
Manual to access information in terms of section 51 of the Promotion of Access to Information Act

Introduction to the practice

Vision Optometrists is a personal liability company with the following shareholders. Davor Jadrijevic, Junilla Gabel-Smit, Francois du Toit and Oliver Davies. The directors are Davor Jadrijevic and Junilla Gabel-Smit. We run our practice according to the requirements set by the Health Professionals Act of 1974, and are subject to the authority of the Health Professionals Council of South Africa (HPCSA). Our business is to practice Optometry within the scope and ambit of our competence and training, as defined from time to time. We are bound by a number of ethical rules issued by the HPCSA, most notably the duty to preserve patient confidentiality, unless legislation or a court order compels us to breach this duty. Requesters should note that commercial information and financial information may be withheld on the grounds of sections 63-70 of the PAIA

Section A – Our details

Practice Name: Cresta Eyecare Inc. trading as VISION Optometrists

Registration Number: 2006 / 014788 / 21

Practice Number: 7017006

Registered Address: Shop U64, Cresta Mall, Randburg

Postal Address: P.O Box 464 Cresta, 2118

Telephone Number: 011 476 3202

Shareholders:

Full Name: Junilla Gabel - Smith

HPCSA Number: OP0037656

Registered Address: Shop U64, Cresta Mall, Randburg

Postal Address: P.O Box 464 Cresta, 2118

Telephone Number: 011 476 3202

email: Junilla@thevisioncompany.co.za

Full Name: Davor Jadrijevic

HPCSA Number: OP0031534

Registered Address: Shop U64, Cresta Mall, Randburg



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Directors
Junilla Gabel Reg 2006/014788/21
Davor Jadrijevic VAT 4220230330

Postal Address: P.O Box 464 Cresta, 2118

Telephone Number: 011 476 3202

email: Davor@thevisioncompany.co.za

Full Name: Francois du Toit

HPCSA Number: OP 0011150

Registered Address: Shop U64, Cresta Mall, Randburg

Postal Address: P.O Box 464 Cresta, 2118

Telephone Number: 011 476 3202

email: Francois@eyeq.co.za

Full Name: Oliver Davies

HPCSA Number OP0015270

Registered Address: Shop U64, Cresta Mall, Randburg

Postal Address: P.O Box 464 Cresta, 2118

Telephone Number: 011 476 3202

email: oliver@eyeq.co.za

Designated Information Officer:

Davor Jadrijevic

Deputy Information Officer:

Junilla Gabel-Smit

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.

The SAHRC Guide will contain the following information:

The objects of the Act;

Particulars of the information officer of every public body;

Particulars of every private body as are practicable;

The manner and form of a request for access to information held by a body;

Assistance available from both the information officers and the Human Rights Commission in terms of this Act;

All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;

Schedules of fees to be paid in relation to requests for access to information;

Regulations made in terms of the 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:

South African Human Rights Commission,

Promotion of Access to Information Act Unit,

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 from this practice in terms of the Act

1. Categories of information

(a) INFORMATION ON FORM OF PRACTICE

We are practising in a personal liability company and hold registration details, along with a list of shareholders and their details.

(b) INFORMATION RELATING TO THE PROFESSIONAL STATUS OF PERSONS WORKING IN THE PRACTICE

Certificates and cards proving professional registration at the HPCSA and other relevant Boards and Councils;

Proof of payment of annual and registration fees;

certificate of good standing;

(c) FINANCIAL INFORMATION

Register of Fixed Assets;

Annual Financial Statements including: Annual accounts; Auditor's report; Books of Account; Supporting schedules to books of account and ancillary books of account;

Accounting records; Books of Account including journals and ledgers; Bank statements; Stock sheets; Delivery notes, orders,

Invoices, statements, receipts, vouchers and bills of exchange; Claims to medical schemes;

Registration certificates in terms of the Medicines and Related Substances Control Act of 1965.

(d) PATIENT RECORDS

Records are held on all patients. Records are kept between 6 and 9 years, or as legislation from time to time determines.

Children's records are kept until the age of 21. These records constitute personal confidential information that is protected from unauthorised third party access.

(e) EMPLOYEMENT RECORDS

Employees' names and occupations; Time worked by each employee; Remuneration paid to each employee; Attendance register; Salary and wages register; Collective agreements; Disciplinary proceedings, Arbitration awards and CCMA cases; Skills Development Plan and training records; Staff records are held for five years after date of employment ceases; Expense accounts (including

account(s) held by optometrist(s)); IRP5's and Tax information pertaining to the employment of employees; Employee contracts; Performance management records; Incentive schemes; Study assistance schemes; Conditions of Employment and Policies (including but not limited to leave policies, Motor vehicle scheme, telephone policy, etc.); Group personal accident; Locum agreements and locum records.

(f) HEALTH AND SAFETY

Evacuation plan; Information related to Health and Safety Officer.

