



**CORPORATE GOVERNANCE
GOVERNANCE POLICY NO: 6
ACCESS TO INFORMATION**

Prepared by	Assistant Company Secretary
Approved by	Corporate Governance Division
Approval Date	August 2015
Review Date	August 2017
Version	1.1

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1. MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT

This manual is for the National Renal Care Proprietary Limited.

The Promotion of Access to Information Act No. 2 of 2000 (“the Act”) came into operation on 23 November 2001. Section 51 of this Act requires that we as a private body compile a manual giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

- i. The purpose of this manual is to facilitate requests for access to records of the Company.
- ii. This manual is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in the Act. Requesters are advised to familiarise themselves with the provisions of the Act before making any request to the Company in terms of the Act.
- iii. Nothing stated in this manual shall limit, or constitute a waiver of, any of the rights of the requester or of the Company in terms of the Act.
- iv. The Company makes no representation and gives no undertaking that the information in this manual or any information provided by the Company to a requester thereof is complete or accurate, or that such information is fit for any purpose. All users of any such information shall use such information entirely at their own risk and the Company shall not be liable for any loss, expense, liability or claims howsoever arising, resulting from any use of this manual or of any information provided by the Company or from any error therein.
- v. All users irrevocably agree to submit exclusively to the laws of the Republic of South Africa and to the exclusive jurisdiction of the courts of the Republic of South Africa in respect of any dispute arising out of the use of this manual or of any information provided by the Company.

Inside these pages you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information. The manual will be updated from time to time. A copy of the manual is available on our website – www.nrc.co.za

2. OVERVIEW

National Renal Care Proprietary Limited carries on the business as a renal service provider, providing management of renal disease throughout the Republic of South Africa.

A. CONTACT DETAILS – REFER SECTION 51 (1) (A) OF THE ACT

Full Name	:	National Renal Care (Pty) Ltd
Registration Number	:	1995/006721/07
Registered Address	:	26 Cedar Road Richmond 2091
Postal Address	:	Private Bag X8 Brixton 2092
Telephone Number	:	+27 11 726-5206
Fax Number	:	+27 11 726 – 8641
Head/CEO	:	Robert Souter
Designated Information Officer	:	Robert Souter
Email address Information Officer	:	Phillipa.Norman@nrc.co.za) PA to CEO Mariska.Botha@nrc.co.za)
Website	:	www.nrc.co.za

B. THE SECTION 10 GUIDE ON HOW TO READ THE ACT – REFER SECTION 51 (1) (B) OF THE ACT

A guide on how to use the Act has been compiled by the Human Rights Commission in terms of Section 10 of the Act. Any queries should be directed to:

Post	:	The South African Human Rights Commission Private Bag X 2700 Houghton 2041
Telephone Number	:	+27 11 877 3600
Fax Number	:	+27 11 403 0625
Website	:	www.sahrc.org.za
Email	:	sahrcinfo@sahrc.org.za

C. INFORMATION AUTOMATICALLY AVAILABLE – REFER SECTION 51 (1) (C) OF THE ACT

The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotion of Access to Information Act. These categories of information are also available from our information officer, whose contact details appear in section 2 of this manual.

- i. Media Releases including SENS announcements

D. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION - REFER SECTION 51 (1) (D) OF THE ACT

Records are kept in accordance with the following legislation, as amended from time to time (this list is not exhaustive):

- i. Basic Conditions of Employment Act
- ii. Companies Act
- iii. Compensation for Occupational Injuries and Diseases Act
- iv. Employment Equity Act
- v. Income Tax Act
- vi. Labour Relations Act
- vii. Skills Development Levies Act
- viii. Trade Marks Act
- ix. Unemployment Insurance Act
- x. Value Added Tax Act
- xi. Skills Developments Act
- xii. Unemployment Insurance
- xiii. Broad Based Black Economic Act
- xiv. All relevant health legislation

E. INFORMATION NOT AUTOMATICALLY AVAILABLE - REFER SECTION 51 (1) (E) OF THE ACT

The following records are not automatically available without a request therefore in terms of the Act:

