

PROMOTION OF ACCESS TO INFORMATION MANUAL

(incorporating POPIA processing information)

for

Q88Link (Pty) Ltd t/a Med88

(Registration number: **2022/592143/07**)

(hereinafter referred to as "the Company")

Prepared in accordance with Section 51 of the Promotion of Access to Information Act 2 of 2000, and to address the requirements of the Protection of Personal Information Act 4 of 2013.

1. Definitions

"Consent" — A voluntary, specific and informed expression of will in terms of which a Data Subject agrees to the Processing of Personal Information relating to him, her or it.

"Data Subject" — The person to whom Personal Information relates, who may be a natural or juristic person.

"Information Officer" — The chief executive officer or equivalent officer of the Company, or any person duly authorised by that officer, whose particulars appear in clause 8 below.

"Information Regulator" — The Information Regulator established in terms of section 39 of POPIA.

"PAIA" — The Promotion of Access to Information Act 2 of 2000, as amended.

"Personal Information" — Information relating to an identifiable, living, natural person and, where applicable, an identifiable, existing juristic person, including information relating to race, gender, sex, pregnancy, marital status, national or ethnic origin, health, well-being, disability, religion, education, medical, financial, criminal or employment history, identifying numbers, e-mail address, physical address, telephone number, biometric information, and personal correspondence.

"POPIA" — The Protection of Personal Information Act 4 of 2013, as amended.

"Private Body" — A natural person who carries on a trade, business or profession, a partnership, or a juristic person, as defined in PAIA.

"Processing" — Any operation concerning Personal Information, including collection, receipt, recording, storage, use, dissemination, merging, linking, or destruction thereof.

"Record" — Any recorded information, regardless of form or medium, in the possession or under the control of the Company.

"Requester" — A person who requests access to a Record of the Company, including a Representative Requester acting on behalf of another.

"Responsible Party" — The Company, being the Private Body which determines the purpose of and means for Processing Personal Information.

2. Introduction

PAIA gives effect to the constitutional right of access to information contained in section 32 of the Constitution of the Republic of South Africa, 1996, and establishes statutory rights for Requesters to access Records of a Private Body, provided the Record is required for the exercise or protection of a right, the Requester complies with procedural requirements, and access is not refused on a ground listed in PAIA.

POPIA gives effect to the constitutional right to privacy and regulates the manner in which Personal Information may be Processed by Private Bodies, and grants Data Subjects rights in relation to the Processing of their Personal Information.

The Information Regulator has published a Guide on how to use PAIA and POPIA, available at <https://infoeregulator.org.za>. This Manual must be read together with that Guide.

3. Scope and Purpose

- ensure the Company complies with PAIA by giving effect to the right of access to information;
- set out the procedural requirements for requests for Records in terms of PAIA, and the grounds on which requests may be refused;
- provide a non-exhaustive list of the categories of Records and Personal Information held or collected by the Company; and
- record the conditions and terms on which the Company Processes Personal Information.

This Manual is not exhaustive. A person seeking a Record or Personal Information from the Company should familiarise themselves with PAIA and/or POPIA before submitting a request.

4. Amendments to this Manual

This Manual will be reviewed and, where necessary, amended on an ad hoc basis, but in any event at least once a year.

5. The Main Activities of the Company

The Company's main business sector is: *Information technology — healthcare software as a service (SaaS)*

Nature of business: *Q88Link (Pty) Ltd, trading as Med88, develops and operates a patient onboarding application used by medical practices to register and manage patient information.*

6. Availability of this Manual

This Manual is available for inspection, free of charge, at the Company's registered address, and on the Company's website at <https://med88.live>.

7. PAIA Provisions

Section 51 of PAIA requires every Private Body to compile a manual setting out the procedure and requirements for obtaining access to Records held by that body. This Manual is updated as and when necessary, and the latest version will be made available on the Company's website and on request from the Information Officer.

