

## PROMOTION OF ACCESS TO INFORMATION MANUAL

**ALIGND (PTY) LTD (Registration Number 2018/617156/07) HEREINAFTER REFERRED TO AS ("THE COMPANY"). THIS MANUAL HAS BEEN PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 ("THE ACT") AND THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 ("POPIA").**

### 1. INTRODUCTION

- 1.1. The Company is a private body, as defined in the Act, and this Information Manual ("**Manual**") contains the information specified in section 51(1) of the Act which is applicable to such a private body.
- 1.2. The aim of the Manual is to assist potential requesters in requesting access to information (documents or records) from the Company, as contemplated under the Act and POPIA.
- 1.3. The Manual may be amended from time to time and as soon as any amendments have been effected, the latest version of the Manual will be published and distributed in accordance with the Act.
- 1.4. A requester is invited to contact the Information Officer should he or she require any assistance in respect of the use or content of this Manual. Any reference in this Manual to the Information Officer includes the Deputy Information Officer, if applicable.

### 2. DETAILS OF THE PRIVATE BODY (SECTION 51(1) (A) OF THE ACT)

Name of Business:	Alignd (Pty) Ltd
Postal Address:	17 Kew Road, Mowbray, 7700
Street Address:	17 Kew Road, Mowbray, 7700
Head and Information Officer:	Lungi Nyathi
Telephone No:	087 550 3399
Company Email:	info@alignd.co.za
Head of the Company Email:	<a href="mailto:lungi@alignd.co.za">lungi@alignd.co.za</a>
Website:	<a href="https://alignd.co.za/">https://alignd.co.za/</a>

### 3. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(B)

- 3.1 A guide has been compiled in terms of Section 10 of the Act by the South African Human Rights Commission. The guide contains information required by a person wishing to exercise any right contemplated by the Act. The guide is available in all of the official languages and in braille, and it is currently available for inspection at the offices of the Information Regulator and on its website, which can be found here: <https://info regulator.org.za/> alternatively at [www.sahrc.org.za](http://www.sahrc.org.za). A copy of the guide is also available in the following two official languages, for public inspection during normal office hours in English and Afrikaans at the head office of the Company.

- 3.2 The Information Regulator contains the forms available under the Act on its [website](#) as listed in clause 3.1 and which include but are not limited to:
- 3.2.1 Form 01. Request for the guide from the Information Regulator or the Information Officer;
  - 3.2.2 Form 02. Request for Access to Record;
  - 3.2.3 Form 05. Complaint Form; and
  - 3.2.4 Form 13. PAIA request for Compliance Assessment Form.

#### 4. PURPOSE OF PROCESSING PERSONAL INFORMATION

- 4.1. The Company processes certain types of personal information in the course of its day to day operations, as included in Annexure "B".
- 4.2. Some of the personal information kept by the Company is stored outside of the Republic of South Africa in the following countries: Ireland
- 4.3. The following security safeguards are implemented or are under implementation to ensure the confidentiality, integrity and availability of the information;
  - 4.3.1. Data encryption;
  - 4.3.2. Anti-virus and Anti-malware solutions, on both server infrastructure and end-points;
  - 4.3.3. Access control (this includes: strong password enforcement and having a strategy in place regarding restriction of access rights to certain categories of information, and the required permissions for certain users to such information);
  - 4.3.4. Defensive measures (this includes: third party firewalls, intrusion prevention system software;
  - 4.3.5. Robust monitoring, auditing and reporting capabilities;
  - 4.3.6. Security controls (this includes: identity protection, multi-factor authentication, device management, and threat protection)
  - 4.3.7. Data backups; and
  - 4.3.8. Awareness and vigilance.

