements
- **Information Management and Technology**
 - information policies, standards, procedures and guidelines
 - contracts and agreements
- **Internal Audit and Risk Management**
 - documents relating to generic risk management processes
 - audit plans and reports
- **Labour and Human Resources**
 - documents relating to human resource policies and procedures
 - documents relating to staff establishment
 - documents relating to general terms of employment such as, but not limited to, pension, medical aid benefits and termination of services
 - documents relating to appointments, promotions, dismissals, suspensions and disciplinary actions
 - returns to UIF
- **Production and distribution**
 - manufacturing and production specifications
 - documents relating to deliveries and receipts of product
 - warehouse and storage records
- **Marketing**
 - promotional material
 - audio-visual material
 - brochures and advertising material

- **Supply Chain**

- documents and contracts relating to procurement and supply of goods and services
- documents relating to stock management

5 **Procedure for requesting information**

Automatic available records in terms of section 52(1)(a) and (b) of the Act

No records will be made automatically available unless prescribed by legislation or any other information published as such on our website.

Automatic available records may be obtained free of charge. Should a need arise for the reproduction of such record, a reproduction fee will be payable

Application Process

Step 1: Request

Where a person wishes to access information held by the company, other than automatic available records, such a person must make a request for access to such information on the prescribed form, attached as Annexure A. This form is available on our website or may be obtained upon request.

The prescribed form must be completed with enough particulars to enable the Information Officer to identify:

- the record(s) requested;
- the identity of the requester;
- which form of access is required, if the request is granted;
- the postal address or email of the requester;
- the right the requester is seeking to exercise or protect; and
- an explanation of why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.

The completed form may be submitted in either of the following manners to the Information Officer:

- by hand
- by post
- by email

An individual, who, because of illiteracy or a disability is unable to make a request for access to a record on the prescribed form, may make that request orally. The Information Officer will then reduce the oral request to writing in the prescribed form and provide a copy thereof to the requester.

Request, access and reproduction fees

When the request is received by the Information Officer he/she shall by notice require the requester to pay the prescribed request fee, before further processing of the request.

Access of information Fees	R
a) For every photocopy of an A4 size page or part	1.10
b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable form	1.00
c) For a copy in a computer readable form on:	
i. Compact disc	70.00
d) For a transcription of visual images, for an A4 size page or part thereof	40.00
e) For a copy of visual images	60.00
f) For a transcription of an audio record, for an A4 size page or part thereof	20.00
g) For a copy of an audio record	30.00

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

Note that actual postage is payable when a copy of a record must be posted to a requester

The request fee payable by a requester, other than a personal requester, is R50, 00.

If a search for the record has been made and the preparation of the record for disclosure, including arrangements to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee, which would be payable if the request is granted.

The Information Officer shall withhold a record until the requester has paid the relevant fees.

Step 2: Validation and acknowledgement

The Information Officer validates the request to see whether the required information is available. The request is then accepted, rejected or transferred to the rightful keepers of the required information. An acknowledgement confirming the status of the request is then forwarded to the requester

Step 3: Information processing

The Information Officer will process the request within thirty (30) days, unless the requester has stated special reasons, which would satisfy such person that circumstances dictate that the above time periods should not be complied with. The 30-day period within which the Information Officer has to decide whether to grant or refuse the request may be extended for a further period of not more than thirty (30) days if the request is for a large amount of information, or the request requires a search for information held at another office of the institution and the information cannot reasonably be obtained within the original thirty (30) day period. The Information Officer will notify the requester in writing should an extension be sought.

Step 4: Final Notification

The requester will be informed of the completion of the request as well as the outstanding fees payable.

Step 5: Payment and delivery

Once the payment is received, the information is released to the requester in accordance with Section 60 of the Act.

Remedies available where requests for access to information are refused

Internal Remedies

The Information Officer will refuse a request for access to information on grounds as stated in terms of the Act.

Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

3Sixty Health Solutions does not have internal appeal process or procedure. The decision by the Information officer is final. Requestors will have to exercise external remedies at their disposal if the request for information is refused and the requestor is not satisfied by the response provided by the Information Officer.

External Remedies - Application to Court

A requester or third party, aggrieved by a decision of the Information Officer, to refuse a request for access or taken in terms of section 54, 57(1) or 60 of the Act, may, by way of an application, within 30 days apply to a court for appropriate relief in terms of section 82 of the Act.

6 Availability of the manual

This manual is currently available as follows:

- on 3Sixty Health website at www.3sixtyhealth.co.za
- in hard copy, to be viewed free of charge, at the offices of 3Sixty Health, 7 West Street, Houghton, Johannesburg.



ANNEXURE A

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

B. Particulars of person requesting access to the record

- a) The particulars of the persons who requests access to the record must be given below.
- b) The address and/or fax number and/or email address in the Republic to which the information is to be sent must be given.
- 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 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: _____

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 folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. 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 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

Reason for exemption from payment of fees:

F. Form of access to records

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:
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Mark the appropriate box with an **X**.

NOTES:

- Compliance with your request in the specified form may depend on the form in which the record is available.
- 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.
- The fee payable for access to the record, if any, will be determined by the form in which access is requested.

1. If the record is in written or printed form

<input type="checkbox"/>	copy of record	<input type="checkbox"/>	inspection of record
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2. If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy the images	<input type="checkbox"/>	transcription of the images
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to soundtrack (audiocassette)	<input type="checkbox"/>	transcription of soundtrack (written or printed documents)
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printed copy of record	<input type="checkbox"/>	printed copy of information derived from the record	<input type="checkbox"/>	Copy in computer readable form (stick or compact disc)
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If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable

No

Yes

G. Particulars of right to be exercised or protected

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

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise 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 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 Requestor/ Person
On Whose Behalf Request Is Made

The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1.10 for every photocopy of an A4 size page or part thereof.

2) The fees for reproduction referred to in regulation 11(1) are as follows:

Item	R
a) For every photocopy of an A4 size page or part	1.10
b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable form	1.00
c) For a copy in a computer readable form on: ii. Compact disc	70.00
d) For a transcription of visual images, for an A4 size page or part thereof	40.00
e) For a copy of visual images	60.00
f) For a transcription of an audio record, for an A4 size page or part thereof	20.00
g) For a copy of an audio record	30.00

3) The request fee payable by every requester, other than a personal requester, referred to in regulation 11(2) is R50,00.

4) The access fees payable by a requester referred to in regulation 11(3) are as follows:

1)	R
a) For every photocopy of an A4 size page or part	1.10
b) For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable form	1.00
c) For a copy in a computer readable form on: iii. Compact disc	70.00
d) For a transcription of visual images, for an A4 size page or part thereof	40.00
e) For a copy of visual images	60.00
f) For a transcription of an audio record, for an A4 size page or part thereof	20.00
g) For a copy of an audio record	30.00
h) To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	

2) For purposes of section 22(2) of the Act, the following applies:

- a) Six hours as the hours to be exceeded before a deposit is payable; and
- b) one third of the access fee is payable as a deposit by the requester.

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

This PAIA Manual of 3Sixty Solutions is approved by and signed by the CEO of 3Sixty Solutions on the 28th day of January 2021



Dr Nomonde Mabuya, Chief Executive Officer
3Sixty Health Solutions

