

TANYA GARLICK PODIATRIST

PAIA and POPIA Manual

Prepared in accordance with section 51 of the Promotion of Access to Information Act, No. 2 of 2000 (“PAIA”) and compliance with the requirements of the Protection of Personal Information Act, No.4 2013 (“POPIA”).

DATE OF COMPILATION: 15 June 2021

DATE OF REVISION:01 July 2023

Crowthorne Medical Centre
Crowthorne Shopping Centre
Cnr Arthur and Main Rd
Kyalami
Midrand
1684
Practice Number: 6802672
Tel: 011 468 3571

1. INTRODUCTION

- 1.1. The Promotion of Access to Information Act, No. 2 of 2000, as amended, (the “Act”) gives effect to the constitutional right in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 (the “Constitution”) of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights.

- 1.2. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and/or regulatory requirements, except where the Act expressly states that the records containing such information may or must not be released.

1.3. This manual, compiled in accordance with section 51 of the Act, in compliance with the requirements of the POPIA, informs a requestor of information about the procedural and other requirements which such requests must meet in terms of the Act. This manual further incorporates the requirements of the POPIA and sets out the framework for our company's compliance with the same.

1.4. Where reference is made to the "processing" of personal information, this will include any activity in which the information is worked with, from the time that the information is collected, up to the time that the information is destroyed, regardless of whether the information is worked with manually, or by automated systems.

2. TANYA GARLICK PODIATRIST TEL: 011 468 3571

2.1. Tanya Garlick is a podiatrist, acting as a sole proprietor, who treats all conditions of the foot, lower limb and back.

Practice number 6802672

Our range of services are but not limited to:

All painful nail conditions including infections.

- All skin conditions including different types of infections and painful lesions.
- Diabetic care.
- Arthritic conditions.
- Muscle and nerve related conditions.
- Biomechanical pathologies in children and adults which cause pain e.g. flat feet, pigeon toes, knock knees.
- General pain in feet, ankles, knees, legs, hips, pelvis and lower back.
- Sports injuries.
- Physical deformities of the feet.

These conditions may be treated conservatively, surgically or biomechanically.

2.2. Our contact details are as follows:

Physical Address and postal address: Crowthorne Medical Centre
Crowthorne Shopping Centre
Cnr Arthur and Main Rd
Kyalami
Midrand
1684

Telephone Number: 011 468 3571

Email address: info@midrandpodiatry.co.za

Website: www.midrandpodiatry.co.za

3. INFORMATION OFFICER

3.1. The Information Officer of Tanya Garlick Podiatrist is:

Owner:	Tanya Garlick
Physical Address:	Crowthorne Medical Centre Crowthorne Shopping Centre Cnr Arthur and Main Rd Kyalami Midrand 1684
Postal Address:	As above
Telephone:	011 468 3571
Email:	info@midrandpodiatry.co.za

3.2. The Deputy Information Officer, whose physical and postal address is the same as that of the Information Officer is:

Receptionist	Sharon Visser
Telephone:	011 468 3571
Email:	info@midrandpodiatry.co.za

3.3. The above Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013. This Information Officer shall oversee the functions and responsibilities as required in terms of both this Act as well as the duties and responsibilities in terms of section 55 of the Protection of Personal Information Act 4 of 2013 after registering with the Information Regulator.

3.4. All requests for information must be addressed to the Information Officer.

4. GUIDE OF SA HUMAN RIGHTS COMMISSION (SECTION 51(1)(b))

4.1. 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.

4.2. Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in paragraphs 6 and 7 of the Act.

4.3. 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 to exercise Constitutional Rights. The Guide is available from the SAHRC.

4.4. Enquiries in this regard should be directed to:

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

5. THE LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY) [SECTION 51(1)(c)]

No notice has been published on the categories of records that are automatically available without a person having to request access in terms of Section 52(2) of PAIA.