4.4. The Company processes the following types of personal information in respect of the following categories of data subjects:

Categories of data subjects	Personal Information that may be processed
Customers / Clients (Schemes)	name, address, registration numbers or identity numbers, employment status and bank details; agreements
Enrolled Patient data	Name, address, identity numbers, next of kin identifiers, medical data
Potential Patient data (Profiling)	Name, address, identity numbers, medical data
Supplier and Service Providers	names, registration number, vat numbers, address, trade secrets and bank details, agreements
Employees	address, qualifications, banking details, tax numbers, identity numbers, employment contracts

*Note: The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.*

4.5. The Company may disseminate personal information to the following recipients and/or categories of recipients:

Category of Personal Information	Recipients or categories of Recipients
Full names; identity number for criminal checks.	South African Police Services
Qualifications, for qualification verifications.	South African Qualifications Authority
Credit and payment history, for credit information.	Credit Bureaus
Patient information	Medical Network Providers, medical professionals for example an oncologists. This is for purposes of verification and/or review of a patient.

*Note: The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.*

## 5. RECORDS HELD IN TERMS OF APPLICABLE LEGISLATION (SECTION 51(1)(D))

5.1. The Company is required by law to keep certain records. These records are kept in terms of different Acts of Parliament. The Company holds records in terms of the Acts of Parliament as set out in Annexure "A" hereto.

5.2. *Note: The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act.*

*In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.*

## 6. RECORDS HELD AS A MATTER OF STANDARD PRACTICE (SECTION 51(1)(E))

The Company keeps certain records in the conduct its day to day business and as a matter of standard practice. The Company holds the records as set out in Annexure "B" hereto.

## 7. RECORDS WHICH ARE AUTOMATICALLY AVAILABLE WITHOUT HAVING TO MAKE A REQUEST IN THE PRESCRIBED FORM

X	Marketing and promotional material	X	<a href="#">Website</a>
X	Manual	X	<a href="#">Website</a>
X	Privacy Policy	X	<a href="#">Website</a>

## 8. MAKING A REQUEST IN TERMS OF THE ACT

- 8.1. Complete [Form "2"](#) (Request for Access to Record), available for download by clicking the link in this clause.
- 8.2. Submit the completed Form 2 to the Information Officer at the physical, postal or email address listed above. Where a request for access to a record is made orally because of illiteracy or a disability, the Information Officer will complete Form 2 on your behalf and will provide you with a copy of the completed Form 2.
- 8.3. Upon receipt of the completed Form 2 and in accordance with [Form "3"](#) (Outcome of Request and of Fees Payable), the Information Officer will inform you of whether your request has been granted or refused (and the reason for such refusal) and the fees payable by you in respect of your request.
- 8.4. Fees (please note that these fees are inclusive of value added tax and must be paid in full before access to a record will be allowed):
  - 8.4.1. A request fee of R140.00 (one hundred and forty Rand) is payable on submission of the completed Form 2. You may make an application to court to be exempted from paying such fee.
  - 8.4.2. Fees may also be levied for the reproduction of the record.
- 8.5. If the record you have requested exists, and allowing access to it does not affect a third party, your request will be processed within 30 (thirty) days.
- 8.6. This period may be extended once for a further 30 (thirty) days if:
  - 8.6.1. the request is for a large number of records or requires a search through a large number of records, and compliance with the original period would unreasonably interfere with the activities of the Company;

- 8.6.2. the request requires a search for records in, or collection thereof from, an office or premises not situated at 17 Kew Road, Mowbray 7700 and this search cannot reasonably be completed within the original 30 (thirty) days;
- 8.6.3. consultation with another private body is necessary or desirable to decide upon the request, and this consultation cannot reasonably be completed within the original period;
- 8.6.4. more than one of the circumstances contemplated above exist in respect of the request, making compliance with the original period not reasonably possible; or
- 8.6.5. you, as the requester, consent in writing to such extension.

