



PROMOTION OF ACCESS TO INFORMATION ACT SECTION 51 MANUAL

Occupational Therapy Association of South Africa (OTASA)

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person or entity, whether such information is required by someone to protect his/her rights.

1. OVERVIEW

The Occupational Therapy Association of South Africa (OTASA) is the professional association that promotes the dynamic growth of quality and contextually relevant occupational therapy with a focus on occupation and its benefits to the health and well-being of the South African society.

We envisage occupational therapy as an integral, evidence-based and relevant agent in meeting society’s occupational needs in partnership with key stakeholders and the public.

Our Values – **DOING IT**

	We:
Diversity	are connected in diversity
Occupation-based	rooted in occupation
Inclusive	stand together
Networking	network to recognise where change is needed
Grounded	are grounded in our African identity
Innovative	find new solutions
Transformative	are proactively moving with the times

Appendix B (OTASA Organogram)

Appendix C (Services rendered by the organisation – application form)

This manual serves to inform members of the public of the categories of information we hold, and which may, subject to the grounds of refusal listed in the Act, be disclosure after evaluation of an an access application being made in terms of the Act.

2. AVAILABILITY OF THIS MANUAL

A copy of this Manual is available -

- At our reception desk at our office / offices at Hatfield Bridge office park, corner of Stanza Bopape and Richard street, 1st floor, Hatfield, Pretoria, 0028
- On request from our Information Officer El-Ierisa Mahomed, landline 012 362 5457 / email otoffice@uitweb.co.za
- On our website: www.otasa.org.za
- From the South African Human Rights Commission (“SAHRC”) at the addresses and/or telephone numbers as published by the Commission

This Manual will be updated from time to time, as and when required.

3. OUR INFORMATION OFFICER

Our Information Officer is:

El-Ierisa Mahomed

Office Administrator

Tel: 012 362 5457

Cell: 0794527274

Email: otoffice@uitweb.co.za

4. HOW TO REQUEST ACCESS TO RECORDS HELD BY OTASA

Requests for access to records held by OTASA must be made on the request forms that are available from our website or office, or from the SAHRC website (www.sahrc.org.za).

When a record is requested, the following will apply:

- Fees may be payable. These fees are prescribed by law, and can change from time to time. The fee list is attached to this document.
- The Request Form must be completed. It can be obtained from the Information Officer, on the SAHRC website (www.sahrc.org.za) or on the website of the Department of Justice (www.justice.gov.za) under “PAIA” and “forms”. (Appendix A)
- On the Request Form all details must be completed, including the right the requester wants to protect by requesting the information.
- If the requester is acting on behalf of someone else, the signature of the other person as the one who is authorised the request to be made.
- The requester must state in which form (inspection of copy, paper copy, electronic copy, transcript, etc) s/he wants to access the information.
- If the record is part of another record, the requester will only be access the part(s) that pertains to the information s/he wants or is entitled to, and not the rest of the record.

All requests will be evaluated against the provisions of the Act. The Act allows the Information Officer to refuse access on grounds stipulated in the Act. One can, for example, not access another person’s confidential information, or trade- or commercial secrets of a business.

An answer on a request for information must be made within 30 days of the request, and if not granted and the requester is not satisfied s/he can approach the courts within 30 days.

5. HOW THE ACT WORKS AND INFORMATION PUBLISHED BY THE SAHRC

More information on how the Act works and all other information can be obtained from the SAHRC at:
Private Bag X2700
Houghton
2041
Tel: 011 877 3600

Braampark Forum 3^[1]_[SEP]
33 Hoofd Street^[1]_[SEP]
Braamfontein

There are also provincial SAHRC offices in all nine provinces.

6. VOLUNTARY DISCLOSURE

The following information is made known automatically OTASA's history and structure, OTASA Constitution and Standing Orders, calendar of events, CPD activities, prizes and awards, links, mission/vision, position statements and classifieds and persons do not have to request such information.

7. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of the following legislation to the persons or entities specified in such legislation, as well as the specific protections offered by such laws. As legislation changes from time to time, and new laws may stipulate new manners and extend the scope of access by persons specified in such entities, this list should be read as not being a final and complete list.

Business legislation (including all regulations issued in terms of such legislation):

The Companies Act 71 of 2008; Income Tax Act 58 of 1962; Value Added Tax Act 89 of 1991; Labour Relations Act 66 of 1995; Basic Conditions of Employment Act 75 of 1997; Employment Equity Act 55 of 1998; Skills Development Levies Act 9 of 1999; Unemployment Insurance Act 63 of 2001; Electronic Communications and Transactions Act 25 of 2002; Telecommunications Act 103 of 1996; Electronic Communications Act 36 of 2005; Consumer Protection Act 68 of 2008; Broad-based Black Economic Empowerment Act 53 of 2003; National Credit Act 34 of 2005; etc.

Health legislation (including all regulations issued in terms of such legislation):

The National Health Act 61 of 2003; Medical Schemes Act 121 of 1998; Medicines and Related Substances Act 101 of 1965; Children's Act 38 of 2005; Mental Healthcare Act 17 of 2002; Choice on Termination of Pregnancy Act 92 of 1996; Sterilisation Act 44 of 1998; etc.

8. RECORDS HELD BY OTASA

OTASA records are managed in accordance with the provisions and requirements of the National Archives Act of South Africa, 1996 (Act No. 43 of 1996)

We hold records in the following categories. Some of the records listed in the categories below may be formally requested, but access to parts of these records or the whole record may be refused on the basis of the provisions of PAIA as stipulated in sections 33 to 45.

*Automatically available: Records that can be accessed without having to request access in terms of the Act as stipulated in section 15(1)(a) of PAIA.

*Available on request: Records that can be accessed by following the processes as stipulated in PAIA sections 11 and 18; access to these records may be refused on the basis of sections 33 to 45 of the Act.

*Protected: Records that contain sensitive information and cannot be made available to the public.

The fact that we list a record type here does not necessarily mean that we will disclose such records, and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

- **Internal records relating to our business**, which includes our business's founding and other documents, minutes and policies; annual and other reports; financial records; operational records, policies and procedures; contracts; licences, trademarks and other intellectual property; production, marketing records; other internal policies and procedures; internal correspondence; statutory records; etc.
- **Personnel records**, which includes records relating to temporary employees, fixed term employees, part-time employees, permanent employees, contractors, Exco members. It includes personal files and similar records, records a third parties have provided to us about their personnel; employment contracts, conditions of employment; workplace policies; disciplinary records; termination records; minutes of staff meetings; performance management records and systems and all employment-related records and correspondence.
- **Customer/client/patient records**, which includes members list, funding records, agreements, consents, needs assessments; financial and accounts information; research information; evaluation records; profiling; and similar information. ***It must be noted that, in the health sector, personal and patient information are protected by legislation and ethical rules, and disclosure can only take place, if at all, without those frameworks.***
- **Supplier and service provider records**, which includes supplier registrations; contracts; confidentiality agreements and non-disclosure agreements, communications; logs; delivery records; commissioned work; and similar information, some of which might be provided to us by such suppliers and providers under service- and other contacts.
- **Technical records**, which includes manuals, logs, electronic and cached information, health professionals council / statutory body records, approvals, conditions and requirements, trade association information and similar product information.
- **Third party information**, which may be in our possession but which would be subject to the conditions set in relation to such possession.
- **Environment and market information**, which include information bought, publicly available information and commissioned information which pertains to the specific sector and market of our business and factors that affect the business, professional and healthcare environment.