6. SUBJECTS AND CATEGORIES OF RECORDS AVAILABLE ONLY ON REQUEST TO ACCESS IN TERMS OF THE ACT (SECTION 51(1) (e))

6.1. Tanya Garlick Podiatrist holds the following records which may be available only on request in terms of section 51(1)(e):

Records	Subject
Practice Registration Records	Registration certificate Health Professions Council of Southern Africa Registration certificate Board Health Care Funders South Africa Certificate of Basic Life Support with Health Resuscitation Council of Southern Africa Membership certificate Podiatry Association of South Africa
Financial Records	Accounting Records Annual Financial Reports Annual Financial Statements Bank Statements Banking details and bank accounts Banking Records Debtors / Creditors statements and invoices General ledgers and subsidiary ledgers General reconciliation Invoices Policies and procedures Rental Agreement Tax Returns
Income and Tax Records	Records of payments made to SARS All other statutory compliances: <ul style="list-style-type: none"> ● Regional Services Levies

Personnel Documents and Records	Address Lists Disciplinary Code and Records Employee benefits arrangements rules and records Employment Contracts Forms and Applications Grievance Procedures Leave Records Medical Aid Records Workplace agreements and records
Procurement Records	N/A
IT Records	Computer / mobile device usage policy documentation

6.2. For the purposes of the above clause 6.1., “Personnel” refers to any person who works for, or provides services to, or on behalf of Tanya Garlick Podiatrist and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of Tanya Garlick Podiatrist. This includes, without limitation, all permanent, temporary, and part-time staff, as well as contract workers.

6.3. Access to the records stipulated in clause 6.1 above may be subject to the grounds of refusal set out in this manual. Amongst others, records deemed confidential on the part of a third party, will require permission from the third party concerned, in addition to normal requirements, before the granting of access may be considered.

6.4. Tanya Garlick Podiatrist also holds the following special personal information in terms of section 32 of the POPIA.

Special Personal Information	List of Patients personal details Patients Medical Aid information Patient Health Records which include but not limited to <ul style="list-style-type: none"> ● Hand-written contemporaneous notes; ● Notes taken by previous practitioners attending health care or other health care practitioners about our patients or individuals in our care; ● Referral letters to and from other health care practitioners;
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	<ul style="list-style-type: none"> ● Laboratory reports and other laboratory evidence such as histology sections; ● X-ray films and reports ● Audiovisual records such as photographs, videos, and tape-recordings; ● Disability assessments and documentation of injury on duty
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6.5. Access to these records stipulated in clause 6.4 above shall be subject to provisions set out in sections 26,27 and 28 of the POPIA.

7. RECORDS AVAILABLE WITHOUT A REQUEST TO ACCESS IN TERMS OF THE ACT

7.1. The following records are available on payment of the prescribed fees for copies without completing the prescribed form in terms of the Act.

- a. Record of a public nature
- b. Records disclosed are on the Tanya Garlick Podiatrist website
- c. Non-confidential reports
- d. Statutory records such as those maintained at the CIPC.
- e. Other Non-confidential records such as newsletters, brochures, and similar.

7.2. Whilst these records may be accessed without the need to submit a formal application, requests for such records must be directed to the Information Officer whose details are provided above. It should also be noted that an appointment to view such records will still have to be made with the Information Officer.

8. DESCRIPTION OF THE RECORDS OF THE BODY WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION (SECTION 51(1)(d))

8.1. Tanya Garlick Podiatrist retains records and documents in terms of other legislation listed below. Unless disclosure is prohibited in terms of legislation, regulations, contractual agreement, or otherwise, records that are required to be made available in terms of these acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the Act; the below-mentioned legislation and applicable internal policies and procedures, should such interested parties be entitled

to such information. A request to access must be done in accordance with the prescriptions of the Act.

