

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 AND ABBREVIATIONS

Acronyms and Abbreviations	Description
IO/Information Officer	The Engen Medical Benefit Fund Information Officer as appointed by the Engen Medical Benefit Fund Board of Trustees
Minister	Minister of Justice and Correctional Services
PAIA	Promotion of Access to Information Act (Act 2 of 2000), as amended
POPIA	Protection of Personal Information Act (Act 4 of 2013)
EMBF	Engen Medical Benefit Fund
Regulations	Regulations relating to both PAIA and POPIA as published by the Information Regulator
Regulator	Information Regulator
Republic	Republic of South Africa

2. INTRODUCTION

- 2.1. This manual is for **Engen Medical Benefit Fund**
- 2.2. The Promotion of Access to Information Act, No.2 of 2000, as amended ("the Act") is an Act that was passed to give effect to the constitutional right held by South African citizens, of access to any information held by the State or by another person, which is required for the exercise or protection of any right. Where a request is made in terms of the Act, the body to which the request is made is obliged to give access to the requested information, except where the Act expressly provides that the information may or must not be released. Therefore, the right of access to information and this Manual is only applicable to South African citizens, as defined in the Constitution of the Republic of South Africa Act 108 of 1996.
- 2.3. It is important to note that the Act recognises certain limitations to the right of access to information, including, but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective, efficient and good governance, and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.
- 2.4. This manual is available for inspection, free of charge, at the physical address designated by the Board of Trustees of **Engen Medical Benefit Fund** recorded in paragraph 4.3 below and on its website.

3. PURPOSE OF THE PAIA MANUAL

This PAIA Manual is useful for the public to-

- 3.1. check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 3.2. have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 3.3. know the description of the records of the body which are available in accordance with any other legislation;
- 3.4. access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;

- 3.5. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 3.6. know if the body will process personal information, the purpose of processing personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.7. know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.8. know the recipients or categories of recipients to whom the personal information may be supplied;
- 3.9. know if the body 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
- 3.10. know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. CONTACT DETAILS OF THE INFORMATION OFFICER OF ENGEN MEDICAL BENEFIT FUND

4.1. Information Officer

Information Officer	Lesley Shaw
Postal address	PO Box 652509 Benmore 2010
Physical address	Engen Thibault Square c/o Riebeeck and Long Streets Cape Town
Telephone number	021 403 4127
E-mail address	lesley.shaw@vivoenergy.com
Website	www.engenmed.co.za

4.2. Access to information general contacts

Email: service@engenmed.co.za

4.3. Designated Office

Postal address	Sable Park, Bridgeways Precinct, Century City 7446
Physical address	Bridge Way Century City Cape Town South Africa
Telephone number	0800 001 615
E-mail address	service@engenmed.co.za
Website	www.engenmed.co.za

5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 5.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use the 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.
- 5.2. The Guide is available in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of-
 - 5.3.1. the objects of PAIA and POPIA;
 - 5.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 5.3.2.1. the Information Officer of every public body, and
 - 5.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 5.3.3. the manner and form of a request for-
 - 5.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 5.3.3.2. access to a record of a private body contemplated in section 50⁴;
 - 5.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 5.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 5.3.6. 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-
 - 5.3.6.1. an internal appeal;
 - 5.3.6.2. a complaint to the Regulator; and
 - 5.3.6.3. 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;
 - 5.3.7. 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;
 - 5.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of

categories of records by a public body and private body, respectively;

5.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

5.3.10. the regulations made in terms of section 92¹¹.

5.4. 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.

5.5. The Guide can also be obtained-

5.5.1. upon request to the Information Officer;

5.5.2. from the Regulator:

Physical Address:	Woodmead North Office Park, 54 Maxwell Drive, Woodmead, 2191
Telephone Number:	010 023 5200
E-mail Address:	enquiries@infoRegulator.org.za
Website:	www.infoRegulator.org.za

5.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

5.6.1. English and Afrikaans

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.

