

**PROMOTION OF ACCESS TO INFORMATION ACT,
ACT 2 OF 2000 (“The Act”)**

**MANUAL IN TERMS OF SECTION 51 OF THE ACT FOR
LASERSIGHT (PTY) LTD
REG NO: 199700346207**

1. INTRODUCTION

LASERSIGHT (PTY) LTD was established in 1997 to administrate the rental of ophthalmic equipment and personnel services for refractive surgery to its shareholders and participating ophthalmologists.

2. PARTICULARS IN TERMS OF SECTION 51 OF THE ACT

The reference, in this Manual, to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

1. Contact Details [Section 51 (1) (a)]

Name of Private Body:	LASERSIGHT (PTY) LTD
Designated Information Officer:	Mrs. M Wassermann
Email address of Information Officer:	pierrew@mweb.co.za
Postal address:	10 Montgomery Drive, Merion Village, Meccema Two, MT EDGECOMBE, 4302
Street address:	Suite 105, First Floor, Umhlanga Hospital Medical Centre, 319 Umhlanga Rocks Drive, Umhlanga Rocks, 43200
Phone number:	031 5825253
Fax number:	031 5825535

2. Categories of record of Lasersight (Pty) Ltd which are available without a person having to request access in terms of the Act, i.e. voluntary disclosure. [Section 51 (1) (c)]

LASERSIGHT (PTY) LTD is not obligated to publish a notice in terms of Section 52(2) of the Act and to date has not elected to do so. *Certain information is also made available to employees of LASERSIGHT (PTY) LTD, which is not generally made available to the public.*

3. Records available in terms of other legislation [Section 51 (1) (d)]

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

Basic Conditions of Employment Act 75 of 1997

Closed Corporations Act 69 of 1984

Income Tax Act 58 of 1962

Value Added Tax Act 89 of 1991

Labour Relations Act No 66 of 1995

Medical Schemes Act No 131 of 1998
 Occupational Health and Safety Act No 85 of 1993
 Skills Development Act No 97 of 1998
 Unemployment Contributions Act No 63 of 2001
 Companies Act No 61 of 1973

4. How to request a record, a description of the subjects on which we hold records, and the categories of records held on each subject

4.1 How to request a record

Request for access to record held by **LASERSIGHT (PTY) LTD** made on the request forms that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development website (www.doj.gov.za) (under “regulations”). For the convenience of requestors, copies of these forms are included in the version of this Manual available at our office.

Request for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

It is vital that the requester identifies **the right that he or she is seeking to exercise or protect and provides an explanation of why the requested record is required for the exercise or protection of that right.**

If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of our Information Officer.

If a request does not use the standard form, the request may be rejected for lack of procedural compliance, refused (if sufficient information is not provided or otherwise) or delayed.

Please note that requestors are also required to pay the prescribed fees.

The head of the private body must notify the requester (other than a personal requester) of the prescribed fee (if any) before further processing the request. The requester may lodge and internal appeal or an application to Court against the tender or payment of the request fee.

The head of the private body will then make a decision on the request and notify the requester in the required form.

If the request is granted then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

*Kindly note that all requests to **LASERSIGHT (PTY) LTD** will be evaluated and considered in accordance with the Act. Publication of this Manual and describing the categories and subject*

*matter of information held by **does** not give rise to any rights to access such information or records, except in terms of the Act*

4.2 Subjects and categories of records held by **LASERSIGHT (PTY) LTD**

We maintain records on the following categories and subject matters: **(However, please note that recording a category or subject in this Manual does not imply that a request for access to such records would be honored.** All request made for access will be evaluated on a case by case basis in accordance with the provisions of the Act. In particular, there may be applicable grounds of refusal of such request, as set out in the Act.)

*Please note further that many of the records held by us are those of third parties, such as patients, clients and employees, and we take the protection of third party confidential information very seriously. In particular, where we act as professional advisors to clients/patients, and many of the records held are confidential and others are the properties of the client and not of **LASERSIGHT (PTY) LTD**. Requests for access to these records will be considered very carefully. **Please ensure that requests for such records are carefully motivated.***

4.2.1: Internal records

The following are records pertaining to **LASERSIGHT (PTY) LTD** own affairs:

- Memoranda and Articles of Association
- Financial records
- Operational records
- Intellectual property
- Marketing records
- Internal correspondence
- Service records
- Statutory records
- Internal policies and procedures
- Minutes of meetings
- Charters, codes of conduct and policies (both internal and external) to which **LASERSIGHT (PTY) LTD** and its personnel subscribe, and
- Records held by officials of **LASERSIGHT (PTY) LTD**

4.2.2: Personnel records:

For the purposes of this section, “personnel” means any person who works for or provides services to or on behalf of **LASERSIGHT (PTY) LTD** and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of **LASERSIGHT (PTY) LTD**. This includes, without limitation, partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers.

Personnel records include the following

- Any personal records provided to us by our personnel,
- Any records a third party has provided to us about any of their personnel,
- Conditions of employment and other personnel-related contractual and quasi-legal records,
- Employment policies and procedures,
- Internal evaluation and disciplinary records, and
- Other internal records and correspondence.

4.2.3: Client related record:

Client-related information includes the following:

- Contract with the client and between the client and other persons
- Any records a client has provided **LASERSIGHT (PTY) LTD** or a third party acting for or on behalf of **LASERSIGHT (PTY) LTD** (including financial, legal, tax, operational, employee and similar records)
- Working papers and notes,
- Any research conducted by **LASERSIGHT (PTY) LTD** in respect of its client or research derived by **LASERSIGHT (PTY) LTD** from its clients and their activities ,
- Record, reports, designs and the like generated by **LASERSIGHT (PTY) LTD** for its clients,
- Any records a third party has provided to **LASERSIGHT (PTY) LTD**, which concerns a client/patient, and
- Records generated by within **LASERSIGHT (PTY) LTD** pertaining to the client/patient, including transaction records.

4.2.4: Other Parties:

Records are kept in respect of other parties, including without limitation joint ventures and consortia to which **LASERSIGHT (PTY) LTD** is a party, contractors and sub-contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to **LASERSIGHT (PTY) LTD**. The following records fall into this category:

- Personnel, client, or **LASERSIGHT (PTY) LTD** records which are held by another party as opposed to being held by **LASERSIGHT (PTY) LTD** and,
- Records held by **LASERSIGHT (PTY) LTD** pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party and records third parties have provided about the contractors or suppliers.

5.2.5: Other Records:

We hold further records, including:-

- Information relating to **LASERSIGHT (PTY) LTD** 's own commercial activities;
- Procurement and administration for **LASERSIGHT (PTY) LTD**, and
- Research information belonging to **LASERSIGHT (PTY) LTD** or carried out on behalf of a third party.

5. Other information as may be prescribed [Section 51(1)(f)]

No such information has been prescribed.

6. Availability of the manual.[Section 51(3)]

This manual is available from the South African Human Rights Commission and from **LASERSIGHT (PTY) LTD**.