- a. Basic Conditions of Employment Act, No 75 of 1997;
- b. Broad-Based Black Economic Empowerment Act, No 75 of 1997;
- c. Companies Act, No 71 of 2008;
- d. Compensation for Occupational Injuries & Diseases Act, 130 of 1993;
- e. Competition Act, No.71 of 2008;
- f. Constitution of the Republic of South Africa 2008;
- g. Copyright Act, No 98 of 1978;
- h. Electronic Communications Act, No 36 of 2005;
- i. Electronic Communications and Transactions Act, No 25 of 2002;
- j. Employment Equity Act, No 55 of 1998;
- k. Financial Intelligence Centre Act, No 38 of 2001;
- l. Health Professions Act, No 56 of 1974;
- m. Identification Act, No. 68 of 1997;
- n. Income Tax Act, No 58 of 1962;
- o. Intellectual Property Laws Amendment Act, No 38 of 1997;
- p. Labour Relations Act, No 66 of 1995;
- q. Medical Schemes Act, No 131 of 1998;
- r. National Health Act, No 61 of 2003;
- s. Occupational Health & Safety Act, No 85 of 1993;
- t. Pension Funds Act, No 24 of 1956;
- u. Prescription Act, No 68 of 1969;
- v. Prevention of Organised Crime Act, No 121 of 1998;
- w. Promotion of Access to Information Act, No 2 of 2000;
- x. Protection of Personal Information Act, No. 4 of 2013;
- y. Regulation of Interception of Communications and Provision of Communication-Related Information Act 70 of 2002
- z. Unemployment Insurance Act, No 30 of 1996
- aa. Value Added Tax Act, No 89 of 1991

Whilst every care was taken to provide a comprehensive list of applicable legislation, this list may be incomplete. To this end, this list shall be updated accordingly as and when Tanya Garlick Podiatrist receives new information to this effect. If a Requester believes that a right of access to a record exists in terms of other legislation not listed above, the Requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity to consider the request in light thereof.

- 8.2. It is further recorded that the accessibility of documents and records may be subject to the grounds of refusal set out in this Manual.

9. DETAIL TO FACILITATE A REQUEST FOR ACCESS TO A RECORD (SECTION 51(1)(e))

- 9.1. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record.
- 9.2. The requester must complete the prescribed form available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za (J752 /Form C) and submit same as well as payment of a request fee and a deposit (if applicable) to the Information Officer at the postal or physical address, fax number or electronic mail address as noted in clause 3 above.
- 9.3. The prescribed form must be filled in with sufficient information to enable the Information Officer to identify:
- a. the record or records requested;
 - b. the identity of the requester;
 - c. the form of access required;
 - d. the postal address or fax number of the requester in the Republic; or
 - e. if the requester wishes to be informed of the decision in any manner (in addition to written), the manner and particulars thereof; and
 - f. 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.
- 9.4. Tanya Garlick Podiatrist will process the request within 30 (thirty) days unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictate that the above time periods not be complied with.
- 9.5. The requester shall be advised whether access is granted or denied in writing. If, in addition, the requester requires the reasons for the decision in any other manner, the requester will be obliged to state which manner and the particulars required.
- 9.6. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is requesting the reasonable satisfaction of the Information Officer (section 53(2)(f)).

- 9.7. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 9.8. The requester must pay the prescribed fee before any further processing can take place.
- 9.9. All information as listed in clause 9 herein should be provided and failing which the process will be delayed until the required information is provided. The prescribed time periods will not commence until the requester has furnished all the necessary and required information. The Information Officer shall sever a record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.