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.

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.”

6. CATEGORIES OF RECORDS OF ENGEN MEDICAL BENEFIT FUND WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

The accessibility of the documents listed below may be subject to the grounds of refusal set out in Part 11 of this manual.

Category of records	Types of the record	Available online	Available upon request
Commercial records	EMBF Brochures and benefit and product information flyers, application forms, tax certificates	X	X
Governance records	Annual financial statements as part of EMBF annual disclosures and Registered Rules	X	X
Privacy/information	Access to information manual (PAIA Manual)	X	X
Commercial records	Newsletters	X	X

6.1 PERSONNEL RECORDS

- 6.1.1 **"Personnel"** refers to any person who works for, or provides services to or on behalf of Engen Medical Benefit Fund and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of Engen Medical Benefit Fund and includes, without limitation, the Trustees, Principal Officer, and other contracted 3rd parties. Personal records provided by personnel
- 6.1.2 Records provided by a third party relating to personnel
- 6.1.3 Conditions of employment and other personnel-related contractual and quasi-legal records
- 6.1.4 Internal evaluation records and other internal records
- 6.1.5 Correspondence relating to personnel and
- 6.1.6 Training schedules and material.

6.2 CLIENT RELATED RECORDS

A **"client"** refers to any natural or juristic entity that receives services from Engen Medical Benefit Fund,

- 6.2.1 Records pertaining to the diagnosis, treatment or health of the members/beneficiaries of Engen Medical Benefit Fund and members of the medical schemes administered by Discovery Health (Pty) Ltd
- 6.2.2 Records provided by members/beneficiaries to a third party acting for or on behalf of Engen Medical Benefit Fund
- 6.2.3 Records provided by a third party, and
- 6.2.4 Records generated by or within Engen Medical Benefit Fund relating to its members/beneficiaries.

6.3 PRIVATE BODY RECORDS

These records include, but are not limited to, the records which pertain to Engen Medical Benefit Fund's own affairs.

- 6.3.1 Financial records
- 6.3.2 Operational records
- 6.3.3 Information Technology

- 6.3.4 Communication
- 6.3.5 Administrative records
- 6.3.6 Product records
- 6.3.7 Statutory records
- 6.3.8 Internal Policies and Procedures and
- 6.3.9 Trustees and the Principal Officer.

6.4 OTHER PARTY RECORDS

- 6.4.1 Personnel, customer or private body records which are held by another party, as opposed to the records held by Engen Medical Benefit Fund itself.
- 6.4.2 Records held by Engen Medical Benefit Fund pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about Engen Medical Benefit Fund's contractors / suppliers.
- 6.4.3 Engen Medical Benefit Fund may possess records pertaining to other parties including, but not limited to, contractors, suppliers, and service providers and such other parties may possess records that can be said to belong to Engen Medical Benefit Fund.

7. DESCRIPTION OF THE RECORDS OF ENGEN MEDICAL BENEFIT FUND WHICH ARE AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

A requester may also request information that is available in terms of other legislation such as:

Category of records	Types of the record	Applicable Legislation
Regulatory	Complaints and appeals	Medical Schemes Act (Act 131 of 1998)
Commercial	Complaints, transactional records, call recordings, client records, etc	Consumer Protection Act (Act 68 of 2008)
Financial	Records related to debt management and debt due to Retail Medical Scheme, customer due diligence reports	<ul style="list-style-type: none"> • National Credit Act (Act 34 of 2005) • The Financial Advisory and Intermediary Service Act 37 of 2002
Privacy/information	<ul style="list-style-type: none"> • Privacy statement • PAIA Manual 	<ul style="list-style-type: none"> • Protection of Personal Information Act (Act 4 of 2013) • Promotion of Access to Information Act 2 of 2000
Governance	Information relating to Annual General Meeting	Companies Act (Act 71 of 2008)
Labour/employment law	Conditions of employment	<ul style="list-style-type: none"> • The Labour Relations Act 66 of 1995, • The Employment Equity Act 55 of 1998, • The Basic Conditions of Employment Act 75 of 1997

*The above is not an exhaustive list of statutes that may require **Engen Medical Benefit Fund** to keep records.

