

GROUP INFORMATION MANUAL IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT NO 2 OF 2000 (“THE ACT”)

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1. INTRODUCTION

- 1.1 The Promotion of Access to Information Act, No 2 of 2000 (“The Act”) was enacted on **3 February 2000**, giving effect to the constitutional right of access to any information held by the state and any information that is held by another person and is required for the exercise or protection of any rights. Where a request is made in terms of the Act the body to whom the request is made is obliged to release the information, **except where the Act especially provide that the information may or must not be released**. The Act sets out the requisite procedural issues attached to such requests.
- 1.2 The manual is to assist potential requestors as to the procedure to be followed when requesting access to information/documents from Bestmed Medical Scheme (“Bestmed”) as contemplated in terms of the Act.
- 1.3 This manual sets out to provide a generic manual of Bestmed to deal with the requests in terms of the Act, which will enable the requestors to obtain the records which they are entitled to in a quick, easy and accessible manner.
- 1.4 The 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.
- 1.5 Any requestor is advised to contact Mr Pieter van Zyl should he/she require any assistance in respect of the utilization of this manual and/or the requesting of document/information from Bestmed.
- 1.6 The following words will bear the following meanings in this manual:
 - 1.6.1 “The Act” shall mean the Promotion of Access to Information Act, No 2 of 2000, together with all relevant regulations published;

- 1.6.2 “The/this Manual” shall mean this manual, together with all annexures thereto as available at the offices of Bestmed from time to time;
- 1.6.3 “Bestmed” shall mean Bestmed Medical Scheme (Registration number 1252 in terms of the Medical Schemes Act);
- 1.6.4 “SAHRC” shall mean the South African Human Rights Commission;
- 1.6.5 “Information Officer” Mr Pieter van Zyl of Bestmed has been appointed as the Information Officer of Bestmed, to which requests for information in terms of the Act should be addressed.

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

Name of body: Bestmed Medical Scheme
Partner and appointed information officer: Mr Pieter van Zyl
Street address: 551 Belvedere street, Arcadia,0007
Postal address: PO Box 2297, Pretoria, 0001
Telephone: (+27) (12) 339 9800
Fax: (+27) (12) 323 5125
Electronic mail: pietervz@bestmed.co.za

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

3.1 **Section 10 of the Act**

The SAHRC is the body responsible for insuring compliance with the Act.

A guide has been compiled in terms of section 10 of the Act by the SAHRC containing such information as may be required by a person who wishes to exercise any right contemplated in the Act. The guide is available in all of the official languages and is obtainable from the SAHRC.

3.2 **Contact details of the South African Human Rights Commission**

PAIA Unit,
The Research and Documentation Department,
Private Bag 2700,
HOUGHTON,
2041

Telephone: (+27) (11) 484 8300
Fax: (+27) (11) 484 0582
Website: www.sahrc.org.za
Electronic mail: paia@sahrc.org.za

4. **NOTICE IN TERMS OF SECTION 52(2) OF THE ACT**
(Section 51(1)(c) of the Act)

At this stage no notice(s) has/have been published.

5. **INFORMATION/DOCUMENTS AVAILABLE IN ACCORDANCE WITH OTHER**
LEGISLATION
(Section 51(1)(d) of the Act)

Bestmed keeps information/documents in accordance with the following legislation (please note that this is not an exhaustive list):

- 5.1 Regional Services Council Act, No 109 of 1985;
- 5.2 Income Tax Act, Act No 58 of 1962;
- 5.3 Unemployment Insurance Act, Act No 30 of 1966;
- 5.4 Skills Development Act, Act No 97 of 1998;
- 5.5 Labour Relations Act, No 66 of 1995;
- 5.6 Basic Conditions of Employment Act, Act No 75 of 1997;
- 5.7 Employment Equity Act 55 of 1998;
- 5.8 Compensation for Occupational Injuries and Disease Act 130 of 1993;
- 5.9 Insolvency Act, Act No 24 of 1936;
- 5.10 Copyright Act, No 98 of 1978.
- 5.11 Medical Schemes Act, No 131 of 1998;
- 5.12 Skills Development Levies Act, No9 of 1999;
- 5.13 Pension Fund Act, No 24 of 1956.

The above records, and so far has it been of a Public nature or available automatically without a person having to request access thereto in terms of the Act, has envisage in Section 52.

6. **SUBJECTS AND CATEGORIES OF DOCUMENTS/ INFORMATION HELD BY**
BESTMED IN TERMS OF THE ACT
(Section 51(1)(e) of the Act)

Bestmed holds the information/documents in the categories listed herein below:

6.1 FINANCIAL RECORDS

- 6.1.1 Annual Financial Statements;
- 6.1.2 Accounting Records;
- 6.1.3 Banking Records including Bank Statements, Paid Cheques and Electronic banking records;
- 6.1.4 Asset Register;
- 6.1.5 Rental Agreements;
- 6.1.6 Accounts.

6.2 INCOME TAX RECORDS

- 6.2.1 PAYE Records;
- 6.2.2 Documents issued to employees for income tax purposes;
- 6.2.3 Records of payments made to SARS on behalf of employees;
- 6.2.4 All other statutory compliances including VAT, Regional Services Levies, Skills Development Levies, UIF and Workmen's Compensation.

6.3 PERSONNEL DOCUMENTS AND RECORDS

- 6.3.1 Employment contracts;
- 6.3.2 Employment Equity Plan;
- 6.3.3 Medical Aid records;
- 6.3.4 Pension Fund records;
- 6.3.5 Disciplinary records;
- 6.3.6 Salary records;
- 6.3.7 SETA records;
- 6.3.8 Disciplinary code;
- 6.3.9 Leave records;
- 6.3.10 Training records;
- 6.3.11 Skills development report;
- 6.3.12 Training Manuals;
- 6.3.13 Human resources (personal information of past, present and prospective employees and directors);

6.4 OTHER RECORDS

- 6.4.1 Commercial contracts;
- 6.4.2 Client data base (personal information of clients; commercial and financial information; information on agreements and proposals of such clients);
- 6.4.3 Insurance policies.

It is recorded that any and all documents/information requested pertaining to the aforesaid shall only be made available to a requestor subject to the provisions of the Act. None of the information held by Bestmed is automatically available without a person having to request access in terms of and subject to the provisions of the Act.

A request for information should be in the prescribed form, addressed to the Information Officer and submitted against payment of the prescribed fee.

7. OTHER INFORMATION (Section 51(1)(f) of the Act)

The Minister of Justice and Constitutional Development has to date not published any regulations in terms of this section.

8. **AVAILABILITY OF THE MANUAL**
(Section 51(3) of the Act)

- 8.1 This manual is available for inspection at the offices of Bestmed, free of charge.
- 8.2 Copies of the manual may be obtained, subject to the prescribed fees, at the offices of Bestmed.
- 8.3 The manual can also be accessed on the websites of the SAHRC (www.sahrc.org.za).
- 8.4 However, it should be noted that the manual accessible on the website of SAHRC does not include the request forms or fee structure. The request forms and fee structure can be obtained on the SAHRC website (www.sahrc.org.za) or the website of the Department of Justice and Constitutional Development (www.doj.gov.za - under “Regulations”).