10. REFUSAL OF ACCESS TO RECORDS

- 10.1. Tanya Garlick Podiatrist is entitled to refuse a request for information in terms of the Act.
- 10.2. The main grounds for Tanya Garlick Podiatrist to refuse a request for information relates to the:
 - a. mandatory prohibition on the processing of special personal information, if the records are classified as special personal information in terms of section 26 of POPIA;
 - b. mandatory protection of the privacy of a third party who is a natural person or a deceased person (section 63) or a juristic person, as included in the Protection of Personal Information Act 4 of 2013, which would involve the unreasonable disclosure of personal information of that natural or juristic person;
 - c. mandatory protection of personal information and for disclosure of any personal information to, in addition to any other legislative, regulatory or contractual agreements, comply with the provisions of the Protection of Personal Information Act 4 of 2013;
 - d. mandatory protection of the commercial information of a third party (section 64) if the record contains:
 - i. trade secrets of the third party;

- ii. financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - iii. information disclosed in confidence by a third party to Tanya Garlick Podiatrist, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
 - e. mandatory protection of confidential information of third parties (section 65) if it is protected in terms of any agreement;
 - f. mandatory protection of the safety of individuals and the protection of property (section 66);
 - g. mandatory protection of records that would be regarded as privileged in legal proceedings (section 67).
 - h. the commercial activities (section 68) of a private body, such as Tanya Garlick Podiatrist, which may include:
 - i. trade secrets of Tanya Garlick Podiatrist
 - ii. financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Tanya Garlick Podiatrist ;
 - iii. the information which, if disclosed could put Tanya Garlick Podiatrist at a disadvantage in negotiations or commercial competition;
 - iv. a computer program which is owned by Tanya Garlick Podiatrist, and which is protected by copyright;
 - v. research information (section 69) of Tanya Garlick Podiatrist or a third party, if its disclosure would disclose the identity of Tanya Garlick Podiatrist, the researcher, or the subject matter of the research and would place the research at a serious disadvantage.
- 10.3. Requests for information that are frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.
- 10.4. All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.
- 10.5. If a requested record cannot be found or if the record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to the requested record. Such notice will be regarded as a decision to refuse a request for access to the record concerned for the purpose of the Act. If the record should later be found, the requester shall be given access to the

record in the manner stipulated by the requester in the prescribed form, unless the Information Officer refuses access to such records.

11. PRESCRIBED FEES (SECTION 51 (1) (f))

- 11.1. The Act provides for two types of fees, namely:
 - a. A request fee, which is a form of an administration fee to be paid by all requesters except personal requesters, before the request is considered and is not refundable; and
 - b. An access fee, which is paid by all requesters if a request for access is granted. This fee is inclusive of costs involved by the private body in obtaining and preparing a record for delivery to the requester.
- 11.2. When the request is received by the Information Officer, he/she shall by notice require the requester, other than a personal requester, to pay the prescribed request fee, before further processing of the request.
- 11.3. If the search for the record has been made and the preparation of the record for disclosure, including an arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.
- 11.4. 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).
- 11.5. The Information Officer shall hold a record until the requester has paid the fees as indicated below.
- 11.6. A requester whose request for access to a record has been granted must pay an access fee that is calculated to include, where applicable, the request fee, the processing fee for reproduction, search, and preparation, and for any time reasonably required over the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.

- 11.7. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer concerned must repay the deposit to the requester.
- 11.8. Where Tanya Garlick Podiatrist has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for the reproduction of the record in question.
- 11.9. Where a requester submits a request for access to information held by an institution on a person other than the requester himself/herself, a request fee in the amount of R50,00 is payable up-front before the institution will further process the request.
- 11.10. An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or exclusion is determined by the Minister in terms of section 54(8).
- 11.11. A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 11.12. The applicable fees which will be payable are as follows:

FEE TYPE	DESCRIPTION	FEE
Request Fee		
	Fees for Requesting Records (Excluding exempt people in terms of the Act)	R50
Access Fee		
	Information in an A-4 size page photocopy or part thereof	R1.10
	A printed copy of an A4-size page or part thereof	R0.75
	A copy in computer-readable format, for example: Compact disc	R70.00

	A transcription of visual images, in an A4-size page or part thereof	R40.00
	A copy of visual images	R60.00
	A transcription of an audio record for an A4-size page or part thereof	R20.00
	A copy of an audio record	R30.00
	Search and preparation of the record for disclosure. Excluding the first hour reasonable required for the search and preparation	R30 per hour
	Postage Fee	Actual Fee Incurred

12. DECISION

- 12.1. Tanya Garlick Podiatrist will, within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 12.2. The 30 (thirty) day period within which Tanya Garlick Podiatrist has to decide whether to grant or refuse the request, may be extended for a further period of not more than (30) thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of Tanya Garlick Podiatrist and the information cannot reasonably be obtained within the original 30 (thirty) day period.
- 12.3. Tanya Garlick Podiatrist will notify the requester in writing should an extension be sought.