8. DESCRIPTION OF THE SUBJECTS ON WHICH ENGEN MEDICAL BENEFIT FUND HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT.

Subjects on which RMS holds records	Categories of records*
Governance	Governance, such as Annual Reports, Minutes of Annual General Meeting
Member/beneficiary records	Commercial, such as member/beneficiaries' healthcare claims, preauthorisation records, policies, statements
Trustee records	Trustee files, such as qualifications, certifications, CVs
Finance records	Finance, such as annual financial statements, annual budgets
Product and offerings	Commercial, such as brochures
Statements	Commercial, such as claim statements

*The above is not an exhaustive list of legislation that may require EMBF to keep records.

9. PROCESSING OF PERSONAL INFORMATION

9.1. Purpose of Processing Personal Information

- 9.1.1.** We process personal information and special personal information where applicable to:
- 9.1.1.1.** Develop, monitor and improve our systems and processes.
 - 9.1.1.2.** Communicate with our clients, members, vendors, partners, service providers, etc.
 - 9.1.1.3.** Give permission to the contracted administrator, Discovery Health (Pty) Ltd, to manage products, benefits and services, which includes assessing and paying claims, determining and collecting contributions and providing any information, services or benefits that clients/members are entitled to.
 - 9.1.1.4.** Conduct underwriting and risk and fraud assessments.
 - 9.1.1.5.** May make decisions about applications using automated means and without human intervention in the decision-making process.
 - 9.1.1.6.** Resolve complaints or queries.
 - 9.1.1.7.** Improve our existing products and services and develop new products and services for **Engen Medical Benefit Fund** members through research and development.
 - 9.1.1.8.** Improve customer experience and service efficiency by conducting surveys and analysing service interactions.
 - 9.1.1.9.** Fulfil legal or contractual obligations, including assisting with law enforcement, anti-money laundering and counterterrorist financing initiatives or complying with information requests by regulators and meeting our regulatory reporting obligations.
 - 9.1.1.10.** Comply with codes of conduct and industry agreements.
 - 9.1.1.11.** Make members aware of benefits that they are entitled to in relation to existing products.

- 9.1.1.12. Ensure that members get access to health treatments and other benefits when required and as stipulated by the benefit rules , as may be applicable, and help members to navigate the healthcare system or the services of any healthcare or other providers when relevant (To ensure this, we may share medical information with third parties, such as treating doctors, with consent, where required.)
- 9.1.1.13. Provide managed care services to members.
- 9.1.1.14. Support the early identification of medical conditions or other lifestyle risks and to encourage members to change their lifestyle to lessen the impact of these conditions.
- 9.1.1.15. Through cookies on the **Engen Medical Benefit Fund** websites, authenticate members, provide security against the fraudulent use of login details and for the protection of the **Engen Medical Benefit Fund** websites, personalise content and perform analytics to improve the digital experience.
- 9.1.1.16. Trace or locate members, a beneficiary or dependant, if tracing becomes necessary for any reason relating to the administration and management of products or services provided by **Engen Medical Benefit Fund**.

