



BPrimEd (Wits) B.A (HONS.) (Wits) M. Ed. (Wits)
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PROMOTION OF ACCESS TO INFORMATION ACT

Section 51 Manual

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person or entity, whether such information is required by someone to protect his/her rights.

OVERVIEW

My is a practice in the field of Educational Psychology. I specialise in therapy, assessments and workshops. I work in the health sector and are healthcare professionals registered under the Health Professions Act of 1974, and are subject to the rules and regulations of the Health Professions Council of SA (HPCSA). This manual serves to inform members of the public of the categories of information I hold, and which may, subject to the grounds of refusal listed in the Act, be disclosure after evaluation of an access application being made in terms of the Act.

AVAILABILITY OF THIS MANUAL

A copy of this Manual is available –

- At my office – 5 Bayne Avenue Cyrildene.
- On request from our Information Officer
- On our website: www.zaakirahmohamed.com
- From the South African Human Rights Commission (“SAHRC”) at the addresses and/or telephone numbers as published by the Commission This Manual will be updated from time to time, as and when required.

OUR INFORMATION OFFICER

Our Information Officer is:

Zaakirah Mohamed

Owner at the Practice

Tel Number: 0837755166

HOW TO REQUEST ACCESS TO RECORDS HELD BY ZAAKIRAH MOHAMED

Requests for access to records held by Zaakirah Mohamed must be made on the request forms that are available from rooms, or from the SAHRC website (www.sahrc.org.za). When a record is requested, the following will apply: • Fees may be payable. These fees are prescribed by law, and can change from time to time. The fee list is attached to this document.

The Request Form must be completed. It can be obtained from the Information Officer, on the SAHRC website (www.sahrc.org.za) or on the website of the Department of Justice (www.justice.gov.za) under “PAIA” and “forms”.

- On the Request Form all details must be completed, including the right the requester wants to protect by requesting the information.
- If the requester is acting on behalf of someone else, the signature of the other person as the one who is authorised the request to be made.
- The requester must state in which form (inspection of copy, paper copy, electronic copy, transcript, etc) s/he wants to access the information.
- If the record is part of another record, the requester will only be accessing the part(s) that pertains to the information s/he wants or is entitled to, and not the rest of the record. All requests will be evaluated against the provisions of the Act. The Act allows the Information Officer to refuse access on grounds stipulated in the Act. One can, for example, not access another person’s confidential information, or trade- or commercial secrets of a business. An answer on a request for information must be made within 30 days of the request, and if not granted and the requester is not satisfied s/he can approach the courts within 30 days.

HOW THE ACT WORKS AND INFORMATION PUBLISHED BY THE SAHRC

More information on how the Act works and all other information can be obtained from the SAHRC – SA Human Rights Commission, at: Private Bag X2700 Houghton 2041 Braampark Forum 3 33 Hoofd Street Braamfontein Tel: 011 877 3600 There are also provincial SAHRC offices in all nine provinces.

VOLUNTARY DISCLOSURE

The following information is made known automatically: rates, consent forms and persons do not have to request such information.

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Health legislation (including all regulations issued in terms of such legislation): The National Health Act 61 of 2003; Medical Schemes Act 121 of 1998; Medicines and Related Substances Act 101 of 1965; Children's Act 38 of 2005; Mental Healthcare Act 17 of 2002; Choice on Termination of Pregnancy Act 92 of 1996; Sterilisation Act 44 of 1998; Health Professions Act 56 of 1974; etc. Please note that the practice is fully guided by the conduct set out by the Health Professional Council of SA.

RECORDS HELD BY THE PRACTICE

We hold records in the categories listed below. The fact that we list a record type here does not necessarily mean that we will disclose such records, and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

Internal records relating to our business, which includes our business's founding and other documents, minutes and policies; annual and other reports; financial records; policies and procedures; contracts; licences, trademarks and other intellectual property; production, marketing records; other internal policies and procedures; internal correspondence; statutory records; insurance policies and records; etc. Personnel records.

Client/patient records, which includes client/patient lists; agreements; consents; needs assessments; financial and accounts information; research information; evaluation records; profiling; and similar information. It must be noted that, in the health sector, personal and patient information are protected by legislation and ethical rules, and disclosure can only take place, if at all, without those frameworks.

Technical records, which includes health professionals' council / statutory body records, approvals, conditions and requirements, trade association information and similar product information. Third party information, which may be in our possession but which would be subject to the conditions set in relation to such possession and use or purpose limitations.

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Environment and market information, which include information bought, publicly available information and commissioned information which pertains to the specific sector and market of our business and factors that affect the business, professional and healthcare environment

PRESCRIBED FEES

The following applies to requests (other than personal requests):

- A requestor is required to pay the prescribed fees (R50.00) before a request will be processed.
- 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 requestor 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 SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

Compiled in June 2021.