

Registration Number of Company:
2015/037970/21

NAME OF COMPANY: Dr RAOUL GOLDBERG INC

MANUAL

in terms of

Section 51 of

The Promotion of Access to Information Act

2/2000

(the "ACT")

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1. INTRODUCTION

Dr Raoul Goldberg Inc is a patient centred and integrative medical practice based on the *holistic view* of the human being as a *living body, soul* and *spirit*. We work in the health sector and are healthcare professionals registered under the Health Professionals Act of 1974. We are subject to the rules and regulations of the Health Professionals Council of South Africa (HPCSA).

Practice number: 1463667

HPCSA membership number: [MP 0162639](#)

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2. COMPANY CONTACT DETAILS

Any person who wishes to request any information from Dr Raoul Goldberg Inc with the object of protecting or exercising a right may contact the information officer. The Information officer has been duly authorised to deal with matters in connection with requests for information in terms of the Promotion of Access to Information Act.

Directors: Dr Raoul Colin Goldberg

Information Officer: Dr Raoul Colin Goldberg

Postal Address: 19A Willow Road, Constantia, Cape Town, 7800

Street Address: 19A Willow Road, Constantia, Cape Town, 7800

Telephone Number: +27 21 7622364

Email: reception@pathtohealth.co.za

Website: www.pathtohealth.co.za

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3. THE ACT

- 3.1** The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2** Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 3.3** Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone Number:	+27-11-877 3600
Fax Number:	+27-11-403 0625
Website:	www.sahrc.org.za

4. APPLICABLE LEGISLATION

All records that are legally required to be kept by the company in terms of the following legislations are available:

1. Companies Act
2. Employment Equities Act
3. Labour Relations Act
4. Basic Conditions of Employment Act
5. Unemployment Insurance Act
6. Protection of Personal Information Act
7. Unemployment Insurance Act
8. Occupational Health and Safety Act
9. Any other legislation relevant to the business.

5. SCHEDULE OF RECORDS

All records to requested in terms of PAIA. Note that accessibility of records may be subject to refusal. Amongst others, records deemed confidential on the part of a third party will necessitate permission from the third party in question before access will be considered.

Financial:

Financial Statements
Financial and Tax records
Management Accounts
All other statutory compliances

Personnel:

Accident reports
Disciplinary records
Employment contracts
Leave records
Payroll reports
Training records
All other statutory compliances

Marketing:

Media Releases
Customer database
Public customer information

6. FORM OF REQUEST

To facilitate the processing of your request, kindly:

- 6.1** Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.
- 6.2** Address your request to the Head of the Company (CEO).
- 6.3** Provide sufficient details to enable the COMPANY to identify:
 - (a) The record(s) requested;
 - (b) The requester (and if an agent is lodging the request, proof of capacity);
 - (c) The form of access required;
 - (d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - (e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7. PRESCRIBED FEES

The following applies to requests (other than personal requests):

- 7.1** A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2** If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.3** A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4** Records may be withheld until the fees have been paid.
- 7.5** The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

8. POPI COMPLIANCE

A. OUR UNDERTAKING TO OUR PATIENTS

1. We undertake to follow POPI at all relevant times and to process personal information lawfully and reasonably, so as not to infringe unnecessarily on the privacy of our patients.
2. We undertake to process information only for the purpose for which it is intended, to enable us to do our work, as agreed with our patients.
3. Whenever necessary, we shall obtain consent to process personal information.
4. Where we do not seek consent, the processing of our patients personal information will be following a legal obligation placed upon us, or to protect a legitimate interest that requires protection.
5. We shall stop processing personal information if the required consent is withdrawn, or if a legitimate objection is raised.
6. We shall collect personal information directly from the patient whose information we require, unless:
 - 6.1 the information is of public record, or
 - 6.2 the patient has consented to the collection of their personal information from another source, or
 - 6.3 the collection of the information from another source does not prejudice the patient or
 - 6.4 the information to be collected is necessary for the maintenance of law and order or national security, or
 - 6.5 the information is being collected to comply with a legal obligation, including an obligation to SARS, or
 - 6.6 the information collected is required for the conduct of proceedings in any court or tribunal, where these proceedings have commenced or are reasonably contemplated; or
 - 6.7 the information is required to maintain our legitimate interests; or
 - 6.8 where requesting consent would prejudice the purpose of the collection of the information; or
 - 6.9 where requesting consent is not reasonably practical in the circumstances.
7. We shall advise our patients of the purpose of the collection of the personal information.
8. We shall retain records of the personal information we have collected for the minimum period as required by law unless the patient has furnished their consent or instructed us to retain the records for a longer period.
9. We shall destroy or delete records of the personal information (so as to de-identify the patient) as soon as reasonably possible after the time period for which we were entitled to hold the records have expired.
10. We shall restrict the processing of personal information:
 - 10.1 where the accuracy of the information is contested, for a period sufficient to enable us to verify the accuracy of the information;
 - 10.2 where the purpose for which the personal information was collected has been achieved and where the personal information is being retained only for the purposes of proof;
 - 10.3 where the patient requests that the personal information is not destroyed or deleted, but rather retained; or
 - 10.4 where the patient requests that the personal information be transmitted to

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another automated data processing system.

11. The further processing of personal information shall only be undertaken:
 - 11.1 if the requirements of paragraphs 3; 6.1; 6.4; 6.5 or 6.6 above have been met;
 - 11.2 where the further processing is necessary because of a threat to public health or public safety or to the life or health of the patient or a third person;
 - 11.3 where the information is used for historical, statistical or research purposes and the identity of the patient will not be disclosed; or
 - 11.4 where this is required by the Information Regulator appointed in terms of POPI.
12. We undertake to ensure that the personal information which we collect and process is complete, accurate, not misleading and up to date.
13. We undertake to retain the physical file and the electronic data related to the processing of the personal information.

B. OUR PATIENTS RIGHTS

1. In cases where the patients consent is required to process their personal information, this consent may be withdrawn.
2. In cases where we process personal information without consent to protect a legitimate interest, to comply with the law or to pursue or protect our legitimate interests, the patient has the right to object to such processing.
3. All patients are entitled to lodge a complaint regarding our application of POPI with the Information Regulator.

C. INFORMATION OFFICER

1. Our Information Officer is Dr Raoul Goldberg. Our Information Officer's responsibilities include:
 - 1.1 Ensuring compliance with POPI.
 - 1.2 Dealing with requests which we receive in terms of POPI.
 - 1.3 Working with the Information Regulator in relation to investigations.