## 9. GROUNDS FOR REFUSAL

- 9.1. There are various grounds upon which your request for access to a record may be refused. They are:
  - 9.1.1. the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
  - 9.1.2. the protection of commercial information of a third party (for example trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
  - 9.1.3. if disclosure would result in the breach of a duty of confidence owed to a third party;
  - 9.1.4. if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
  - 9.1.5. if the record was produced during legal proceedings, unless legal privilege has been waived in respect of the record;
  - 9.1.6. if the record contains any trade secrets, financial or sensitive information or any information that would put the Company at a disadvantage in negotiations or prejudice it in commercial competition; and/or
  - 9.1.7. if the record contains any information about research being carried out, or about to be carried out, on behalf of a third party or by the Company.
- 9.2. Section 70 of the Act contains an overriding provision. Disclosure is compulsory if it would reveal a substantial contravention of, or failure to comply with the law, or imminent and serious public safety or environmental risk and the public interest in the disclosure of the record clearly outweighs the harm contemplated by its disclosure.
- 9.3. If your request does affect a third party then the Company will first need to inform the third party within 21 (twenty-one) days of the Company receiving your request (i.e. if the record you request affects any third party in any way, that third party will have to be informed that you are requesting access to the above record. The third party then has 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the record).

## 10. THE INFORMATION OFFICER'S DECISION

Once the Information Officer has heard all the submissions, s/he will make a decision as to whether or not access to the record will be granted. If the Information Officer determines that

access to the record will be granted, you must then be granted access to the record within 30 (thirty) days of being informed of the decision.

## 11. AVAILABLE RECOURSE

- 11.1. Where the Information Officer grants your request for access to a record, the Information Officer will inform you of the fee payable for such record, and the form in which the access will be granted. You are entitled to lodge a complaint with the Information Regulator (or to make an application to court) against the fee payable and/or the form of the record to be provided to you. The complaint [form](#) can be found on the Information Regulator's website by clicking the link in this clause.
- 11.2. Where the Information Officer refuses your request for access to a record, the Information Officer will inform you as to reasons of refusal. You are entitled to lodge a complaint with the Information Regulator (or to make an application to court) against the refusal. The complaint [form](#) can be found on the Information Regulator's website by clicking the link in this clause.
- 11.3. Where the 30 (thirty) day period within which the record is to be provided to you is extended, as described in paragraph 8.6 above, the Information Officer will inform you of such extension and the reason for the extension. You may lodge a complaint to the Information Regulator, or make an application with the court against the extension. The complaint [form](#) can be found on the Information Regulator's website by clicking the link in this clause.

## 12. THE AVAILABILITY OF THIS MANUAL

- 12.1. A copy of the Manual is available:
  - 12.1.1. On <https://alignd.co.za/>
  - 12.1.2. The head office of Alignd for public inspection during normal business hours;
  - 12.1.3. To any person upon request and upon the payment of a reasonable prescribed fee; and
  - 12.1.4. To the Information Regulator upon request.
- 12.2. A fee for a copy of the Manual, as contemplated in Annexure D of this Manual, shall be payable per each A4-size photocopy made.

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### **Signed on behalf of the Board of Directors**

Alignd (Pty) Ltd

13 November 2023

## ANNEXURE "A" - RECORDS AVAILABLE IN TERMS OF LEGISLATION

Records are kept in accordance with such legislation as is applicable to the Company from time to time, which includes but is not limited to, the following legislation:

1. Basic Conditions of Employment 75 of 1997;
2. Companies Act 71 of 2008;
3. Compensation for Occupational Injuries and Health Diseases Act 130 of 1993;
4. Consumer Protection Act 68 of 2008;
5. Electronic Communications & Transactions Act 25 of 2002;
6. Employment Equity Act 55 of 1998;
7. Income Tax Act 58 of 1962;
8. Labour Relations Act 66 of 1995;
9. Occupational Health and Safety Act 85 of 1993;
10. Promotion of Access to Information Act 2 of 2000;
11. Protection of Personal Information Act 4 of 2013;
12. Skills Development Act 97 of 1997;
13. Skills Development Levies Act 9 of 1999;
14. Unemployment Insurance Act 63 of 2001; and
15. Value Added Tax Act 89 of 1991

## ANNEXURE "B" - RECORDS HELD BY THE COMPANY

### 1. Companies Act Records

- 1.1. Documents of incorporation;
- 1.2. Memorandum of Incorporation;
- 1.3. Minutes of Board of Directors meetings;
- 1.4. Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers; and
- 1.5. Share Register and other statutory registers.