13. REMEDIES AVAILABLE WHEN TANYA GARLICK PODIATRIST REFUSES A REQUEST

13.1. Internal Remedies

Tanya Garlick Podiatrist does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

13.2. External Remedies

- a. A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 (thirty) days of notification of the decision, may apply to a Court for relief.
- b. A third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief.

13.3. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status, and a Magistrate's Court designated by the Minister of Justice and Constitutional Development.

14. ACCESS TO RECORDS HELD BY TANYA GARLICK PODIATRIST

14.1. Records held by Tanya Garlick Podiatrist may be accessed by requests only once the prerequisite requirements for access have been met.

14.2. A requester is any person requesting access to a record of Tanya Garlick Podiatrist. There are two types of requesters:

a. Personal Requester

- i. A personal requester is a requester who is seeking access to a record containing personal information about the requester.
- ii. Tanya Garlick Podiatrist will voluntarily provide the requested information or give access to any record concerning the requester's personal information. The prescribed fee for the reproduction of the information requested will be charged (if applicable).

b. Other Requester

- i. This requester (other than a personal requester) is entitled to request access to information on third parties.
- ii. In considering such a request, Tanya Garlick Podiatrist will adhere to the provisions of the Act. Section 71 requires that the Information Officer take all reasonable steps to inform the third party to whom the requested record relates of the request, informing him/her that he/she may make a written or oral representation to the Information Officer why

the request should be refused or, where required, give written consent for the disclosure of the Information.

- iii. Tanya Garlick Podiatrist is not obliged to voluntarily grant access to such records. The requester must fulfil the prerequisite requirements, in accordance with the requirements of the Act and as stipulated in Chapter 5; Part 3, including the payment of a request and access fee.

15. PROCESSING OF PERSONAL INFORMATION BY TANYA GARLICK PODIATRIST

15.1. Chapter 3 of POPIA provides for the minimum Conditions for the Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.

15.2. Tanya Garlick Podiatrist needs Personal Information relating to both individual and juristic persons to carry out its business and organisational functions. The manner in which this information is processed and the purpose for which it is processed is determined by Tanya Garlick Podiatrist. Tanya Garlick Podiatrist is accordingly a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:

- a. is processed lawfully, fairly, and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by Tanya Garlick Podiatrist, in the form of privacy or data collection notices. Tanya Garlick Podiatrist must also have a legal basis (for example, consent) to process Personal Information.
- b. is processed only for the purposes for which it was collected.
- c. will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
- d. is adequate, relevant, and not excessive for the purposes for which it was collected.
- e. is accurate and kept up to date.
- f. will not be kept for longer than necessary.
- g. is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used, and communicated by Tanya Garlick Podiatrist, to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage.

- h. is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects have the right to:
- i. be notified that their Personal Information is being collected by Tanya Garlick Podiatrist. The Data Subject also has the right to be notified in the event of a data breach.
 - ii. know whether Tanya Garlick Podiatrist holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual.
 - iii. request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or unlawfully obtained personal information.
 - iv. object to Tanya Garlick Podiatrist use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to Tanya Garlick Podiatrist's record-keeping requirements);
 - v. object to the processing of Personal Information for purposes of direct marketing through unsolicited electronic communications; and
 - vi. complain to the Information Regulator regarding an alleged infringement of any of the rights protected under the POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her, or its personal information.