9.2. 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 *
Member or beneficiary	Name, personal contact information (including in some instances residential address and phone number), email address, user id, title, gender, due diligence information, employer, complaints, communication preferences, geolocation data, user account details, benefit and service usage data, voice recordings, CCTV footage, health information, any other related personal information
Trustees/Committee members / Principal Officer	Name, personal contact information, date of birth, email address, user id, job title, employment history, educational history, gender, nationality, images, date of hire, details of training undertaken, professional contact information (email address, business phone number, job title, division), travel and expenses data, record of app and website visits, IP address, cookie data, preferences, financial data, user account details, compliance investigatory data such as whistle-blower reports, editorial content, CCTV footage, any other related personal information
Juristic entities, including service providers, vendors, suppliers	Name, company/entity registration number, income tax and VAT registration details, BEE certificates, address, bank details, agreements, any other related individual data
Prospective members	Name, personal contact information (including in some instances residential address and phone number), email address, due diligence information, complaints, communication preferences, financial data, benefit and service usage data, any other related personal information
Prospective Trustee/committee members	Name, personal contact information, date of birth, email address, job title, employment history, educational history, gender, nationality, images, professional contact information (email

Categories of Data Subjects	Personal Information that may be processed *
	address, business phone number, job title, division), CCTV footage, any other related personal information
Visitors to premises	Name, personal contact information, email address, professional contact information (email address, business phone number, job title), vehicle registration information, CCTV footage, any other related personal information
Website and app users	User id, record of website visits, clickstream data, IP address, cookie data, preferences

*The above is not an exhaustive of the categories of data subjects and of personal information that EMBF may process

9.3. 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 their personal information may be supplied
Commercial, financial, fraud or criminal records, or as required to meet purpose specification	Regulatory bodies, statutory oversight bodies, regulators, data protection authorities, fraud prevention bodies, law enforcement, due diligence agencies, or judicial commissions of enquiry making a request for data
Commercial or financial records or as required to meet purpose specification	Any court, administrative or judicial forum, arbitration, statutory commission or ombud making a request for data
Commercial, financial or tax records or as required to meet purpose specification	South African Revenue Service, or another similar authority
Personal information as required to meet purpose specifications, e.g. name, surname, contact details, transactional information, call recordings, etc	A Third party with whom Engen Medical Benefit Fund has a contractual relationship for the processing of data (for example, a third-party archiving service or payment provider, benefit partners, service providers and health professionals, who members have already consented to receiving personal information, such as academics and researchers, including those outside South Africa. Engen Medical Benefit Fund will ensure that the academics and researchers only use information that has been de-identified.
Commercial or financial records or as required to meet purpose specification	Auditing and accounting bodies (internal and external)
Personal information as requested, subject to the provisions of PAIA and POPIA	Anyone making a successful application for access in terms of PAIA and POPIA
Commercial or financial records or as required to meet purpose specification	Credit bureau or credit providers, industry association or other association for an industry sector in which Engen Medical Benefit Fund operates
Benefits usage, biographic information, account information, purchase information to meet purpose specification	Other entities that use Engen Medical Benefit Fund's information, where consent has already been given by the member/ beneficiary to receive personal information

9.4. Planned transborder flows of personal information

9.4.1. **Engen Medical Benefit Fund** may transfer personal information outside South Africa to:

- 9.4.1.1. Communicate, using an email address which the member / beneficiary provided to the Scheme give us that is hosted outside South Africa
- 9.4.1.2. Administer certain services, for example, cloud and IT services
- 9.4.1.3. Administer international treatment or benefits .benefits
- 9.4.1.4. Where permission is already granted by the member/beneficiary to share their information.

9.4.2. We will ensure that any authorised party that we pass personal information to for processing is subject to a binding agreement or is required by local data protection law or regulation to treat personal information with the same level of protection as **Engen Medical Benefit Fund** is obliged to.

9.5. General description of Information Security Measures to be implemented by **Engen Medical Benefit Fund** to ensure confidentiality, integrity and availability of the information

9.5.1 **Engen Medical Benefit Fund** ensures and monitors that extensive information security measures are in place to ensure the confidentiality, integrity and availability of personal information in its possession or under the control of its administrator, Discovery Health (Pty) Ltd, who takes appropriate technical and organisational measures designed to ensure that personal data remains protected and secure against unauthorised or unlawful processing or access and against accidental loss, destruction or damage.

9.5.2 Personal information is stored on secure servers, personal computers and mobile devices and in secure manual record-keeping systems.

