

# 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. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF NEXT BIOSCIENCES (PTY) LTD**

#### **3.1. Chief Information Officer**

Name: Catherine Holmes

Tel: 011 697 2900

Email: [catherine.holmes@nextbio.co.za](mailto:catherine.holmes@nextbio.co.za)

#### **3.2. Deputy Information Officer**

Name: Carina Neophytou

Tel: 011 697 2900

Email: [carina.neophytou@nextbio.co.za](mailto:carina.neophytou@nextbio.co.za)

#### **3.3 Access to information general contacts**

Email: [info@nextbio.co.za](mailto:info@nextbio.co.za)

#### **3.4 National or Head Office**

**Postal Address:** PO BOX 53,  
Halfway House,  
Midrand,  
Johannesburg,  
1685

**Physical Address:** Block B Gateway Creek  
International Business Gateway  
Cnr New Road & 6th Road  
Midrand

**Telephone:** 011 697 2900

**Email:** [info@nextbio.co.za](mailto:info@nextbio.co.za)

**Website:** [www.nextbio.co.za](http://www.nextbio.co.za)

#### **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 PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>;
  - 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-

<sup>1</sup> 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.*

<sup>2</sup> 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.*

<sup>3</sup> 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.*

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> 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.

<sup>7</sup> 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

<sup>8</sup> 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

<sup>9</sup> 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.

<sup>10</sup> 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.

<sup>11</sup> 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/inforeg/>).

4.6 A copy of the Guide is also available in English, for public inspection during normal office hours.

**5. CATEGORIES OF RECORDS OF NEXT BIOSCIENCES WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

Category of records	Types of the Record	Available on Website	Available upon request
Publicly available	Privacy Policy	X	
Publicly available	Website Terms and Conditions	X	

**6. DESCRIPTION OF THE RECORDS NEXT BIOSCIENCES WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000

**7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY NEXT BIOSCIENCES.**

Subjects on which the body holds records	Categories of records
Company	Business Process Records Financial Records Insurance records Tax Records

Employee	Recruitment Employee Records Policies and Procedures
Customer	Customer Details Customer Complaints Products & Services
Third Parties	Contractor, Client or Supplier Agreements

## 8. PROCESSING OF PERSONAL INFORMATION

### 8.1 Purpose of Processing Personal Information

Next Biosciences processes personal information for various legitimate and essential purposes related to its services and operations. The reasons for processing personal information can generally be grouped into the following categories:

#### 1. Provision of Services

- Genetic Testing Services: Personal information, including medical history and genetic data, is processed to conduct accurate medical and genetic tests.
- Stem Cell Banking: Personal and medical information is collected and processed for the safe and secure storage of stem cells.

#### 2. Regulatory Compliance

- Health and Safety Regulations: Compliance with healthcare regulations requires processing personal data to ensure safety and efficacy of biotechnological products and services.
- Legal Obligations: Personal information may be processed to comply with various legal and regulatory requirements, including reporting to health authorities and adherence to data protection laws.

#### 3. Customer Relationship Management

- Communication: Contact information is processed to communicate with clients regarding their services, appointments, and results.
- Customer Support: Personal information is used to provide personalised customer support and resolve any issues or queries.

#### 4. Marketing and Sales

- Promotional Activities: With consent, personal information may be used for marketing purposes to inform customers about new products, services, or events.
- Market Research: Processing customer data helps understand market needs and preferences, aiding in the development of targeted marketing strategies.

#### 5. Operational Management



- Internal Administration: Personal information is used for administrative purposes, such as billing, auditing, and managing accounts.
- Employee Management: Processing personal data of employees for HR functions, including payroll, performance management, and compliance with employment laws.

## 6. Data Security and Fraud Prevention

- Security Measures: Personal information is processed to ensure the security of data and protect against fraud and other security risks.
- Verification Processes: Personal data is used to verify identities and authenticate access to services and information.

## 7. Consent Management

- Obtaining Consent: Processing data to record and manage consent from clients for various services and research participation.
- Consent Withdrawal: Managing requests for withdrawal of consent and ensuring compliance with such requests.

## 8. Service Improvement

- Feedback and Surveys: Personal information from surveys and feedback forms is processed to improve service quality and customer satisfaction.
- Analytics: Analysing personal data to gain insights into service usage and performance metrics.

## 9. Legal Defence

Litigation: Processing personal data may be necessary for legal defence purposes, such as handling disputes or defending against claims.

### 8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Next Biosciences' data subjects are categorised as employees, customers and third parties and these include former, current and potential employees, customers and third parties as defined in the various authoritative instruments. Tabulated below is the personal information we may process. The list is not exhaustive.