15.3. Purpose of the Processing of Personal Information by the Company

As outlined above, Personal Information may only be processed for a specific purpose. To this regard Tanya Garlick Podiatrist processes or will process Personal Information as set out below:

Data Subject	Purpose
Patients	<ol style="list-style-type: none"> a. For the proper treatment of the patient and care. b. For the administration of the patient treatment and the practice. c. For the performance of duties in terms of any agreement with patients. d. Make, or assist in making, account decisions about patients. e. Operate and manage patients' accounts and manage any application, agreement, or correspondence patients may have with Tanya Garlick Podiatrist

	<ul style="list-style-type: none"> f. Communicating (including direct marketing) with patients by email, SMS, letter, telephone, or in any other way about Tanya Garlick Podiatrist's products and services, unless patients indicate otherwise. g. To form a view of patients as individuals and to identify, develop or improve products, that may be of interest to patients. h. Carrying out market research, business, and statistical analysis i. Performing other administrative and operational purposes including the testing of systems j. Recovering any debt owed by the patients to Tanya Garlick Podiatrist k. Complying with the Tanya Garlick Podiatrist's regulatory and other obligations l. Any other reasonably required purpose relating to the Tanya Garlick Podiatrist business
Prospective patients	<ul style="list-style-type: none"> a. Verifying and updating information b. Direct marketing c. Any other reasonably required purpose relating to the processing of a prospect's personal information reasonably related to the Tanya Garlick Podiatrist's business.
Employees	<ul style="list-style-type: none"> a. Verification of applicant employees' information during the recruitment process b. General matters relating to employees: <ul style="list-style-type: none"> i. Pension ii. Medical aid iii. Payroll iv. Disciplinary action v. Training c. Any other reasonably required purpose relating to the employment or possible employment relationship.
Vendors /Suppliers /Other businesses	<ul style="list-style-type: none"> a. Verifying information and performing checks. b. Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties.

	<ul style="list-style-type: none"> c. Payment of invoices. d. Complying with the Tanya Garlick Podiatrist's regulatory and other obligations; and e. Any other reasonably required purpose relating to the Tanya Garlick Podiatrist business.
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15.4. Categories of Data Subjects and Personal Information/Special Personal Information relating thereto.

As per section 1 of POPI, a Data Subject may either be a natural or a juristic person. The following table sets out the various categories of Data Subjects that Tanya Garlick Podiatrist Processes Personal Information on and the types of Personal Information relating thereto.

Data Subjects	Type of Personal Information
Consumers and prospective consumers (which may include employees)	<ul style="list-style-type: none"> a. Special personal information (Health Information) b. Medical Aid information c. Postal and/or street address d. title and name e. contact numbers and/or e-mail address f. ethnic group g. employment history h. age i. gender j. marital status k. nationality l. language m. financial information n. identity or passport number a. browsing habits and click patterns on Tanya Garlick Podiatrist websites.
Employees	<ul style="list-style-type: none"> a. Name and contact details b. Identity number and identity documents including passports. c. Employment history and references d. Banking and financial details

	<ul style="list-style-type: none"> e. Details of payments to third parties (deductions from salary) f. Employment contracts g. Employment equity plans h. Medical aid records i. Pension Fund records j. Remuneration/salary records k. Performance appraisals l. Disciplinary records m. Leave records. n. Training records
Vendors /Suppliers /Other businesses	<ul style="list-style-type: none"> a. Name and contact details b. Identity and/or company information and directors' information c. Banking and financial information d. Information about products or services e. Other information not specified, reasonably required to be processed for business operations

15.5. Recipients of Personal Information

Tanya Garlick Podiatrist may provide a Data Subjects Personal Information to the following:

- a. Medical Funds and/or their administrators which the Data Subject and/or Tanya Garlick Podiatrist is contracted to.
- b. Any firm, organisation, or person that the Tanya Garlick Podiatrist uses to collect payments and recover debts or to provide a service on its behalf;
- c. Any firm, organisation, or person that/who provides the Tanya Garlick Podiatrist with products or services.
- d. Any payment system that Tanya Garlick Podiatrist uses.
- e. Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where Tanya Garlick Podiatrist has a duty to share information.
- f. Third parties to whom payments are made on behalf of employees.
- g. Financial institutions from whom payments are received on behalf of data subjects.
- h. Any other operator not specified.