- i. Company Secretarial

CORPORATE GOVERNANCE POLICY ON POLICIES

- a. Company Memorandum of Incorporation / Registers / Resolutions or Extracts of meetings / Statutory returns
- ii. Movable and Immovable Property
 - a. Title Deeds
 - b. Lease Agreements
 - c. Hire Agreements / Rental Agreements
 - d. Hire-purchase agreements
 - e. Credit Sale Agreements / Instalment Sale Agreements
- iii. Intellectual Property
 - a. Trade marks
 - b. Patents
 - c. Copyright
 - d. Designs
 - e. Licensing agreements
- iv. Insurance
 - a. Insurance Policies / Claims Files
- v. Third Parties
 - a. Records held by the Company relating to other parties, including financial records, correspondence, contractual records, records provided by other parties and records third parties have provided about the Company's contractors and suppliers in respect of contractors, suppliers, joint venture partners and service providers.
- vi. Taxation
 - a. Income tax files
- vii. Human Resources
 - a. Policies and procedures
 - b. Employee information
 - c. Personnel files
 - d. Conditions of Employment
 - e. Internal Evaluation Records (where applicable)
 - f. Correspondence
 - g. Training Schedule and Related Material
 - h. Agreements
 - i. Forms and applications
 - j. Standard letters and notices
- viii. Finance
 - a. Financial statements
 - b. Reports and returns
 - c. Banking details and bank account records

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- d. Debtors/creditors statements and invoices
 - ix. Operations
 - a. Policies and procedures
 - b. Reports and supporting documentation
 - x. Information technology
 - a. System documentation and manuals
 - xi. Administration
 - a. Internet (www.nrc.co.za)
 - b. Correspondence with internal and external parties
- F. PROCEDURE FOR REQUESTING A RECORD NOT AUTOMATICALLY AVAILABLE
- i. The requester must use the prescribed form annexed hereto to make the request for access to a record. This must be made to the information officer of National Renal Care Proprietary Limited. This request must be made to the address, fax number or electronic mail address of National Renal Care Proprietary Limited.
 - ii. The requester must provide sufficient detail on the request form to enable the information officer of National Renal Care Proprietary Limited to identify the record and the requester. The requester should also indicate which form of access is required and specify a postal address or fax number in the Republic. The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
 - iii. The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
 - iv. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request, to the satisfaction of the information officer of National Renal Care Proprietary Limited.
 - v. Requests for access to records held by National Renal Care Proprietary Limited must be made on the request forms (on payment of the prescribed fees) that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doi.gov.za) (under “regulations”).
 - vi. Fees
 - o A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.

Every other requester who is not a personal requester must pay the required request fee.

- The information officer of the private body must by notice request the requester (other than a personal requester) to pay the prescribed request fee (if any) before further processing the request.
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the information officer of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

Note: Access to certain records may be denied on the grounds set out in Section 61 of the Act.

G. AVAILABILITY OF THIS MANUAL *[SECTION 51 (3) OF THE ACT]*

A copy of this manual is available at the Company's registered address, on the Company's website (www.nrc.co.za) and from the South African Human Rights Commission.

ANNEXURE 1 – REQUEST FORM

REQUEST FORM

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

[Regulation 10]

A. PARTICULARS OF PRIVATE BODY

The Information Officer:

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- | |
|--|
| <p>(a) The particulars of the person who requests access to the record must be given below.</p> <p>(b) The address and/or fax number in the Republic to which the information is to be sent must be given.</p> <p>(c) Proof of the capacity in which the request is made, if applicable, must be attached.</p> |
|--|

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

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C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must be completed *ONLY* if a request *for information* is made on behalf of *another* person.

Full names and surname:

Identity number:

D. PARTICULARS OF RECORD

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.
- The requester must sign all the additional folios.

- 1 Description of record or relevant part of the record:
- 2 Reference number, if available:
- 3 Any further particulars of record:

E. FEES

- (a) A request for access to a record, other *than* 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* 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.

Reason for exemption from payment of fees:

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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 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Mark the appropriate box with an X.	
<p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:			
	copy of record*		inspection of record
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	view the images		transcription of the images*
3. If record consists of recorded words or information which can be reproduced insound:			
	listen to the soundtrack / audio cassette		transcription of soundtrack* written or printed document
4. If record is held on computer or in an electronic or machine-readable form:			
	printed copy of record*		copy in computer readable form* (stiffy or compact disc)

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'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
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G PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

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

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

Signed at..... This..... day of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS BEING MADE