

Manual in terms of Section 51 of the Promotion of Access to Information Act

for

NETCARE LIMITED
including its Subsidiaries & Associates
("the Company")

Preamble

The Promotion of Access to Information Act No. 2 of 2000 ("the Act") came into operation on 23 November 2001. Section 51 of this Act requires that we as a private body compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

Notes:

- The purpose of this manual is to facilitate requests for access to records of the Company.
- This manual is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in the Act. Requesters are advised to familiarise themselves with the provisions of the Act before making any request to the Company in terms of the Act.
- Nothing stated in this manual shall limit, or constitute a waiver of, any of the rights of the requester or of the Company in terms of the Act.
- The Company makes no representation and gives no undertaking that the information in this manual or any information provided by the Company to a requester thereof is complete or accurate, or that such information is fit for any purpose. All users of any such information shall use such information entirely at their own risk and the Company shall not be liable for any loss, expense, liability or claims howsoever arising, resulting from any use of this manual or of any information provided by the Company or from any error therein.
- All users irrevocably agree to submit exclusively to the laws of the Republic of South Africa and to the exclusive jurisdiction of the courts of the Republic of South Africa in respect of any dispute arising out of the use of this manual or of any information provided by the Company.

Inside these pages you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information. The manual will be updated from time to time.

A copy of this manual is also available on our website – www.netcare.co.za

Group Overview of Netcare Ltd

Netcare Ltd is an investment holding Company and through its subsidiaries and associates carries on the business as a surgical and medical private hospital group, providing an extensive range of general and specialised medical care services throughout the Republic of South Africa.

1. Contact Details – Refer Section 51 (1)(a) of the Act

Full Name : Netcare Limited

Registration Number : 1996/008242/06

Registered Address : 76 Maude Street
Cnr. West Street
Sandton
2196

Postal Address : Private Bag X34
Benmore
2010

Telephone Number : +27 11 301-0213

Fax Number : +27 11 301-0481

Head/CEO : Dr Richard Friedland

Designated Information Officer : Joel Wolpert

Email Address of Information Officer : joel.wolpert@netcare.co.za

Website : www.netcare.co.za

2. The Section 10 guide on how to read the Act – Refer Section 51 (1)(b) of the Act

A guide on how to use the Act is to be compiled by the Human Rights Commission in terms of Section 10 of the Act. Any queries should be directed to:

Post : The South African Human Rights Commission
PIAI Unit, The research and Documentation Department
Private Bag 2700
Houghton
2041

Telephone Number : +27 11 484-8300

Fax Number : +27 11 484-0582

Website : www.sahrc.org.za

Email : PIAI@sahrc.org.za

3. Information automatically available – Refer Section 51 (1)(c) of the Act

The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotion of Access to Information Act.

These categories of information are also available from our information officer, whose contact details appear in section 2 of this manual.

1. Annual Reports
2. Interim Reports
3. Media Releases

4. Records available in terms of any other legislation - Refer Section 51 (1)(d) of the Act

Records are kept in accordance with the following legislation (this list is not exhaustive):

- (a) Basic Conditions of Employment Act 75 of 1997
- (b) Companies Act 61 of 1973
- (c) Compensation for Occupational Injuries and Diseases Act 130 of 1993
- (d) Employment Equity Act 55 of 1998
- (e) Income Tax Act 58 of 1962
- (f) Labour Relations Act 66 of 1995
- (g) Skills Development Levies Act 55 of 1998
- (h) Trade Marks Act 194 of 1993
- (i) Unemployment Insurance Act 30 of 1966
- (j) Value Added Tax Act 89 of 1991
- (k) Skills Developments Act, 1998 (1997 of 1998)
- (l) Unemployment Insurance Act 63 of 2001
- (m) All relevant health legislation

5. Information not automatically available - Refer Section 51 (1)(e) of the Act

The following records are not automatically available without a request therefor in terms of the Act:

Company Secretarial

- Company Memorandum and Articles of Association / Registers / Minutes of meetings / Statutory returns

Movable and Immovable Property

- Title Deeds
- Lease Agreements
- Hire Agreements / Rental Agreements
- Hire-purchase agreements
- Credit Sale Agreements / Instalment Sale Agreements

Intellectual Property

- Trade marks
- Patents
- Copyright
- Designs
- Licensing agreements

Insurance

- Insurance Policies / Claims Files

Third Parties

Records held by the Company relating to other parties, including financial records, correspondence, contractual records, records provided by other parties and records third parties have provided about the Company's contractors and suppliers in respect of contractors, suppliers, subsidiary or fellow subsidiary companies, joint venture partners and service providers.

Taxation

- Income tax files

Human Resources

- Policies and procedures
- Employee information
- Personnel files
- Conditions of Employment
- Internal Evaluation Records (where applicable)
- Correspondence
- Training Schedule and Related Material
- Agreements
- Forms and applications
- Standard letters and notices

Finance

- Financial statements
- Reports and returns
- Banking details and bank account records

- Debtors/creditors statements and invoices

Operations

- Policies and procedures
- Reports and supporting documentation

Information technology

- System documentation and manuals

Administration

- Internet (www.netcare.co.za)
- Correspondence with internal and external parties

6. Procedure for Requesting a Record not Automatically Available

- (i) The requester must use the prescribed form to make the request for access to a record. This must be made to the information officer of Netcare Ltd. This request must be made to the address, fax number or electronic mail address of Netcare Ltd.

The requester must provide sufficient detail on the request form to enable the information officer of Netcare Ltd to identify the record and the requester. The requester should also indicate which form of access is required and specify a postal address or fax number in the Republic. The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed.

The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.

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 the information officer of Netcare Ltd.

Requests for access to records held by Netcare Ltd must be made on the request forms (on payment of the prescribed fees) that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doi.gov.za) (under “regulations”).

- (ii) Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester who is not a personal requester, must pay the required request fee.

The information officer of the private body must by notice request the requester (other than a personal requester) to pay the prescribed request fee (if any) before further processing the request.

The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.

After the information officer of the private body has made a decision on the request, the requester must be notified in the required form.

If the request is granted then a further access fee must be paid for reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

Note: Access to certain records may be denied on the grounds set out in Section 61 of the Act.

7. Availability of this manual [Section 51 (3) of the Act]

A copy of this manual is available at the Company's registered address, on the Company's website (www.netcare.co.za), from the South African Human Rights Commission and in the Government Gazette.