



**MANUAL PREPARED IN TERMS OF THE PROMOTION OF ACCESS TO
INFORMATION ACT NO. 2 OF 2000 (PAIA)**

AURIA SENIOR LIVING SENIOR LIVING

1. INTRODUCTION

1.1. Overview:

- 1.1.1. Auria Senior Living offers a range of independent senior living residential, assisted living and care options that provides a total continuum of care.
- 1.1.2. This manual applies to Auria Senior Living and its subsidiaries in South Africa.
- 1.1.3. Any requests made in respect of Auria Senior Living, or its subsidiaries must be made in terms of this Manual.

1.2. Auria Senior Living contact details:

Company Name:	Auria Senior Living
Head Office:	Suite 802, The Firestation, 16 Baker Street, Rosebank, JHB
Website:	www.auria.co.za
Phone:	087 654 8833
Head of Company:	Barry Kaganson
Information Officer:	Quintin Mulwitsky
E-mail:	quintin@auria.co.za

2. MANUAL

2.1. The Promotion of Access to Information Act No. 2 of 2000 ("PAIA")

- 2.1.1. PAIA gives effect to the constitutional right of access to any information held by any public or private body in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996.

T. +27 87 654 8833 E. info@auria.co.za W. auria.co.za

Suite 802, The Firestation, 16 Baker Street, Rosebank, 2196 • Private Bag X14, Bryanston, 2021

- 2.1.2. PAIA sets out the procedures attached to such request and also recognises that such right of access to information is subject to certain justifiable limitations.
- 2.1.3. PAIA obliges private bodies to compile a manual to assist persons to obtain access to information held by the private body.
- 2.1.4. The Information Regulator established in terms of the Protection of Personal Information Act No. 4 of 2013 is also responsible for ensuring compliance with the provisions of PAIA.
- 2.1.5. Details of the Information Regulator are as follows –

Physical address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Postal address:	PO Box 31533, Braamfontein, Johannesburg, 2017
Complaints e-mail:	complaints.IR@justice.gov.za
General enquiries e-mail:	inforeg@justice.gov.za

3. RECORDS

3.1. **Records held by Auria Senior Living**

Subject	Category
Companies Act records	<ul style="list-style-type: none"> Documents of incorporation Names of directors Memorandum of Incorporation Minutes of meetings of the Board of Directors Minutes of meetings of shareholders Proxy forms Register of directors' shareholding Share certificates Share register and other statutory registers and/or records and/or documents Special resolutions / resolutions passed at general meetings

Subject	Category
	<ul style="list-style-type: none"> • Records relating to the appointment of auditors, directors, and information officer
Financial records	<ul style="list-style-type: none"> • Accounting records • Annual financial reports • Annual financial statements • Asset registers • Bank details and bank accounts • Bank statements • Debtors / creditors statements and invoices • General ledgers and subsidiary ledgers • Invoices • Policies and procedures • Rental agreements • Tax returns
Income Tax records	<ul style="list-style-type: none"> • PAYE records • Documents issued to employees for income tax purposes • Records of payments made to SARS on behalf of employees • VAT • Skills Development Levies • UIF • Workmen's compensation • All other statutory compliance documents
Personnel documents and records	<ul style="list-style-type: none"> • Accident books and records • Address lists • Disciplinary code and records • Employee benefits • Employment contracts • Employment equity plan • Forms and applications • Grievance procedures • Leave records • Medical aid records • Payroll reports • Pension fund records • Safety, health, and environmental records • Salary records • Training manuals

Subject	Category
	<ul style="list-style-type: none"> • Training records • Bargaining council records
Procurement records	<ul style="list-style-type: none"> • Standard terms and conditions for supply of services and products • Contractor and supplier agreements • Lists of suppliers, products, and services • Policies and procedures
Sales department	<ul style="list-style-type: none"> • Resident details • Resident application forms • Sale agreements concluded with residents
Marketing department	<ul style="list-style-type: none"> • Advertising and promotional material
Risk Management and audit	<ul style="list-style-type: none"> • Audit reports • Risk management frameworks • Risk management plans
Safety, health and environmental documentation	<ul style="list-style-type: none"> • Health, safety, and environmental risk assessment documentation • Environmental management plans • Accident reports
IT department	<ul style="list-style-type: none"> • Computer / mobile device usage policy documentation • Data breach recovery plans • Hardware asset registers • Information security policies, standards, and procedures • Information usage policy documentation • Software licensing • System documentation and manuals
Resident information	<ul style="list-style-type: none"> • Personal information documentation • Medical and health information reports • Medical aid and funeral policy documentation

4. RECORDS AVAILABLE WITHOUT A REQUEST IN TERMS OF PAIA

4.1. Records of a public nature, typically those disclosed on the company's website and in its various annual reports, may be accessed without the need to submit a formal application.

- 4.2. Other non-confidential records, such as statutory records maintained at CIPC, may also be accessed without the need to submit a formal application. However, please note that an appointment to view such records will still have to be made with the Information Officer.