9.5.3 A range of physical, electronic and other security measures have been deployed to protect the security, confidentiality and integrity of the personal information that we hold. Examples include the following:

- 9.5.3.1 Ensuring controlled access to information systems through identity and access management controls.
- 9.5.3.2 Trustees of **Engen Medical Benefit Fund** and our contracted service providers are bound by internal information security policies and must process information securely.
- 9.5.3.3 Regular review and monitoring of compliance with policies and industry best practice.

10. AVAILABILITY OF THE MANUAL

10.1. A copy of the Manual is available-

10.1.1. on <https://www.engenmed.co.za/portal/embf/legal>;

10.1.2. at the designated office of **Engen Medical Benefit Fund**, for public inspection during normal business hours;

10.1.3. to any person upon request, and upon the payment of a reasonable prescribed fee, and

10.1.4. to the Information Regulator, upon request.

10.2. 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.

11. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

Engen Medical Benefit Fund may refuse a request for information on the following basis:

11.1. Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;

- 11.2. Mandatory protection of the commercial information of a third party, if the record contains:
 - 11.2.1. Trade secrets of that third party;
 - 11.2.2. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; and
 - 11.2.3. Information disclosed in confidence by a third party to **Engen Medical Benefit Fund**, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- 11.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement or legislation.
- 11.4. Mandatory protection of the safety of individuals and the protection of property.
- 11.5. Mandatory protection of records which would be regarded as privileged in legal proceedings.
- 11.6. The commercial activities of **Engen Medical Benefit Fund**, which may include:
 - 11.6.1. Trade secrets of **Engen Medical Benefit Fund**
 - 11.6.2. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of **Engen Medical Benefit Fund**
 - 11.6.3. Information which, if disclosed, could put **Engen Medical Benefit Fund** at a disadvantage in negotiations or commercial competition
 - 11.6.4. A computer program which is owned by **Engen Medical Benefit Fund**, and which is protected by copyright.
 - 11.6.5. The research information of **Engen Medical Benefit Fund** or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
- 11.7. Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

12. ACCESS TO RECORDS HELD BY ENGEN MEDICAL BENEFIT FUND

- 12.1. Records held by **Engen Medical Benefit Fund** may be accessed by requests only once the prerequisite requirements for access have been met.
- 12.2. A requester is any person making a request for access to a record of or held by Engen Medical Benefit Fund. There are two types of requesters:
 - 12.2.1. Personal requester
 - 12.2.1.1. A personal requester is a requester who is seeking access to a record containing personal information about the requester.
 - 12.2.1.2. **Engen Medical Benefit Fund** will voluntarily provide the requested information or give access to any record with regard to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.
 - 12.2.2. Other requester
 - 12.2.2.1. This requester (other than a personal requester) is entitled to request access to information on third parties. However, **Engen Medical Benefit Fund** is not obliged to voluntarily grant access. The requester must fulfill the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.
- 12.3. Request procedure
 - 12.3.1. A requester requiring access to information held by **Engen Medical Benefit Fund** must complete the prescribed form, enclosed herewith as ANNEXURE 1, submit it to the Information Officer at the postal or physical address, fax number or electronic mail address recorded in 4.1 and pay a request fee and a deposit, if applicable.

- 12.3.2. The prescribed form must be completed with enough particularity to at least enable the Information Officer to identify:
 - 12.3.2.1. The record or records requested
 - 12.3.2.2. The identity number of the requester
 - 12.3.2.3. The form of access required, if the request is granted
 - 12.3.2.4. The postal address or fax number of the requester.
- 12.3.3. The requester must also state that he requires the information in order to exercise or protect a right and clearly state the nature of the right to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.
- 12.3.4. **Engen Medical Benefit Fund** will process the request within 30 days, unless the requester has stated special reasons which would satisfy the Information Officer that circumstances dictating that the above time periods not are complied with.
- 12.3.5. The requester will be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he must state the manner and the particulars so required.
- 12.3.6. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.
- 12.3.7. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- 12.3.8. The requester must pay the prescribed fee, before any further processing can take place.