Categories of Data Subjects	Personal Information that may be processed
Employees	Names, identity numbers, address, qualifications, gender, health/medical, race, religion, children, spouse and family, beneficiaries, medical, criminal, financial, employment history, opinions and views, credit, curriculum vitae, biometric.

Customers / Clients	name, surname, contact details, registration numbers/identity numbers, address, employment status and debit order/refund bank account details, employment information, spouse/partner contact details, medical history.
Service Providers	names, registration number, vat numbers, address, bank details, accreditation documents

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

Information will be shared for various reasons, some of which are stipulated in our Privacy Statement as well as to persons duly appointed by yourself or another person, such as a court with jurisdiction. This will be done where legally permitted and when required. Personal information may be shared as follows:

- Internally within Next Biosciences,
- With board members and committees established by the board,
- With external organisations such as credit bureaus as well as relevant authorities, regulatory or industry bodies to meet due diligence and regulatory requirements, or
- With third parties or counterparties in accordance with appropriate agreements entered with those parties.

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

### 8.4 Planned transborder flows of personal information

Next Biosciences data is divided into 3 subsets of data that is stored cross border:

- **Lucid Link-** Lucid Link is used for file storage of Department files. The Lucid Link Data centre is located in San Francisco, California.

**BackBlaze-** Backblaze is used to backup server files to the Cloud. All the network drives are being backed up to BackBlaze.

**Google Cloud Instance-** HCL Server running in the cloud, with replications of certain databases.

**Herewith a breakdown per category of our data being stored:**

<b>Data Category</b>	<b>Lucid Link</b>	<b>Back Blaze</b>	<b>Google Cloud</b>
Biometric data	N/A	N/A	N/A
Health	Yes	Yes	Yes
Race	N/A	N/A	N/A
Trade union membership	N/A	N/A	N/A
Genetic data	Yes	Yes	Yes
Philosophy	N/A	N/A	N/A
Sexual orientation	N/A	N/A	N/A
Politics	N/A	N/A	N/A
Commercial information	Yes	Yes	Yes
Confidential information	Yes	Yes	Yes
Geolocation data	Yes	Yes	Yes
Personal data	Yes	Yes	Yes
Browsing history	N/A	N/A	N/A
Criminal history	N/A	N/A	N/A
Email address	Yes	Yes	Yes
Identifiers	Yes	Yes	Yes
Name	Yes	Yes	Yes
Sensitive information	Yes	Yes	Yes
Subjective data	N/A	N/A	N/A
Customer records	Yes	Yes	Yes
Education	N/A	N/A	N/A
Employment	Yes	Yes	Yes
Financial information	Yes	Yes	Yes
ID numbers	Yes	Yes	Yes

Due to the nature of Next Biosciences and having a presence in other African countries (to provide access to care), Next Biosciences may process our personal information in South Africa OR in countries where we have a presence/distributor.

We will only process and transfer personal information to countries that we are satisfied will provide adequate data protection.

	<b>Data OUT of SA</b>	<b>Data INTO SA</b>
<b>Netcells (storage in SA)</b>		Kenya Zimbabwe Namibia

		Zambia
<b>Smart Cells (storage in UK)</b>	SA to UK Kenya to UK	
<b>TriScreen</b>	USA (Illumina)	Lebanon Zimbabwe Namibia Angola Botswana
<b>MiniMi</b>		
<b>POCScreen</b>		Namibia Pakistan Botswana Zimbabwe
<b>PGT-A</b>		Nigeria
<b>PGT-M</b>	UK Spain	Nigeria
<b>ERA</b>	UK	
<b>AmnioMatrix</b>		
<b>OptiSerum</b>	Namibia	
<b>AmnioRederm</b>		
<b>Viome</b>	USA	USA Possibly Kenya Possibly Zim
<b>3X4</b>		Mauritius Possibly Zim
<b>PharmaGene</b>	USA	USA

#### 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

- All data transfers are encrypted,
- Internal data is safeguarded behind a firewall.
- User access is controlled by Active Directory Authentication. Measures on Active Directory like strong password, lock out procedures and password retention policies are in place.
- User access is configured per directory.
- User configuration on HCL is separated from Active Directory.
- HCL domino access control is applied to data and replicated across all replicas of the database.

- SLA agreements and confidentiality agreements with all vendors are in place.

## 9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 on ([www.nextbio.co.za](http://www.nextbio.co.za)), if any;

9.1.2 head office of Next Biosciences 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. UPDATING OF THE MANUAL

The head of Next Biosciences will on a regular basis update this manual.

Issued by



Catherine Holmes

CEO Next Biosciences

29/05/2024