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MANUAL

IN ACCORDANCE WITH

**THE PROMOTION OF ACCESS TO
INFORMATION ACT (NO. 2 OF 2000)**



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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THE SOUTH AFRICAN MEDICAL ASSOCIATION

(Association incorporated under section 21, Reg. No. 1927/000136/08)

TKS Letlape (Chairperson), AA Stulting (Vice-Chairperson), DF Morrell (President)

Manual in terms of Section 51 of the Promotion of Access to Information Act No 20 of 2000

Introduction to the SA Medical Association

The South African Medical Association ("SAMA") acts as doctors' and patients' champion, and strives for a health care dispensation that will best serve their needs.

SAMA is a professional association for medical doctors without any statutory or disciplinary powers. Membership is voluntary. It is also a registered trade union for its members employed in the public sector. At present some 70% of doctors in both the public and private sectors are members of the association, which is registered as an independent, non-profit section 21 company.

The Association has its headoffice in Pretoria and various small administrative branch offices over the country. The Association consists of a number of units dealing with the following issues: human rights, law and ethics, continuing professional development, health policy, private practice and economics, industrial relations, marketing, communications, membership, research ethics, governance support, administration and finances. It also undertakes the administrative functions of the Medical Protection Society, with its headoffice in the United Kingdom. The Health & Medical Publishing Group operates from Pinelands, Cape Town, and produces the SA Medical Journal (SAMJ), the Continuing Medical Education (CME) and a wide range of specialists medical journals.

We have compiled this manual to comply with the provisions of the Act, to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

A copy of this manual is also available from our offices at the registered address indicated below.

Section A – Our details

Full Name	: South African Medical Association ("SAMA")
Registration Number	: 1927/000136/08
Registered Address	: Castle Walk Office Park Block F, Nossob Street, Erasmuskloof Ext 3, Pretoria
Postal Address	: P.O. Box 74789, Lynnwood Ridge 0040
Telephone Number	: 012 4812000
Fax Number	: 012 4812100
Head/CEO	: Mr Braam Volschenk (acting)
Designated Information Officer	: Ms Enid Dettmer
Email Address of Information Officer	: information@samedical.org
Website	: http://www.samedical.org

Section B – The official SA Human Rights Commission Guide

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act.

Copies of this Guide will be available as soon as it is published by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

Post: South African Human Rights Commission

Promotion of Access to Information Act Unit (Research and Documentation Department)

Private Bag 2700, Houghton 2041

Telephone: (011) 484-8300

Fax: (011) 484-0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

Section C – Information available in terms of the Act**1. Categories of information**

We hold the following categories of information:

(a) COMPANY INFORMATION

Certificate of Incorporation; Certificate of Change of Name; Memorandum and Articles of Association; Minute Book, CM26 and Resolutions passed at general meetings (*Minutes will be made available to members of the Association only, for inspection at the premises*); Proxy Forms; Minutes of various standing- and ad hoc committees of the Association (*Minutes of committees will remain confidential as internal documents and will be available to members for inspection at the premises*); Register of Members (*Details pertaining to individual members will only be made available if a member has consented to such disclosure. Names, contact details and other personal information will on be made available- and direct mailings, etc. will only be undertaken as per SA Medical Association policy, if such members have consented to the disclosure and upon payment of the amounts stipulated in an agreement between the buyer of this information and the Association*); Index of Members; Register of Mortgages and Debentures and Fixed Assets; Register of Directors and Certain Officers; Directors' Attendance Register; A Branch Register; Annual Financial Statements including: (a) Annual accounts; (b) Directors' reports; (c) Auditor's report; Books of Account regarding information required by the Companies Act, 1973; Supporting schedules to books of account and ancillary books of account; Accounting records; Books of Account including journals and ledgers; Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange.

(b) STATUTORY EMPLOYEE RECORDS

Although the employer is required to keep the following records, personal information (as defined in the Act) will not be made available to third parties unless the employee has consented or by court order as, and to the extent provided for in the Act.

Employees' names and occupations; Time worked by each employee; Remuneration paid to each employee; Attendance register; Employment equity plan and -reports; Salary and wages register; Collective agreements (if any); Disciplinary proceedings, Arbitration awards and CCMA cases; Skills Development Plan and training records; Staff records (after date of employment ceases); Expense accounts; IRP5's and Tax information pertaining to the employment of employees.

(c) OTHER EMPLOYEE RECORDS

Employee contracts; Performance management records; Incentive schemes; Study assistance schemes; Conditions of Employment and Policies (including but not limited to leave policies, Motorvehicle scheme, telephone policy, etc.); Group personal accident; Group life.

