

MEGAN LEE REGISTERED DIETITIAN

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

1.1	“CEO”	Chief Executive Officer
1.2	“DIO”	Deputy Information Officer;
1.3	“IO”	Information Officer;
1.4	“Minister”	Minister of Justice and Correctional Services;
1.5	“PAIA”	Promotion of Access to Information Act No. 2 of 2000(as Amended;
1.6	“POPIA”	Protection of Personal Information Act No.4 of 2013;
1.7	“Regulator”	Information Regulator; and
1.8	“Republic”	Republic of South Africa

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 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;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;

- 2.4 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;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 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
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. CONTACT DETAILS OF MEGAN LEE REGISTERED DIETITIAN

3.1. Chief Information Officer

Name: Megan Lee
 Tel: 072 712 9232
 Email: megan@meganleedietitian.com

3.2 Head Office

Postal Address: 59C Queen Victoria Road, Claremont, Cape Town, 7708
 Physical Address: 57 Belvedere Road, Claremont, Cape Town, 7708
 Telephone: 0727129232
 Email: megan@meganleedietitian.com
 Website: <https://www.meganlee-dietitian.com>

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

4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use 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.

4.2. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

4.3.3. the manner and form of a request for-

4.3.3.1. access to a record of a public body contemplated in section 11³; and

4.3.3.2. access to a record of a private body contemplated in section 50⁴;

4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;

4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;

4.3.6. 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-

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.

- 4.3.6.1. an internal appeal;
- 4.3.6.2. a complaint to the Regulator; and
- 4.3.6.3. 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;
- 4.3.7. 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;
- 4.3.8. the provisions of sections 157 and 528 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 4.3.9. the notices issued in terms of sections 229 and 54¹⁰ regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92¹¹.

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.”

4.4. 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.

4.5. The Guide can also be obtained-

4.5.1. upon request to the Information Officer;

4.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

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

4.6.1 English and Afrikaans

5. CATEGORIES OF RECORDS OF THE MEGAN LEE REGISTERED DIETITIAN WHICH ARE AVAILABLE WITH AND WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of Records	Type of the Records	Available on Website	Available Upon Request
Practice Information	Services offered, consultation fees, contact information; practice number	X	
Patient Records	Medical history, treatment plans, progress notes, requested medical test results, consent forms, health-related correspondence		X
Financial Records	Invoices, receipts, bank statements, tax records		X
Professional Registration	HPCSA registration, CPD compliance		X
Operational Records	Appointment schedules, professional indemnity insurance		X
Privacy & Data Protection	PAIA manual, POPIA Privacy Policy	X	

6. DESCRIPTION OF THE RECORDS OF MEGAN LEE REGISTERED DIETITIAN WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
Patient Records	Health Professions Act 56 of 1974 POPIA (Act 4 of 2013) National Health Act 61 of 2003 HPCSA Guidelines
Professional Registration	Health Professions Act 56 of 1974 HPCSA Guidelines
Privacy & Data Protection	POPIA (Act 4 of 2013) PAIA (Act 2 of 2000)
Financial Records	Income Tax Act 58 of 1962

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY MEGAN LEE REGISTERED DIETITIAN

Subjects on which the body holds records	Categories of Records
Clinical Services	Patient intake forms, consent forms, clinical notes and treatment records
Professional Compliance	HPCSA registration certificate, CPD compliance
Finance	Invoices, receipts, bank statements, tax records
Practice Administration	Appointment schedules, supplier invoices

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

Megan Lee Registered Dietitian processes personal information in accordance with the POPIA, the National Health Act, the Health Professions Act, and other applicable South African laws. Information is collected and used only where necessary for the operation of the practice and the delivery of professional services.

Personal information is processed for the following purposes:

- Delivery of medical, clinical, and health-related services
- Appointment scheduling and communication with patients
- Maintenance of health records in line with ethical and legal standards
- Billing, financial administration, and compliance with tax legislation
- Communication with other healthcare providers for referrals and continuity of care
- Legal compliance, record-keeping, and regulatory reporting

8.2 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
Patients	Name, ID number, address, e-mail address, contact number, medical aid provider and membership number; medical history
Website Users/Enquirers	Name, e-mail address, cell phone number, messages delivered via online forms,
Medical Partners (Labs, other practitioners)	Patient identifier, medical test results, relevant medical referrals

8.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of Personal Information	Recipient or Category of Recipients to whom the personal information may be supplied
Name, address, ID number, medical aid details, medical history	Cloud-based practice administrative programmes eg Carepatron
Invoices	Government organisations such as South African Revenue Service, as for legal purposes
Name, ID number, contact details, medical history (as relevant)	Third-party organisations providing health-related services

8.4 Planned transborder flows of personal information

There are no planned transborder flows of information at this time.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

To protect the integrity and confidentiality of information, the following safeguards have been implemented:

- Physical access controls to the practice premises
- Password protected digital systems with user authentication
- Password protected cloud storage systems

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 on www.meganlee-dietitian.com

9.1.2 head office of Megan Lee Registered Dietitian for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 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.