5. DETAIL TO FACILITATE A REQUEST FOR ACCESS TO A RECORD

- 5.1. The requester must comply with all the procedural requirements contained in PAIA relating to the request for access to a record.
- 5.2. The requester must complete the prescribed form attached to this Manual and submit the form together with payment of the requisite request fee (if applicable) to the Information Officer at the postal, physical or e-mail address stipulated in clause 1.2 above.
- 5.3. The prescribed form must be completed with sufficient information to enable the Information Officer to identify:
 - a) the record requested; and
 - b) the identity of the requester.
- 5.4. The requester must indicate which form of access is required and specify a postal or e-mail address to which the record should be sent.
- 5.5. The requester must state whether he or she requires the information in order to exercise or protect a right and specify the nature of the right which is to be exercised or protected. Furthermore, the requester must explain why the record is necessary to exercise or protect such right.
- 5.6. If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is submitting the request.
- 5.7. Auria Senior Living's Information Officer will consider the request in order to ascertain whether the requested information is available and if so, whether it may be disclosed.
- 5.8. The requester will be notified in writing within 15 (fifteen) business days of receipt of the request as to whether the request has been accepted or rejected.

5.9. If the request is accepted, the requester will be advised of the time period required by Auria Senior Living to gather and prepare the information and the required fee. Once the fee has been paid and Auria Senior Living has obtained the required information, the Information Officer shall disclose the record to the requester.

6. REFUSAL OF ACCESS TO RECORDS

6.1. The primary grounds upon which Auria Senior Living has the right to refuse a request for information in terms of PAIA relate to –

- 6.1.1. mandatory protection of the privacy of a third party who is a natural person, a deceased person or juristic person as regulated by the Protection of Personal Information Act No. 4 of 2013;
- 6.1.2. mandatory protection of the commercial information of a third party if the record contains trade secrets, financial, commercial, scientific or technical information, which disclosure could result in harm to the financial or commercial interests of that third party;
- 6.1.3. information disclosed in confidence by a third party to Auria Senior Living, if the disclosure could disadvantage that party in respect of any negotiations or commercial competition;
- 6.1.4. confidential information of third parties if such information is protected in terms of any agreements concluded between Auria Senior Living and the third party;
- 6.1.5. mandatory protection of the safety of individuals, the protection of property and the operations of Auria Senior Living;
- 6.1.6. records which would be regarded as privileged under legal proceedings;
- 6.1.7. the commercial activities of Auria Senior Living which may include trade secrets, financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Auria Senior Living;
- 6.1.8. information which, if disclosed, could put Auria Senior Living at a disadvantage in negotiations or commercial competition;
- 6.1.9. computer software which is owned by Auria Senior Living;

- 6.1.10. the research information of Auria Senior Living or a third party if disclosure would disclose the identity of Auria Senior Living, the researcher or the subject matter of the research and would place the research at a disadvantage.
- 6.2. Requests for information that are clearly frivolous or vexatious shall be refused.
- 6.3. All requests for information shall be assessed on their own merits and in accordance with applicable legal principles and legislation.
- 6.4. If a requested record cannot be found or if the record does not exist, the Information Officer shall notify the requester that it is not possible to give access to the requested record. If the record should subsequently be found, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form, unless the Information Officer has refused access to such record.

7. REMEDIES AVAILABLE WHEN AURIA SENIOR LIVING REFUSES A REQUEST FOR ACCESS TO A RECORD

7.1. Internal Remedies

Auria Senior Living does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters will have to exercise such external remedies at their disposal if the request for information is refused and the requestor is not satisfied with the decision of the Information Officer.

7.2. External Remedies

A requestor that is dissatisfied with the Information Officer's decision in respect of a request for information, may lodge a complaint with the Information Regulator, the details of which are stipulated in clause 2.1.5 above. A requestor may also apply to a court for relief in accordance with the provisions of PAIA.



Appendix 1: Access Request Form

**REPUBLIC OF SOUTH AFRICA
FORM C
REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 10]**

A. Particulars of private body

The Head

--

B. Particulars of person requesting access to the record

(a) The particulars of the person who requests access to the record must be given below.
(b) The address and/or fax number in the Republic to which the information is to be sent must be given.
(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname:													
Identity number:													
Postal address:													
Telephone number:	()						Mobile			()	
E-mail address:													

Capacity in which request is made, when made on behalf of another person:

--

C. Particulars of the person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:													
Identity number:													

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

2. Reference number, if available

3. Any further particulars of record:

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:	
Mark the appropriate box with an X.		
NOTES:		
(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.		
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.		
(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.		

1. If the record is in written or printed form:					
	Copy of record*		Inspection of record		
2. If record consists of visual images – (this included photographs, slides, video recordings, computer generated images, sketches, etc.):					
	View the images		Copy of the images*		Transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:					
	Listen to the soundtrack		Transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
	Printed copy of record*		Printed copy of information derived from the record*		Copy in computer readable form*

<i>*If you requested a copy of transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable</i>	Yes	No
---	-----	----

G. Particulars of right to be exercised or protected.

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. Indicate which right is to be exercised or protected:

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ on this _____ Day of _____ 20_____

Signature of data subject/designated person