8. Particulars Required in Terms of Section 51(1)(a) of PAIA

8.1 Company Contact Details

Company name & registration number	Q88Link (Pty) Ltd t/a Med88, Registration Number: <i>2022/592143/07</i>
Physical / street address	<i>Available on lawful request via legal@med88.live</i>
Postal address	<i>Same contact channel as the registered address</i>
Telephone	<i>Not published; contact legal@med88.live</i>
E-mail	<i>legal@med88.live</i>
Website	<i>https://med88.live</i>

8.2 Information Officer

Name	<i>Q88Link (Pty) Ltd Information Officer</i>
Address	<i>Available on lawful request via legal@med88.live</i>
E-mail	<i>legal@med88.live</i>
Telephone	<i>Not published; contact legal@med88.live</i>

8.3 Deputy Information Officer

Name	<i>Not appointed</i>
Address	<i>Available on lawful request via legal@med88.live</i>
E-mail	<i>Not applicable</i>
Telephone	<i>Not published; contact legal@med88.live</i>

9. PAIA Guide

The Information Regulator has, in terms of section 10 of PAIA, compiled a Guide containing information reasonably required by a person wishing to exercise a right under PAIA. Requests must be made in accordance with the prescribed procedures and fees.

10. Automatic Availability of Records

The Company has not, at this stage, given notice of any category of Records that are automatically available without a request under PAIA.

11. Who May Request Records

- A Requester must state that the Record is required to exercise or protect a right, and identify that right;
- A Requester must explain why the Record is required for the exercise or protection of that right;
- A Requester must complete the prescribed request form (Schedule B) and deliver it to the Information Officer by hand, post, or e-mail;
- A Requester must provide sufficient detail to identify the Record, the Requester's identity, and the form of access required; and
- A Requester must where applicable, provide proof of authority to request on behalf of another person.

12. Prescribed Fees

A Requester must pay the prescribed request fee, determined by the Information Regulator from time to time, before the request is further processed. Where a request is granted, the Requester must also pay the applicable access fee for reproduction, search and preparation time in excess of the prescribed free hours.

13. Decision on Request

The Company will, within 30 days of receipt of a request (or such longer period, not exceeding a further 30 days, as permitted under PAIA for voluminous or dispersed Records), decide whether to grant or refuse the request, and will notify the Requester accordingly with reasons for any refusal.

14. Grounds for Refusal

- The protection of the privacy of a third-party natural person;
- The mandatory protection of the safety of individuals and of property;
- Instances where the public interest would not be served by disclosure;
- The mandatory protection of a third party's commercial information; and
- The mandatory protection of certain confidential third-party information.

15. Prescribed Forms and Fees

The prescribed forms and fees are available on the Information Regulator's website: <https://inforegulator.org.za>.

16. Records That Cannot Be Found

Where the Company has searched for a Record and believes it does not exist or cannot be found, the Requester will be notified by way of affidavit or written affirmation detailing the steps taken to locate the Record.

17. Remedies if a Request is Denied

The Company does not operate an internal appeal procedure. A Requester may, within 180 days, apply to court against a refusal in accordance with sections 56(3)(c) and 78 of PAIA, or lodge a complaint with the Information Regulator.

18. Processing of Personal Information

In terms of POPIA, the Company takes reasonably practicable steps to inform Data Subjects of the Personal Information collected about them and the manner in which it is Processed. The Company Processes only the Personal Information reasonably required for the relevant purpose and as required by law.

19. Categories of Data Subjects and Information Processed

The Company Processes Personal Information relating to the following categories of Data Subjects:

- Patients registered via the Med88 platform (data subjects of participating medical practices)
- Medical practitioners and practice staff using the platform
- Participating medical practices (juristic persons)
- Employees and independent contractors
- Service providers and suppliers
- Visitors to the Company's website

The categories of Personal Information Processed in respect of each are set out in Schedule A.

20. Purpose of Processing

- Executing and fulfilling statutory obligations under PAIA, POPIA and other applicable legislation;
- Executing and fulfilling contractual obligations to clients, users and service providers;
- Administering employees, contractors and potential employees;
- Keeping accounts and records for business, tax and statutory reporting purposes;
- Procurement and supplier management processes; and
- Operating and improving the Company's website, product and services for visitors and users.