10. PROCEDURE TO REQUEST ACCESS TO INFORMATION

10.1 Your right of access to information

Under the PAIA and the POPIA, you have the right to request access to the records of Megan Lee Registered Dietitian if the information is necessary to exercise or protect your legal rights, your request complies with the procedures outlined in this manual, and there are no legal grounds to refuse access. In addition, data subjects are entitled to various rights under POPIA, including access to their personal information, correction of inaccuracies, erasure of data under lawful grounds, objection to processing (especially for direct marketing or without consent), withdrawal of consent at any time (without affecting prior lawful processing), and lodging complaints with the Information Regulator for violations of their data rights. All requests will be assessed in compliance with applicable legislation to protect confidentiality and ensure lawful processing.

10.2 Facilitation of data subject rights

Megan Lee Registered Dietitian ensures data subjects can exercise their rights under POPIA through clear forms for access and correction (Appendices 2 and 3), timely responses within 30 days, and a transparent complaints procedure. Upon receiving a request, we will respond within 30 days in one of the following ways: Request additional details if the application is incomplete; require a deposit for searches exceeding six hours; or provide a fee estimate for personal information requests under Section 23 of POPIA, potentially requiring a deposit. If access is denied, reasons will be provided, and deposits (excluding the request fee) refunded. If a record cannot be located, an affidavit detailing search efforts will be issued, and notification provided if the record is later found. For partial access requests, access will be granted to all permissible parts of the record.

10.3 Personal Requester

A Personal Requester is a requester who is seeking access to a record containing Personal Information about the Requester themselves. Access will be granted by Megan Lee Registered Dietitian subject to applicable legislation and the provisions of the Promotion of Access to Information Act (PAIA), 2 of 2000, read with relevant sections of the Protection of Personal Information Act (POPIA), 4 of 2013.

10.4 Other Requester

If a person other than the Personal Requester is seeking access to a record containing Personal Information, then Megan Lee Registered Dietitian is not obliged to grant access to such record unless the requester satisfies the procedural and substantive requirements under PAIA, including demonstrating that the requested information is required for the exercise or protection of a right in terms of Section 50(1) of PAIA.

10.5 Procedure to request access to records

- A requester must complete and sign the prescribed Form C and include proof of payment of the request fee (only applicable to Other Requesters).
- The completed request may be submitted via email, post, or hand delivery to the Information Officer at the contact details provided. If use of post or hand delivery is to be used, please use the postal address of the Head Office.
- If the requester is unable to complete the form due to illiteracy or disability, they may make the request orally, as per Section 18(3) of PAIA.
- If the request is made on behalf of another person, proof of authority or mandate must be provided to the satisfaction of the Information Officer.

- As provided under Section 53(2) of PAIA, the requester must also clearly state which right they seek to exercise or protect and explain why the requested record is necessary to exercise or protect that right.
- Megan Lee Registered Dietitian will respond to the request within 30 (thirty) calendar days of receipt, as required by Section 56(1) of PAIA, unless extended under permitted conditions.
- The requester will be informed in writing whether access is granted or denied and, if denied, reasons will be provided in terms of Section 56(3).
- If the requester seeks access in a specific manner, this must be clearly indicated in the form and, where reasonable, such access will be accommodated.

10.6 Fees payable

In accordance with the PAIA Regulations and Section 54 of the Act:

- A non-refundable request fee (plus VAT) is payable when submitting any formal access request, unless the record relates to the requester's own personal information.
- If the time needed to locate and prepare the record exceeds 6 hours, a deposit (not exceeding one-third of the estimated access fee) may be required.
- The balance of the access fee must be paid before access is granted.
- A requester may apply to court to challenge the reasonableness of any fees or deposits, as allowed under Section 78(2) of PAIA.
- No access will be granted until the full fee is paid.
- A full schedule of fees is included in Appendix 1 of this manual.

10.7 Grounds for refusal of access

In accordance with Chapter 4 of the Promotion of Access to Information Act (PAIA), access to information may be refused under specific circumstances to protect the rights of individuals, third parties, and the public. These grounds aim to safeguard personal privacy, preserve confidentiality, maintain public safety, and ensure the efficient use of resources. Where appropriate, only the portion of a record to which no ground for refusal applies will be disclosed. A request for access to a record may be refused on one or more of the following grounds:

Protection of third-party privacy (Section 63):

Access may be denied if the requested record contains personal information about a third party, including a deceased person, and disclosure would be unreasonable unless the requester obtains written consent from that individual or their lawful representative.

Confidential Commercial, Scientific, or Telephonic Information (Section 64):

Records containing trade secrets, financial, commercial, scientific, or technical information of a third party may not be disclosed if doing so would harm the commercial or competitive interests of that party, unless they provide consent.

Confidential Information under Agreement (Section 65):

If a record contains confidential information of a third party and is protected by a contractual confidentiality agreement, access will be refused unless the third party consents to its disclosure.