- i. Employees, contractors, and temporary staff; and
- j. Agents.

15.6. Cross-border flows of Personal Information

15.6.1. Section 72 of POPIA provides that Personal Information may only be transferred out of the Republic of South Africa if the:

- a. recipient country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in POPIA; or
- b. Data Subject consents to the transfer of their Personal Information; or
- c. the transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
- d. the transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or
- e. the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would likely provide such consent.

15.6.2. In accordance with 15.6.1 above, Personal Information may be transmitted transborder to Tanya Garlick Podiatrist’s suppliers in other countries, and Personal Information may be stored in data servers hosted outside South Africa, which may not have adequate data protection laws. Tanya Garlick Podiatrist will endeavour to ensure that its dealers and suppliers will make all reasonable efforts to secure said data and Personal Information.

15.7. Description of information security measures to be implemented by Tanya Garlick Podiatrist

Tanya Garlick Podiatrist undertakes to institute and maintain the data protection measures to accomplish the following objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. Tanya Garlick Podiatrist may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

- a. Access Control of Persons-Tanya Garlick Podiatrist shall implement suitable measures to prevent unauthorized persons from gaining access to the data

processing equipment where the data are processed. Our business premises where records are kept may be protected by access control, burglar alarms, and armed response where necessary.

- b. Data Media Control- Tanya Garlick Podiatrist undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration, or removal of the data media used by Tanya Garlick Podiatrist and containing personal data of Customers.
- c. Data Memory Control-Tanya Garlick Podiatrist undertakes to implement suitable measures to prevent unauthorized input into data memory and the unauthorised reading, alteration, or deletion of stored data.
- d. User Control-Tanya Garlick Podiatrist shall implement suitable measures to prevent its data processing systems from being used by unauthorised persons through data transmission equipment.
- e. Access Control to Data-Tanya Garlick Podiatrist represents that the persons entitled to use Tanya Garlick Podiatrist's data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorisation).
- f. Transmission Control- Tanya Garlick Podiatrist shall be obliged to enable the verification and tracing of the locations/destinations to which the personal information is transferred by utilization of Tanya Garlick Podiatrist's data communication equipment/devices.
- g. Transport Control-Tanya Garlick Podiatrist shall implement suitable measures to prevent Personal Information from being read, copied, altered, or deleted by unauthorized persons during the transmission thereof or the transport of the data media.
- h. Organisation Control-Tanya Garlick Podiatrist shall maintain its internal organisation in a manner that meets the requirements of this Manual.

15.8. Objection to the Processing of Personal Information by a Data Subject

Section 11 (3) of POPI and regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed form attached to this manual as Appendix 2 subject to exceptions contained in POPIA.

15.9. Request for correction or deletion of Personal Information

Section 24 of POPI and regulation 3 of the POPI Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form attached as Appendix 3 to this Manual.

16. AVAILABILITY AND UPDATING OF THIS MANUAL

- 16.1. This Manual is made available in terms of Regulation Number R.187 of 15 February 2002. Tanya Garlick Podiatrist will update this Manual at such intervals as may be deemed necessary.
- 16.2. This Manual of Tanya Garlick Podiatrist is available to view at its premises and on its website on www.midrandpodiatry.co.za.

APPENDIX 1

**FORM 1
OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF
SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.
4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[Regulation 2]**

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at this day of20.....

.....
Signature of data subject/designated person

APPENDIX 2

FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018
[Regulation 3]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	

Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED
D	REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. <i>(Please provide detailed reasons for the request)</i>

Signed at this day of20.....

.....
Signature of data subject/ designated person