### 2. Firm documents and Legal Records

- 2.1. Operational records;
- 2.2. Domain name registration;
- 2.3. Computer Software;
- 2.4. Insurance policies;
- 2.5. Client files; and
- 2.6. Asset registers.

### 3. Client Records

- 3.1. Client files and Mandates;
- 3.2. Client account information; and
- 3.3. Client information provided in terms of the Financial Intelligence Centre Act 38 of 2001.

### 4. Patient Records

- 4.1. Patient files and Mandates;
- 4.2. Patient account information; and
- 4.3. Patient information provided in terms of the Financial Intelligence Centre Act 38 of 2001.
- 4.4. Medical information

### 5. Supplier and Services Records

- 5.1. Agreements with suppliers and service providers; and
- 5.2. Records generated by or within the Company, pertaining to suppliers including transactional records

### 6. Communication

- 6.1. Internal and external correspondence and memorandums.

### 7. Financial and Accounting Records



- 7.1. Accounting and tax (including VAT, PAYE and similar) records;
- 7.2. Banking records;
- 7.3. Invoices;
- 7.4. Documents issued to employees for income tax purposes;
- 7.5. Records of payments made to SARS on behalf of employees;
- 7.6. All other statutory compliances;
- 7.7. VAT;
- 7.8. Regional Services Levies;
- 7.9. Skills Development Levies;
- 7.10. UIF; and
- 7.11. Workmen's Compensation.

**8. Personnel Documents and Records**

- 8.1. Employment contracts (including any addendums thereto);
- 8.2. Employment Equity Plan (if applicable);
- 8.3. Medical Aid records;
- 8.4. Identity documents;
- 8.5. Contact detail records;
- 8.6. Residential address records;
- 8.7. Birth date records;
- 8.8. Bank Records;
- 8.9. EEA1 forms;
- 8.10. Security check records;
- 8.11. Curriculum Vitae;
- 8.12. Qualification records;
- 8.13. Disciplinary records;
- 8.14. Salary records;
- 8.15. SETA records;
- 8.16. Disciplinary code;
- 8.17. Leave records;
- 8.18. Training records; and
- 8.19. Training Manuals.

## ANNEXURE "C" - PRESCRIBED FEES IN RESPECT OF REQUESTS FOR INFORMATION

In respect of documents pertaining to categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

### 1. Fees

- For every photocopy of an A4-size page or part thereof R2.00
- For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form R2.00
- For a copy in a computer-readable form on:
  - Flash drive R40.00 (flash drive to be provided by the requestor)
  - Compact disc
    - If provided by requestor: R40.00
    - if provided to the requestor: R60.00
- A transcription of visual images, for an A4-size page or part thereof will be as per the cost incurred by the Company in respect of such transcription
- For a copy of visual images the cost will be as per the cost incurred by the Company in respect of such image
- A transcription of an audio record, for an A4-size page or part thereof R24.00
- For a copy of an audio record on:
  - i. Flash drive (to be provided by the requestor): R40.00
  - ii. Compact disc
    - 1. If provided by the requestor: R40.00
    - 2. if provided to the requestor: R60.00

to search for and prepare the record for disclosure for each hour of an hour, excluding the first hour, reasonably required for such search and preparation: R145.00. The total cost of the search which will not exceed: R435.00

- Where a copy of a record needs to be posted, emailed or delivered in any other electronic transfer the actual expense is payable.

### 2. Deposits

Where the Company receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 (six) hours, a deposit is payable by the requester. The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.