

INCORPORATED

Registration Number: 2014/280643/07

Access to Information Manual

In terms of Section 51 of

THE PROMOTION OF ACCESS TO INFORMATION ACT

NO. 2 OF 2000

(hereinafter referred to as "the Act")

Compilation Date : December 2015

Date of Revision : December 2016

Version : 2 (2016)

INTRODUCTION

1. The aim of this Manual is to assist potential requestors as to the procedure to be followed when requesting access to information / documentation from Cornerstone Pharmacies (Pty) Limited as contemplated in terms of the Act.
2. This Manual may be amended from time to time and as soon as any amendments have been finalized, the latest version of the Manual will be made public.
3. Any requestor is advised to contact the Head of Business named in Section 1 should he / she require any assistance in respect of the utilisation of this Manual and / or the requesting of information / documentation from Cornerstone Pharmacies (Pty) Limited.

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1. CONTACT DETAILS – **Section 51 (1) (a) of the Act**

Directors	-	Hermann Kohlöffel
Head of business	-	Hermann Kohlöffel
Information officer	-	Hermann Kohlöffel
Physical Address	-	304 Tungsten Road, Strijdom Park Randburg
Postal Address	-	P O Box 2967 Northcliff 2115
Telephone Number	-	011 801 5700
Fax Number	-	011 801 5701
Email Address	-	legal@nhcltd.com
Website	-	www.cspharmacy.co.za

2. INTRODUCTION TO THE PRACTICE

- 2.1. Cornerstone Pharmacies (Pty) Limited's main objective is the sale of pharmaceuticals and related services.

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT – **Section 51 (1) (b) of the Act**

- 3.1. The Act grants a requestor 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 this Act shall be made in accordance with the prescribed procedures, at the rates provided. The form 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 Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.
- 3.4. 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
Website - www.sahrc.org.za

4. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

- 4.1. Information which is not readily available as indicated in this Manual must be requested by way of the prescribed form. A template of the Request Form is attached for ease of reference (Annexure 'A').
- 4.2. The request must be made:-
 - 4.2.1. to the Head of Business named in Section 1 above; and
 - 4.2.2. to the address, fax number or electronic mail address of the practice set out in Section 1.
- 4.3. The requester must provide sufficient detail on the Request Form to enable the Head of Business to identify the record and the requester.
- 4.4. The requester should also indicate:-
 - 4.4.1. which form of access is required; and
 - 4.4.2. if any other manner should be used to inform the requester. If this is the case, please furnish the necessary particulars to be so informed.
- 4.5. The requester must identify the right that is sought to be exercised or to be protected and must provide an explanation of why the requested record is required for the exercise or protection of that right.
- 4.6. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of Head of Business aforesaid.
- 4.7. The prescribed request fee must be attached.
- 4.8. The Head of Business will endeavour to respond to all requests within thirty days of receiving the request by indicating whether the request for access has been granted or denied.
- 4.9. Please note that the successful completion and submission of a request for access form does not automatically allow the requestor access to the requested record.
- 4.10. Access will be granted to a record only if the following criteria are fulfilled:-
 - 4.10.1. The record is required for the exercise or protection of any right;
 - 4.10.2. The requestor complies with the procedural requirements set out in the Act relating to a request; and
 - 4.10.3. Access to the record is not refused in terms of any ground for refusal as contemplated in Chapter 4 of Part 3 of the Act.

5. INFORMATION AUTOMATICALLY AVAILABLE

Section 51 (1) (c)

5.1. The following records are automatically available so the requestor does not need to request this information in terms of the Act:-

5.1.1. Media releases.

6. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Section 51 (1) (d)

6.1. The practice keeps records in accordance with all such legislation as is applicable to it, which includes but is not limited to:-

- 6.1.1. Basic Conditions of Employment Act, No. 75 of 1997;
- 6.1.2. Companies Act No. 71 of 2008;
- 6.1.3. Compensation for Occupational Injuries and Health Diseases Act, No. 130 of 1993;
- 6.1.4. Employment Equity Act, No. 55 of 1998;
- 6.1.5. Income Tax Act No. 58 of 1962;
- 6.1.6. Labour Relations Act, No. 66 of 1995;
- 6.1.7. Promotion of Access to Information Act, No. 2 of 2000;
- 6.1.8. South African Revenue Services Act, No. 4 of 1997;
- 6.1.9. Skills Development Act, No. 97 of 1998;
- 6.1.10. Unemployment Insurance Act, No. 63 of 2001; and
- 6.1.11. All relevant health legislation.

6.2. Where records are kept in terms of any of the above legislation and same is of a public nature, these may, in certain circumstances, be available without the requirement of a request in terms of the Act.

7. INFORMATION NOT AUTOMATICALLY AVAILABLE

Section 51 (1) (e)

7.1. This part of the Manual sets out a description of the subjects on which the practice holds records and the categories or records held on each subject.

