

**LYMPHOEDEMA ASSOCIATION OF SOUTH
AFRICA (LAOSA)**

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

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1. **LIST OF ACRONYMS, ABBREVEATIONS AND DEFINITIONS:**

- 1.1 **“CEO”** - Chief Executive Officer
- 1.2 **“DIO”** - Deputy Information Officer;
- 1.3 **“IO“** - Information Officer;
- 1.4 **“Minister”-** Minister of Justice and Correctional Services;
- 1.5 **“PAIA”** - Promotion of Access to Information Act No. 2 of 2000(as Amended;
- 1.6 **“POPIA”** - Protection of Personal Information Act No.4 of 2013;
- 1.7 **“Regulator”-** Information Regulator; and
- 1.8 **“Republic”-** Republic of South Africa
- 1.9 **“LAOSA”** - Lymphoedema Association of South Africa
- 1.10 **“LAOSA PARTNERS”** Is defined as therapists that have provided LAOSA with the required consent to display their personal information on the LAOSA website and perform the functions in terms of the office that they hold

2. **PURPOSE OF THE PAIA MANUAL:**

This PAIA Manual is useful for the public to-

- 2.1 Peruse and acquaint themselves of the categories of records held by LAOSA which are readily available without having to submit a formal PAIA request;
- 2.2 Have a sufficient understanding of steps for the submission of a request for access to a specific record of LAOSA, by providing a description of the categories on which

LAOSA holds records and the description of each record in each category as held by LAOSA;

- 2.3 Acquaint themselves as to the categories and descriptions of the records held by LAOSA which are to be made available in terms of any legislative provisions;
- 2.4 Access all relevant contact details of the Information Officer (president of LAOSA), Deputy Information Officer (vice-president of LAOSA) and any other nominated authorised employee under the employment of LAOSA who will assist the public with the records they intend to access;
- 2.5 Know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 Determine how LAOSA will process personal information, the purpose of processing clients' personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 Identify the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 Determine the authorised recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 Acquaint themselves of whether LAOSA has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 Determine and be satisfied of whether LAOSA has adequate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed by LAOSA.

3. **KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF LAOSA REPRESENTATIVES:**

3.1 Chief Information Officer

- Name: Natalie Powell
- Tel: 064 695 1025
- E-mail: president@laosa.co.za
- Fax number: n/a

3.2 Deputy Information Officer

- Name: Erika van der Mescht
- Tel: 082 499 1566
- E-mail: vice-president@laosa.co.za
- Fax Number: n/a

3.3 Access to general information contact details:

- Email: info@laosa.co.za

3.4 National or Head Office

- Postal Address: n/a
- Physical Address: Groote Schuur Hospital,
Observatory, Occupational Therapy Department,
Cape Town
- Telephone: 072 826 3231
- Email: info@laosa.co.za
- Website: <https://www.laosa.co.za>

4. GUIDE ON HOW TO USE PAIA AND ACCESS TO THE GUIDE:

- 4.1 The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily

comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

4.2 The Guide is available in each of the official languages and in braille.

4.3 The aforesaid Guide contains the description of-

4.3.1 the objects of PAIA and POPIA;

4.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1 the Information Officer of every public body, and

4.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

4.3.3 the manner and form of a request for-

4.3.3.1 access to a record of a public body contemplated in section 11³; and

4.3.3.2 access to a record of a private body contemplated in section 50⁴;

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 4.3.4 the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6 all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 4.3.6.1 an internal appeal;
 - 4.3.6.2 a complaint to the Regulator; and
 - 4.3.6.3 an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.3.7 the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8 the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9 the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

4.3.10 the regulations made in terms of section 92¹¹.

4.4 Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

4.5 The Guide can also be obtained-

4.5.1 upon request to the Information Officer;

4.5.2 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

5. CATEGORIES OF RECORDS OF LAOSA WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS:

Category of records	Types of the Record	Available on Website	Available upon request
Legislative Requirement	PAIA Manual	X	X
Legislative Requirement	POPIA Processing consent	X	X
LAOSA Partners (Therapists)	Name and surname, speciality of service, contact details, physical addresses.	X	X

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-
(a) any matter which is required or permitted by this Act to be prescribed;
(b) any matter relating to the fees contemplated in sections 22 and 54;
(c) any notice required by this Act;
(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
(e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

General Information pertaining to lymphoedema	Risks, prevention, cures, and treatment	X	X
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6. **DESCRIPTION OF THE RECORDS OF LAOSA WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION:**

Category of Records	Applicable Legislation
General registration provisions and day-to-day operations	Non-Profit organizations Act, 71 of 1977
PAIA Manual	Promotion of Access to Information Act, 2 of 2000
Memorandum of Incorporation and expenditure of income derived through operating activities	Companies Act, 71 of 2008
Tax records	Income Tax Act, 56 of 1962
Access, Protection, Destruction and Processing of relevant health records.	National Health Act, 61 of 2003
Access, Protection, Destruction and Processing of relevant health records.	Protection of Personal Information Act, 4 of 2013

7. **DESCRIPTION AND CATEGORIES OF THE INFORMATION HELD ON RECORD BY LAOSA:**

	CATEGORIES:	DESCRIPTION OF INFORMATION:
7.1	Strategic Documents:	LAOSA NPO Company Constitution Minutes of Meetings Conference Plans
7.2	Corporate Governance Plans:	Conference Plans
7.3	Annual Reports:	Financial Reports

		Newsletters
7.4	Performance Plans:	Annual handovers to newly elected Exco Boards Portfolio Descriptions
7.5	HR Policies and procedures:	Member Position Statements
7.6	Affiliation Documentation:	Alternative NPO Affiliation Records

8. **PROCESSING OF PERSONAL INFORMATION:**

8.1 **Purpose of Processing Personal Information**

The purpose of processing personal information in LAOSA is to ensure that an accurate and thorough diagnosis is derived at by LAOSA Partners or Members. Furthermore, research on various aspects of Lymphoedema and similar diseases are conducted, and the processing of information obtained from patients/service providers and other methods duly performed by LAOSA and the processing of information acquired.

8.2 **Description of the categories of Data Subjects and of the information or categories of information relating thereto**

Categories of Data Subjects	Personal Information that may be processed
Patients/ Clients	name, address, identity numbers, medical records, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race
LAOSA Partners	address, qualifications, gender and race

8.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity Number and names, for consumer reports:	South African Police Services
Qualifications of LAOSA Partners for qualification verifications:	South African Qualifications Authority
Credit and payment history, for credit information:	Credit Bureaus
Medical records of patients:	Any other health care facility or medical practitioner that has been mandated by the patient to treat him/her for a related disease or sickness

8.4 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

- Data encryption software such as password, pattern and biometric security,
- Anti-virus software and related protection
- Anti-malware software
- Regular changing of passwords to ensure protective status as well as regular software update to ensure technological dignity.

9. AVAILABILITY OF THE MANUAL:

9.1 A copy of the Manual is available-

9.1.1 on (<https://www.laosa.co.za>)..

9.1.2 head office of LAOSA for public inspection during normal business trading hours.

9.1.3 to any person upon request that has satisfied the obligation of establishing a reasonable interest or a legitimate purpose for obtaining such information and upon the payment of a reasonable prescribed fee ; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL:

The head of LAOSA will on a regular basis update this manual.

Issued and undersigned by

A handwritten signature in black ink, appearing to read 'N. Powell', written over a horizontal line.

NATALIE POWELL
PRESIDENT OF LAOSA