Endangerment to Safety or Property (Section 66):

Records may be withheld if disclosure could reasonably be expected to endanger the life or physical safety of an individual or compromise the security of buildings, infrastructure, computer systems, or information networks.

Legal Privilege (Section 67):

Records that are privileged in legal proceedings, such as attorney-client communications or litigation strategy documents, will not be disclosed unless the privilege is waived.

Protection of Public Interest and Public Safety (section 68):

Access may be refused if disclosure would likely prejudice the defence, security, or international relations of the Republic, or if it would substantially frustrate an investigation or audit conducted by a public body.

Records Already Publicly Available (Section 70(a)):

If the requested information is already available in the public domain or accessible by other means (e.g., a government publication), the request may be denied under PAIA.

Frivolous, Vexatious, or Unreasonably Burdensome Requests (Section 70(b)-(c)):

Requests that are manifestly frivolous or vexatious, or which involve an unreasonable diversion of administrative resources, may be refused.

Personal Information Without Sufficient Identity Proof:

Requests for personal information may be denied if the requester fails to provide adequate proof of identity or legal entitlement to access the information.

10.8 Remedies if access is refused

If access is denied, the requester may:

- Apply to court within 180 days of notification
- Legal relief may be pursued in accordance with Sections 56(3)(c) and 78 of PAIA
- Lodge a complaint with the Information Regulator under Section 74 of PAIA

11. UPDATING OF THE MANUAL

The head of Megan Lee Registered Dietitian will on a regular basis update this manual.

12. APPENDICES

Appendix 1: List of Fees Payable for Access to Records

Appendix 2: PAIA Request for Access to Records Form

Appendix 3: Correction, Deletion or Destruction of Personal Information Request Form

APPENDIX 1: LIST OF FEES PAYABLE FOR ACCESS TO RECORDS

The following fees are in line with the Promotion of Access to Information Act (PAIA) for private bodies.

Description	Fee (ZAR)
Request fee (payable on submission of request)	R50.00
Photocopy or printed black & white copy of A4-size page	R1.40 per page
Printed copy of A4-size page from a computer	R2.50 per page
Copy in a computer-readable form (flash drive, CD etc)	R100.00 per device
Transcription of an audio record	R500 per a4-size page or part thereof
Copy of an audio record	R100.00
Postage, email or delivery	Actual expense incurred
Access fee (if applicable, based on time to search/prepare)	R30.00 per hour or part thereof

*Note: Request fees do not apply to personal information requests.

APPENDIX 2: PAIA REQUEST FOR ACCESS TO RECORDS FORM

Particulars of the person requesting access to the record

Surname:	
First Names:	
Preferred name (if different to legal name)	
Title:	
ID/passport number:	
Postal address:	
Phone or cell phone number	
Fax number:	
Email address:	
Capacity in which request is made (if made on behalf of another person)	

Particulars of the person on whose behalf request is made

Surname:	
First names:	
Preferred name (if different to legal name)	
Title	
ID/Passport number	

Particulars of record

Description of record or relevant part of the record:	
Reference number (if applicable)	
Any further particulars of the record:	

Form of access required (Tick appropriate box that applies)

If the record is in written or printed form:	☐ Copy ☐ Inspection
If the record consists of visual images:	☐ View ☐ Copy ☐ Transcription
If the record consists of recorded words or sound/audio:	☐ Copy ☐ Transcription
If the record is held in computer-readable form:	☐ Printed copy ☐ Electronic copy
Do you wish the copy/transcription to be posted to you?	☐ Yes ☐ No
Do you wish the copy/transcription to be emailed to you as an encrypted file?	☐ Yes ☐ No

Fee exemption

If you qualify for exemption of the payment of any fee, please state the reason:

Reason	
--------	--

Notice of decision regarding request for access

Preferred manner of notification:	☐ Email ☐ Phone call
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Declaration

I declare that the information provided is true and correct and that I am entitled to make this request.

Signed at: _____ on this _____ day of _____ 20 ____

Signature of requester: _____

Requester name: _____

Signature of person whose behalf the request is made (if applicable): _____

APPENDIX 3: FORM FOR REQUESTING THE CORRECTION OR DELETION OF PERSONAL INFORMATION, OR THE DESTRUCTION OF RECORD

Particulars of the data subject

Surname:	
First Names:	
Preferred name (if different to legal name)	
Title:	
ID/passport number:	
Postal address:	
Phone or cell phone number	
Email address:	

Details of the personal information to be corrected / deleted / destroyed

Description of the personal information:	
Reason for correction / deletion / destruction:	

Action requested

- ☐ Correction of the personal information
- ☐ Deletion of the personal information
- ☐ Destruction of the personal information

Preferred manner of correction / deletion / destruction

Details:	
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Declaration

I declare that the information provided is true and correct and that I am entitled to make this request.

Signed at: _____ on this _____ day of _____ 20 _____

Signature of data subject or authorised representative: _____