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PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

MSUNDUZI HOSPICE ASSOCIATION

MANUAL IN TERMS OF

SECTION 51 OF

PROMOTION OF ACCESS TO INFORMATION ACT

2 OF 2000 (as amended)

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Introduction:

Msunduzi Hospice Association is a Non-profit organisation registered with the Department of Social Development. We provide Palliative Home Based Care services to patients with life limiting and/or life threatening illnesses.

Organisational contact details:

Board:

The Board are elected at an annual AGM.

The current chairperson is Praveen Jugmohan.

Management details:

CEO:	Warren Oxford-Huggett
Information officer:	Warren Oxford-Huggett
Deputy Information Officer:	No deputy information officer has been appointed.
Postal address:	P.O. Box 22023, Mayor's Walk, 3208
Physical address:	200 Zwartkop Road, Prestbury, 3201
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Purpose of the PAIA Manual:

This manual is published in terms of Section 51 of the Promotion of Access to Information Act No 2 of 2000. The Act gives effect to the provisions of Section 32 of the Constitution. The Constitution of the Republic of South Africa, Act No 108 of 1996, stipulates that everyone has the right of access to any information held by the State, and any information that is held by another person that is required for the exercise or protection of any rights and that national legislation must be enacted to give effect to this right.

The Promotion of Access to Information Act gives effect to this constitutional right and came into effect on 9 March 2001. The object of the Act is to foster a culture of transparency and accountability in public and private bodies and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all of their rights.

The PAIA Manual is useful for the public to:

- check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 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;
- know the description of the records of the body which are available in accordance with any other legislation;
- access all the relevant contact details of the information officer who will assist the public with the records they intend to access;

- know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- know if the body will process personal information, the purpose of processing personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- know the description of the categories of data subjects and of the information or categories of information relating thereto;
- know the recipients or categories of recipients to whom the personal information may be supplied;
- 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
- know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

How to make a request for access to information:

A request for access to a record is made by completing a request 'Form 2' for private bodies. Form 2 is available on request from the Msunduzi Hospice Association offices or can be obtained from the offices and website of the Information Regulator ([PAIA Guidelines - Information Regulator \(info regulator.org.za\)](http://www.inforegulator.org.za)). The request form must be completed and submitted to the head of the private body from whom access to a record is sought. The head of a private body must respond to the request within 30 days.

Availability of this manual:

A copy of this manual is available at the offices of the organisation: 200 Zwartkop Road, Prestbury, Pietermaritzburg.

The website of the organisation www.hospicekzn.co.za

A copy of this manual is available in isiZulu on request from the organisation.

Applicable legislation:

In terms of section 51 (1) of the Act, records are available in accordance with the following legislation:

- Basic Conditions of Employment Act 75 of 1997;
- Employment Equity Act 55 of 1998;
- Health Professions Act 56 of 1974;
- Income Tax Act 58 of 1962;
- Labour Relations Act 66 of 1995
- Non-Profit Organisations Act 71 of 1997;
- Promotion of Access to Information Act 2 of 2000;
- South African Revenue Services Act 34 of 1997;

- Skills Development Levies Act 9 of 1998;
- Skills Development Act 97 of 1998;
- Unemployment Insurance Act 63 of 2001;
- Value Added Tax Act 89 of 1991;
- Compensation for Occupational Injuries and Diseases Act 130 of 1993;

Schedule of available records:

In terms of section 51(1) the following records are available:

Records in the public domain:

- Newsletters;
- Pamphlets/brochures;
- Posters;
- Website;
- Facebook (social media);

Records that can be requested in terms of Section 51(1):

- Organisational:
 - NPO certificate;
 - Board attendance registers and minutes;
 - Schedule of board members;
 - AGM minutes;
- Operational:
 - Employee records;
 - Employment applications;
 - Employment contracts;
 - Disciplinary records;
 - Provident fund details;
 - IRP 5 and IT 3 certificates;
 - Leave details;
 - Medical aid records;
 - Payroll;
 - UIF and PAYE returns;
 - Policies procedures;
 - Annual Financial Statements;
 - Asset register;

- Tax & VAT returns;
- Investment records;
- Building plans;
- Title deeds;
- Management reports and minutes;
- Statistical information on activities;
- Care related records:
 - Patient files;
 - Assessment documentation;
 - Care plans;
 - Records of interventions;

Form of request:

To facilitate your request please:

- Use the prescribed form available on the website of the Information Regulator ([PAIA Guidelines - Information Regulator \(inforegulator.org.za\)](https://www.inforegulator.org.za)).
- Address your request to the head of the organisation, the CEO.
- Provide sufficient detail to enable the organisation to identify:
 - The records requested;
 - The requester (or if an agent is lodging the request, proof of capacity);
 - The form of access required;
 - The postal address or fax number of the requester (in the republic);
 - If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - The right the requesters is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right;

Please see Form 2

Prescribed fees:

A fee structure applies to requests made:

- 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);
- A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- Records may be withheld until the fees have been paid;
- The fee structure is available on the website of the Information Regulator: [PAIA Forms - Information Regulator \(inforegulator.org.za\)](https://www.inforegulator.org.za)

Annexures

All annexures and forms are available on request from Msunduzi Hospice Association Information officer – warren@hospicekzn.co.za or hospice@hospicekzn.co.za or call 033-2602800 and ask for the PA to the CEO.

The following forms are available:

- Form 2 – Request for access to a record
- Form 3 – Outcome of request and fees payable

Change log

Date	Nature of change	Detail of change
24 October 2023	Update	As per email received on 10 October from Information Regulator – update to forms. Compliance notice in terms of section 83(3)(d). Updated telephone numbers and various contact details and reference to Information regulator website.