(d) PENSION AND RETIREMENT FUNDING RECORDS

All pension fund information, including Pension Fund Rules; account records; Minutes of Meetings of trustees and members; etc. are held by ABSA Consulting and Actuaries. *Requests have to be made to SAMA and will be directed to ABSA Consulting and Actuaries.*

(e) HEALTH AND SAFETY

Evacuation plan; Information related to Health and Safety Committee.

(f) FIXED PROPERTY

Title Deeds; Leases; Building plans; Mortgage Bonds or other encumbrances to fixed property.

(g) MOVABLE PROPERTY

Asset register; Finance and Lease Agreements; Deeds of Pledge.

(h) INTELLECTUAL PROPERTY

Copyrights and sub-licensed copyright agreements; Agreements relating to intellectual property such as licence agreements, secrecy agreements, research and development agreements, consulting agreements, use agreements, joint venture agreements and joint development agreements; Litigation and other disputes involving intellectual property. *It should be noted that a number of SAMA publications are copyrighted and prohibited from unlicensed use, sale, distribution, amendments, etc.*

(i) AGREEMENTS AND CONTRACTS

Material agreements concerning provision of services or materials; Joint venture agreements, subsidiary agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements; Acquisition or disposal documentation; Agreements with contractors and suppliers; Agreements with customers; Warranty agreements; Sale agreements; Distributor and agency agreements; Purchase or lease agreements.

(j) TAXATION

Copies of all Income Tax Returns and other tax returns and documents.

(k) LEGAL

Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation; Settlement agreements; Material licences and authorisations.

(l) INSURANCE

Insurance policies; Claim records; Details of insurance coverages, limits and insurers. *Information relating to SAMA's insurance is held by its broker. Access is, however, to be obtained via SAMA.*

(m) INFORMATION TECHNOLOGY

All information technology and information systems are held in terms of valid sales-, user-, rental-, maintenance- or similar agreements, which agreements may prohibit information- and/or the system from being accessed by third parties in any manner whatsoever. Information is made available on the website of the Association, and certain sections are closed off for members of the Association. Categories of IT information held include:

Hardware; Operating Systems; Telephone Exchange Equipment; Telephone Lines, Leased Lines and Data Lines; LAN Installations; Software Packages; Disaster Recovery; Internal Systems Support and Programming / Development; Capacity and Utilization of Current Systems; Agreements; Licenses; Audits.

(n) SALES, SERVICES AND MARKETING

(i) Products, including but not limited to- magazines, journals and books available from the Health and Medical Publishing Group; Guide to Billing); Medigram); Mediascan); information leaflets; pro forma contracts and agreements; etc. *Certain products and services are available only to members of the Association or are available for sale at discounted prices to members of the Association as a service to members who pay annual membership fees;*

(ii) Database information is available upon payment of amount as stipulated in sales agreement, depending on individual members' consent to participate in this system

(iii) Brochures, Newsletters, Membership Forms and Advertising Materials;

(iv) SA Medical Association Policy Statements;

(v) Press statements

2. Procedure for requesting access to the above information

If you wish to request access to any of the above categories of information, you are required to complete a request form. These forms are available from:

- our information officer, Ms Enid Dettmer, whose contact details are in section A of this manual;
- the SAHRC website (www.sahrc.org.za)
- the Department of Justice and Constitutional Development website (www.doj.gov.za).

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form. You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access to information is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved. Therefore the fact that information “is available” by being listed in this manual should not be misconstrued as conferring upon any requester a right to that information.

Section D – Information available in terms of other legislation

Where applicable to our operations, information is also available, and we retain records, in terms of certain provisions of the following statutes:

Basic Conditions of Employment Act No. 75 of 1997; Companies Act No. 61 of 1973; Compensation for Occupational Injuries and Diseases Act No. 130 of 1993; Employment Equity Act No. 55 of 1998; Income Tax Act No. 58 of 1962; Labour Relations Act No. 66 of 1995; Legal Deposit Act No. 54 of 1997; Occupational Health and Safety Act No. 85 of 1993; Unemployment Insurance Act No. 63 of 2001; Value-added Tax Act No. 89 of 1991.

Section E – Information automatically available

The following categories of records are automatically available for inspection, purchase or photocopying. Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual:

Membership application forms; Membership benefits booklets; Pamphlets and brochures, as produced from time to time; Posters, as produced from time to time.

Section F – General

The SA Medical Association is a membership organisation. It runs its operations mainly on membership fees and to the benefit of its membership. This means that many types of information are only available to its membership as a members-benefit or as a service to members. The Association consists of many committees and branches, whose documents may be confidential, which contents pertain to the Association's trade union-, lobbying- or negotiating functions. The Association does, however, provide certain information for sale commercially in the form of books, guides, magazines, compilations, etc. Advice provided to members, in whatever format, is confidential information. This information is generated for the benefit of the member to assist him or her to protect their rights or interests.

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Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
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