12.4. Decision

- 12.4.1. **Engen Medical Benefit Fund** will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 12.4.2. The 30 day period with which **Engen Medical Benefit Fund** has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the request is for a large number of information, or the request requires a search for information held at another office of **Engen Medical Benefit Fund** and the information cannot reasonably be obtained within the original 30 day period.
The Information Officer will notify the requester in writing should an extension be sought.

12.5. Remedies available when **Engen Medical Benefit Fund** refuses a request for information

- 12.5.1. Internal remedies
 - 12.5.1.1. **Engen Medical Benefit Fund** does not have internal appeal procedures. Therefore, the decision made by the Information Officer is final. Requesters who are dissatisfied with a decision of the Information Officer will have to exercise external remedies at their disposal.
- 12.5.2. External remedies
 - 12.5.2.1. A requester or a third party, who is dissatisfied with an Information Officer's refusal to disclose information, or the disclosed information may within 30 days of notification of the decision, apply to the Constitutional Court, the High Court or another court of similar status for relief.

13. FEES

- 13.1. The Act provides for two types of fees, namely:
 - 13.1.1. A request fee, which will be a standard fee.
 - 13.1.2. An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
 - 13.1.3. Reproduction fee which applies to documents or records that are voluntarily disclosed. This is for reproduction, copying and transcribing the relevant documents or records. The

reproduction fee will be calculated based on the prescribed fees set out below.

- 13.2. When the request is received by the Information Officer, the officer will by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.
- 13.3. If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer will notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- 13.4. The Information Officer will withhold a record until the requester has paid the fees as indicated in the table below.
- 13.5. A requester whose request for access to a record has been granted must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the requested form.
- 13.6. If a deposit has been paid in respect of a requester.

REPRODUCTION FEES	
Where Engen Medical Benefit Fund 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 reproduction of the record in question.	
The applicable fees for reproduction as referred to above are: (VAT inclusive) For every photocopy of an A4-size page or part thereof	R1.25
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	
For an electronic copy sent by email in a computer-readable form, or made available via a cloud service	R150.00
A transcription of visual images for an A4-size page or part thereof	R45.60
For a copy of visual images	R68.40
A transcription of an audio record, for an A4-size page or part thereof	R22.80
For a copy of an audio record	R34.20
Request Fees	
Where a requester submits a request for access to information held by Engen Medical Benefit Fund on a person other than the requester himself/herself, the request fee is payable up-front before the institution will further process the request received.	R50.00
Access Fees	
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 an exclusion is determined by the Minister in terms of section 54(8). The applicable access fees which will be payable are:	
The applicable fees which will be payable are: (VAT inclusive) For every photocopy of an A4-size page or part thereof	R1.25
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	R0.85

For an electronic copy sent by email in a computer-readable form, or made available via a cloud service	R150.00
A transcription of visual images for an A4-size page or part thereof	R45.60
For a copy of visual images	R6.40
A transcription of an audio record, for an A4-size page or part thereof	R22.80
For a copy of an audio record	R34.20
To search for a record that must be disclosed (per hour or part of an hour reasonably required for such search)	R34.20
Where a copy of a record needs to be posted the actual postal fee is payable.	

Deposits

Where **Engen Medical Benefit Fund** receives a request for access to information held on a person other than the requester himself/herself, and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 hours, a deposit is payable to the requester.

The amount of the deposit is equal to 1/3 of the amount of the applicable access fee.

Please note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations. Therefore, the fees reflected above are VAT inclusive.

14. UPDATING OF THE MANUAL

The Information Officer of **Engen Medical Benefit Fund** will on a regular basis update this manual.

Issued by

LShaw

Ms Lesley Shaw

Principal Officer of **Engen Medical Benefit Fund**