(g) PROPERTY (FIXED AND MOVABLE)

Title Deeds; Leases; Building plans; Mortgage Bonds or servitudes to fixed property; Asset register; Finance and Lease Agreements; *Medicines held in terms of Medicines Control Act.

(h) INTELLECTUAL PROPERTY

Licence agreements, secrecy agreements, consulting agreements, use agreements, joint venture agreements.

(i) AGREEMENTS AND CONTRACTS

Managed care agreements; agreements with utility company/ies/close corporation(s), software house / data warehouse/IT agreements; agreements concerning provision of services or materials; agreements with contractors and suppliers sale agreements; purchase or lease agreements.

(j) TAXATION & VAT

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

(k) LEGAL

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

(l) INSURANCE

Insurance policies; Professional Indemnity; Claim records; Details of insurance coverages, limits and insurers.

Section D - Information available in terms of other legislation

Our practice holds certain extracts of information of the following statutes: - Basic Conditions of Employment Act No. 75 of 1997, Employment Equity Act No. 55 of 1998, Health Professions Act No. 56 of 1974, Labour Relations Act No. 66 of 1995,

Medicines and Related Substances Control Act Of 1965,

Unemployment Insurance Act No. 63 of 2001

Section E – Information Automatically available

The following categories of records are automatically available for

- (i) Inspection, purchase or photocopying,
- (ii) Are not freely available, without having to request access in terms of the Act.

Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual

Newsletters, Booklets, Pamphlets / Brochures, Posters, Advertisements where there is not a conflicting or competitive advantage relinquished through the provision of such.

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 C. available from: our information officer (see above); or 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. 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 this right. You will be notified whether your request has been approved. The fact that information is held by us and being listed in this manual should not be construed as conferring upon any requester a right to that information.



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REQUEST FOR ACCESS TO RECORD OF A PRIVATE BODY

FORM C

(Section 53(1) of the Promotion of Access to Information Act, 2000)

(Act No. 2 of 2000)

A. Particulars of VISION Optometrists

Address _____

B. Particulars of Person requesting access to the record

Full Name and Surname _____

ID Number _____

Postal Address _____

Telephone Number _____

Email _____



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Capacity in which request is made on behalf of another person

C. Particulars of person on whose behalf request is made

Full Name and Surname

Identity Number

Signed letter of Authorisation from person on whose behalf the request is made

[]

Certified copy of ID requester

[]

Certified copy of Id person oin whose behalf the request is being made

[]

D. Particulars of record

1/ Description of record or relevant part of the record:



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2/ Reference number if applicable/available: _____

3/ Any Further particulars: _____

If the space provided above is inadequate, please continue on separate folio, sign and attach it to this form

E. Fees

a/ A request for access to a record other than a record containing personal information about yourself, will be processed only after a request fee has been paid.

b/ You will be notified of the amount required to be paid as the request fee.

c/ The fee payable for access to a record depends on the form in which the access is required and the reasonable time required to search for and prepare a record

d/ If you qualify for exemption of the payment of any fee, please state the reason for exemption.

D(i) Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 – 4 hereunder, state your disability and indicate in which form the record is required.

Compliance with your request may depend on the form in which the record is available

Disability _____

Form in which record is required

(i) Where the record is in written or in printed form

Copy [] Inspection []

(ii) Where the record is in visual form

Copy [] Inspection [] Transcript []

(iii) Where the record is in or can be reproduced in audio

Copy [] Listen [] Transcript []

(iv) Where the record is held on computer or electronic form

Printed copy [] Electronic copy [] Print copy of info derived []



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If you have requested a copy or transcript of a record above do you wish it to be posted to you ?

Yes [] (Postage is Payable) No []

G. Particulars of right to be exercised or protected

1/ Indicate which right is to be exercised or protected:

If the space is inadequate please continue on a separate folio sign and attach it to this form

2/ Explain why the record is required for the exercise or protection of the aforementioned right:



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If the space is inadequate, please continue on a separate folio sign and attach it to this form

H. Notice of decision regarding request for access:

You will be informed in **writing** whether your request has been approved or denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance to your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day, of _____
20_____

Signature of requester / person on whose behalf request is made

PAIA Requests

A request for access to information held by a private body is made by completing a PAIA request form and submitting it to the relevant body. The PAIA request must be directed to the Information Officer, Deputy Information Officer or head of the private body, and must use accurate and up-to-date contact details.

In addition to providing details about the relevant body, a prescribed PAIA request form must include the following:

INFORMATION REQUIRED

1/ Details of the requester

Enough information about the requester to make the requester reasonably easy to identify, including the contact details of the requester: postal address, email address, fax and/or telephone number in South Africa.

2/ Details of the record requested

Enough information about the record to make it reasonably easy to identify. Additional paper may be used to detail the request, as long as each additional page is signed and attached to the request form.

3/ Manner of access to the record

A description of the form or manner in which the record should be provided or made accessible. Manner in which to inform requester of access. Manner in which to inform the requester about the decision to grant or deny the request.