21. Recipients of Personal Information

The Company may supply Personal Information of Data Subjects to service providers who provide the following services:

- Administration
- Accounting and/or auditing
- Capturing and organising Personal Information
- Information and communication technologies (ICT) and cloud hosting
- Storage of Personal Information
- Verification checks
- Participating medical practices, being the responsible parties for the patients' clinical records
- Payment processing and cloud infrastructure providers

The Company may also supply Personal Information to courts (in matters of judicial review), law enforcement agencies (for criminal investigation), and regulators, ombuds or tribunals with relevant jurisdiction.

22. Planned Transborder Flows of Personal Information

The Company's website and/or platform is hosted in the cloud by *Google Cloud, europe-west1 (Belgium)*.

The Company may outsource the Processing of Personal Information to third-party operators, which may involve the transfer of Personal Information outside South Africa. Any such transfer will be subject to the relevant provisions of POPIA, and the recipient will be subject to a law, binding corporate rules, or binding agreement providing an adequate level of protection. Where a Data Subject's consent is not reasonably practicable to obtain, transfer will only occur where it is for the Data Subject's benefit and consent would reasonably have been given.

23. Personal Information Security

The Company takes reasonably practicable steps to prevent unauthorised access, disclosure or use of Personal Information, and reviews its security controls on an ongoing basis. These include:

- Lawful and reasonable Processing as contemplated in section 9 of POPIA;
- Limitation of access to Personal Information on a need-to-know basis;
- Computer and network security controls;
- Investigation of, and prompt response to, security breaches;
- Monitoring of access to and usage of Personal Information;
- Physical security of hardware and premises where Personal Information is Processed;
- Appropriate retention and disposal procedures; and
- Secure communications and appropriate contractual safeguards with third-party operators.

24. Rights of Data Subjects

24.1 Right to Confirmation

A Data Subject may request the Company to confirm, free of charge, whether or not it holds Personal Information about that Data Subject.

24.2 Objection to Processing

A Data Subject may, at any time and free of charge, object to the Processing of their Personal Information using a form substantially similar to Schedule C, submitted by hand, post, e-mail, SMS or WhatsApp.

24.3 Correction or Deletion

A Data Subject may request correction, destruction or deletion of their Personal Information where it is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or was obtained unlawfully, using a form substantially similar to Schedule E. The Company will notify the Data Subject in writing of the action taken within 30 days of the outcome of the request.

Schedule A — Categories of Records Held

Category	Records	Nature of Personal Information
Regulatory & Administrative	Permits, licences, authorities; founding documents; internal correspondence; insurance policies	Name, address, registration number
Human Resources	Employment applications, contracts, salary and benefit records, PAYE, leave and training records	Name, address, ID number, qualifications, salary
Financial	Financial statements, tax records, asset register, banking records	Name, address, registration number, banking details
Patient / Practice User	Patient onboarding records, practice user accounts, appointment and administrative records, billing records	Name, ID number, contact details, physical/health information disclosed during onboarding, medical aid and billing details, practice/practitioner registration details, online identifiers (IP address, device/log data)
Third Party / Supplier	Operator agreements, non-disclosure agreements, supplier contracts	Name, address, registration number, banking details

Schedule B — Request for Access to Record (PAIA Form)

Requesters must use the prescribed form under the PAIA Regulations (Form 2, "Request for Access to Record of Private Body"), available from the Information Regulator's website at <https://inforegulator.org.za>, and submit it to the Information Officer together with proof of identity and, where applicable, proof of authority to act on behalf of another person.

Schedule C — Objection to Processing of Personal Information

Data Subjects wishing to object to the Processing of their Personal Information should use the prescribed POPIA Regulation 2 form, available from the Information Regulator's website, and submit it to the Information Officer with details of the Data Subject, the Responsible Party, and the reasons for objection.

Schedule D — Correction or Deletion of Personal Information

Data Subjects wishing to request correction, destruction or deletion of their Personal Information should use the prescribed POPIA Regulation 3 form, available from the Information Regulator's website, specifying the reason (inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or unlawfully obtained) and submit it to the Information Officer.