7.1.1. Agreements and contracts

Software and IT agreements, agreements concerning provision of services or materials and agreements with contractors and suppliers

7.1.2. Employment Records

Employees' names and occupations, time worked by each employee, remuneration paid to each employee, attendance register, salary and wages register, disciplinary proceedings, arbitration awards and CCMA cases, skills development plan and training records, staff information pertaining to the employment of employees, employee contracts, performance management records, incentive schemes, conditions of employment and policies (including but not limited to leave policies, telephone policy, etc.)

7.1.3. Finance

Financial statements, reports and returns, banking details and bank account records and debtors / creditors statements and invoices

7.1.4. Health and safety

Evacuation plan and information related to Health and Safety Officer

7.1.5. Information on the practice

Certificate of Incorporation, Memorandum of Incorporation, minutes of directors meetings and other statutory registers

7.1.6. 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, with proof of payment of annual registration fees

7.1.7. Insurance

Insurance policies and claim records, professional indemnity

- 7.1.8. Intellectual property
Copyright
- 7.1.9. Legal
Patient complaints and documents relating to matters referred to external attorneys and / or counsel
- 7.1.10. Operations
Policies and procedures
- 7.1.11. Patient Records
Records are held on all patients as required and prescribed by legislation. These records constitute personal confidential information that is protected from unauthorised third party access.
- 7.1.12. Pension and Retirement fund records
Not applicable
- 7.1.13. Property (fixed and movable)
Lease, building plans and asset register
- 7.1.14. Taxation and VAT
Copies of all Income Tax Returns and other tax returns and documents relating to Income Tax and VAT

8. FEES

- 8.1. A requester who seeks access to a record containing personal information about that requester is not required to pay a request fee. Every other requester, who is not a personal requester, must pay the required request fee.
- 8.2. The applicable fees are prescribed in terms of the Regulations promulgated under the Act. A copy of the prescribed fees is attached for ease of reference (Annexure B).

9. AVAILABILITY OF THE MANUAL

- 9.1. This manual is available for inspection by the general public upon request, during office hours and free of charge, at the offices of Cornerstone Pharmacies (Pty) Limited and from the South African Human Rights Commission.
- 9.2. Copies of this Manual may be made, subject to the prescribed fees.
- 9.3. This Manual is also posted on the website named in Section 1.

Annexure A

Request Form

A. Particulars of private body

The Head: Cornerstone Pharmacies (Pty) Limited
P O Box 2967, Northcliff 2115

B. Particulars of person requesting access to the record.

- (a) The particulars of the person who requests access to the record must be recorded below.
(b) Furnish an address and/or fax number in the Republic to which information must be sent.
(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	
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 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 separate folio and attach it to this form.
The requester must sign all the additional folios.

Description of record or relevant part of the record	
Reference number, if available	
Any further particulars of record	

Section 51 Manual of **Cornerstone Pharmacies (Pty) Limited**
 (Registration Number: 2014/280643/07)

- (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 therefor.

E. Fees

Reason for exemption from payment of fees	
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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 required.

1. If the record is in written or printed form -			
<input type="checkbox"/>	Copy of record *	<input type="checkbox"/>	Inspection of record
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 of the images*
<input type="checkbox"/>		<input type="checkbox"/>	Transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound -			
<input type="checkbox"/>	Listen to the soundtrack (audio cassette)	<input type="checkbox"/>	Transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form -			
<input type="checkbox"/>	Print copy of record*	<input type="checkbox"/>	Printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	Copy in 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? A postal fee is payable			<input type="checkbox"/> YES <input type="checkbox"/> NO

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.

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	
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Signed at _____ this _____ day of _____ 20__

SIGNATURE OF REQUESTER/ PERSON ON
 WHOSE BEHALF REQUEST IS MADE

Annexure B

Fees

#	Item	Basis	Fee
1.	The fees for reproduction referred to in section 52 (3) of the Act		
	(a)	Per photocopy of an A4-size page or part thereof	R1.10
	(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
	(c)	For a copy in a computer-readable form on -	
		• Stiffy disc	R7.50
		• Compact disc	R70.00
	(d)	For a transcription of visual images, for an A4-size page or part thereof	R40.00
	(e)	For a copy of visual images	R60.00
	(f)	For a transcription of an audio record, for an A4-size page or part thereof	R20.00
	(g)	For a copy of an audio record	R30.00
2.	Request fee payable by a requester, other than a personal requester, referred to in Section 54 (1) of the Act.		R50.00
3.	The access fees payable by a requester referred to in Section 54 (7) of the Act		
	(a)	For every photocopy of an A4-size page or part thereof	R1.10
	(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
	(c)	For a copy in a computer-readable form on -	
		• Stiffy disc	R7.50
		• Compact disc	R70.00
	(d)	For a transcription of visual images, for an A4-size page or part thereof	R40.00
		• For a copy of visual images	R60.00
	(e)	For a transcription of an audio record, for an A4-size page of part thereof	R20.00
		• For a copy of an audio record	R30.00
	(f)	To search for the record for disclosure, for each hour or part of an hour reasonably required for such search and preparation	R30.00
4.	For purposes of Section 54(2) of the Act		
	(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	
5.	The actual postage is payable when a copy of a record must be posted to a requester.		