4/ Capacity of authorised person making request

When a request is made on behalf of someone else, proof of the capacity in which the person making the request must be provided (known as the authorised person).

5/ Rights concerned

When a request is made to a private body, the requester must state the right that is implicated and explain why the record is required for the exercise or protection of that specific right.

How to make a request for access to information

A requester must be granted access to the records requested if he/she has complied with the following procedural requirements: »

1/The PAIA request must be made on the correct form - Form C for private bodies, and be addressed to the Information Officer or Deputy Information Officer of the private body, or to the head of the

private body. The PAIA request form must be hand-delivered, posted, faxed or sent via email to the public or private body to which the request has been made. »

2/The records requested are not subject to the refusal grounds provided for under PAIA. 3.2

Costs associated with making a PAIA request?

1/ REQUEST FEE -R50.00

Requesters are required to pay a fee when requesting access to records from private bodies. If such request is subsequently denied/refused then the information officer must repay the fee to the requester.

2/ ACCESS FEE

A requester whose request for access to a record has been granted, must also pay an access fee that is calculated to include where applicable the request fee and the Activity fee for reproduction, search and preparation and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure.

It is important to note that requesters who are requesting access to their personal information are exempt from paying the request fee; however, they are still required to pay access fees.

Requesters who earn less than R14, 712 per year (if single) and R27,192 per year (if married or in a life partnership), do NOT have to pay access fees.

The fees for accessing records of a private body are:

Reproduction of information fees	Fees
Information in an A4 size page photocopy or part thereof	R1.10
A print copy of an A4 size page or part thereof	R0.75
A copy in computer readable format	
stiffy disc	R7.50
compact disc	R70.00
Memory stick	R10.00
plus cost of memory stick	TBA
Transcription of visual images in A4 page or part thereof	R40.00
Copy of Visual images	R60.00
Transcription of an audio record for A4 size page or part thereof	R20.00
Copy of an audio record	R30.00
Search and preparation of record for disclosure/Hour or part thereof (excludes first hour)	R30.00
Postage of record to requester	TBA

If the Information Officer, Deputy Information Officer, or head of the private body thinks that the collection and reproduction of documents will take longer than six hours, he/she must inform the requester (by formal notice) that one third of the access fee is payable upfront as a deposit. If the record is not provided in the form requested, the access fee that is charged to the requester must not exceed the fee that would have been charged if access was granted in the form requested.

However, this rule does not apply when an alternative form is required because information had to be severed from the record.

DUTIES OF INFORMATION OFFICERS

1/Assist the requester in completing the PAIA form When a PAIA request does not follow all of the set requirements detailed in PAIA and on the prescribed form, the Information Officer or Deputy Information Officer may NOT refuse the request. Instead, the Information Officer must inform the requester, in writing, that he/she is unable to grant the request because it is incomplete, and offer to help the requester make the necessary changes to the form. If the requester does not respond to the letter or correct the form in a reasonable amount of time, then the Information Officer may refuse the request.

2/Provide requester with relevant information where possible If it would be reasonable and possible to do so, the Information Officer must provide the requester with any other information which is also relevant to the request, even if the records were not part of the original request.

3/Transfer request - when a PAIA request is made to the incorrect body, the Information Officer of that body must transfer the request to the correct body within 14 days of receiving the request and must inform the requester of the transfer in writing.

4/ Respond within 30 days to after receiving the request. The Information Officer may request an extension for a period of no more than 30 additional days for specific reasons, which include the request involving (1) a large volume of documents, (2) consultation with other public or private entities, (3) or if the requester has granted the extension in writing. Only one extension is allowed per PAIA request.

5/ Grant or deny access - It is the responsibility of the Information Officer to grant or deny access to the records. This decision must be put to the requester in writing.

6/ Form of access, access fee and recourse When a PAIA request is granted, the Information Officer must notify the requester of the form in which access will be given and of the amount of the access fee, which must be paid once access has been given. The notice must also inform the requester that he/she has the right to lodge an internal appeal and application to court against the access fee or against the form in which access will be granted.

7/ Denial of request - If a PAIA request is denied, the notice to the requester must state the reasons for refusal, which must be supported by the relevant provisions of PAIA. As with the form of access and amount of access fees, the notice must provide the requester with information regarding his/her right to appeal the decision or to file an application in court.

8/ Defer release of the record - The Information Officer may decide to defer the release of a record to a requester in terms of Section 24 of PAIA if that record is intended to be published within 90 days or if the record is required by law to be published but is yet to be.



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9/ lost or incomplete records - PAIA states in Sections 23 (for a public body) and 55 (for a private body) that if an Information Officer is unable to find the particular records requested, or it is

believed that they do not exist, the Information Officer must, after ensuring that all reasonable steps have been located to find the record, submit an affidavit to the requester giving notice that the records in question do not exist or cannot be found. The affidavit must be detailed.