

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG PROVINCIAL DIVISION, PRETORIA**

CASE NO:

In the matter between:

THE HEALTH JUSTICE INITIATIVE

Applicant

And

THE MINISTER OF HEALTH

First Respondent

**THE INFORMATION OFFICER,
NATIONAL DEPARTMENT OF HEALTH**

Second Respondent

THE MINISTER OF SPORT, ARTS AND CULTURE

Third Respondent

**THE INFORMATION OFFICER,
MINISTRY OF SPORT, ARTS AND CULTURE**

Fourth Respondent

SOUTH AFRICAN MEDICAL RESEARCH COUNCIL

Fifth Respondent

**THE INFORMATION OFFICER,
SOUTH AFRICAN MEDICAL RESEARCH COUNCIL**

Sixth Respondent

NOTICE OF MOTION

KINDLY TAKE NOTICE that the Applicant intends to make application to this Court, on a date to be determined by the Registrar, for an order in the following terms —

1. To the extent necessary, setting aside and declaring invalid:
 - 1.1. the failure by the First and/or Second Respondent to provide access to the information requested by the Applicant in its request attached hereto as “**A**”;

- 1.2. the failure by the Third and/or Fourth Respondent to provide access to the information requested by the Applicant in its request attached hereto as “**B**”;
- 1.3. the failure by the Fifth and/or Sixth Respondent to provide access to the information requested by the Applicant in its request attached hereto as “**C**”;
2. Directing the First to Sixth Respondents, respectively, to supply the Applicant, within 10 days of the date of order, with copies of each of the records requested in annexures **A**, **B** and **C** respectively;
3. Directing that the costs of this application are to be paid jointly and severally by any Respondents who oppose it;
4. Further and/ or alternative relief.

TAKE NOTICE FURTHER that the founding affidavit of **MARLISE RICHTER** and the confirmatory affidavit of **DR SHUAIB MANJRA** will be used in support of this application.

TAKE NOTICE FURTHER that the Applicant has appointed the offices of **POWER SINGH INC., C/O CENTRE FOR CHILD LAW, FACULTY OF LAW, LAW BUILDING (ROOM 4 – 31), UNIVERSITY OF PRETORIA, PRETORIA**, as the address at which they will accept service of all notices and processes in these proceedings. The Applicant’s attorneys will also accept electronic service at the following email addresses: tara@powersingh.africa and tina@powersingh.africa.

TAKE NOTICE FURTHER that if you intend opposing this application, you are required:

- a) to notify the Applicant’s attorneys in writing, within fifteen (15) days of receipt of this application, and in such notice to appoint an address at which you will accept notice and service of all documents in these proceedings; and
- b) within fifteen (15) days of delivering such notice, deliver your answering affidavit, if any, together with any relevant documents.

TAKE NOTICE FURTHER that if no such notice of intention to oppose is delivered, this application will be made on a date to be set by the Registrar or so soon thereafter as counsel may be heard.

DATED at **JOHANNESBURG** on the ___ day of _____ **2022**.

POWER SINGH INC.

Attorneys for the Applicant
20 Baker Street, Rosebank
JOHANNESBURG, 2196
Tel: +27 11 268 6881
Fax: +27 86 614 5818
Email: tara@powersingh.africa;
tina@powersingh.africa

Ref: PSIHJ-202120

C/O Centre for Child Law
Faculty of Law
Law Building (Room 4 – 31)
University of Pretoria
PRETORIA, 0002
Tel: +27 12 420 4502
Fax: +27 12 420 4499
Email: liesl.muller@up.ac.za
Ref: Liesl Muller

TO: THE REGISTRAR
High Court of South Africa
Gauteng Division
PRETORIA

AND TO: THE MINISTER OF HEALTH
First Respondent
Dr AB Xuma Building
1112 Voortrekker Road
Pretoria Townlands 351 -JR
Pretoria

**AND TO: THE INFORMATION OFFICER
NATIONAL DEPARTMENT OF HEALTH**
Second Respondent
Dr AB Xuma Building
1112 Voortrekker Road
Pretoria Townlands 351 -JR
Pretoria

AND TO: THE MINISTER OF SPORT, ARTS AND CULTURE
Third Respondent
VWL Building
202 Madiba Street
Pretoria

**AND TO: THE INFORMATION OFFICER
MINISTRY OF SPORT, ARTS AND CULTURE**
Fourth Respondent
VWL Building
202 Madiba Street
Pretoria

AND TO: SOUTH AFRICAN MEDICAL RESEARCH COUNCIL
Fifth Respondent
1 Soutpansberg Road
Pretoria

**AND TO: INFORMATION OFFICER
SOUTH AFRICAN MEDICAL RESEARCH COUNCIL**
Sixth Respondent
1 Soutpansberg Road
Pretoria

Our Ref: 003/NDoH/2021

23 July 2021

Information Officer:

Director General Dr Sandile Buthelezi

Per Email: dg@health.gov.za**Deputy Information Officer:**

Mr Justinos Motalaota

Per Email: justinos.motalaota@health.gov.za

Dear Dr Buthelezi and Mr Motalaota

***Request for information pursuant to the Promotion of Access to Information Act 2000 -
Sisonke programme***

We refer to our previous correspondence in this matter, wherein the Health Justice Initiative (HJI) requested specific information related to the Covid-19 pandemic. Our requests have not been acknowledged and/or fully responded to.

Therefore, please find enclosed a completed **FORM A** request for access to information pursuant to the *Promotion of Access to Information Act 2 of 2000* (PAIA).

In order for us to undertake our work effectively, we request that you respond to this request as expeditiously as possible.

We submit that a review of PAIA reveals that there are no applicable grounds of refusal that may arise in respect of the records sought and we note further the provisions of section 46 of PAIA which provides for mandatory disclosure in the public interest.

We also request this information because due to the unique and pressing circumstances that faced the country at the time, the Sisonke programme and the national rollout remain deeply connected: government has and still reports the total number of people vaccinated in South Africa as the total of the Sisonke programme and the national roll out; all government dashboards and data issued shows this number as well, and under the Johnson & Johnson (Janssen) totals, while the national figures do not include the small number of people vaccinated in other clinical, placebo-controlled trials who received other active vaccines in SA. This underscores that the Sisonke programme was indeed different.

Moreover, we remind you of the guidance from the Constitutional Court in *President of the Republic of South Africa and Others v M&G Media Limited* [2011] ZACC 32, in which the Constitutional Court explained that:

1. The scheme of PAIA is such that information must be disclosed unless it is exempt from disclosure, in circumstances where the exemptions must be narrowly construed.
2. It is indeed the holder of the information that bears the onus of establishing that a refusal of access to information is justified under PAIA.
3. A bare denial will not suffice to justify a refusal.
4. There is no discretion to withhold information that is not protected, and the unprotected material must be disclosed despite any other provision of PAIA, unless it cannot be reasonably severed from the protected portions.

Annexure A is a letter of authorisation from the Health Justice Initiative (HJI).

Please find enclosed the relevant attachments in relation to the above-mentioned request.

Kindly advise of the amount of the request fee to be paid and provide us with the bank details so that we can attend to the payment accordingly.

Yours sincerely,



Dr Marlise Richter

Marlise@healthjusticeinitiative.org.za

info@healthjusticeinitiative.org.za



REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank,
name and surname of information officer/deputy information officer) on (date)
at (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

.....

SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer

Information Officer:
Director General Dr Sandile Buthelezi (Information Officer)
By email: dg@health.gov.za

Deputy Information Officer:
Justinos Motalaota
By email: justinos.motalaota@health.gov.za;

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: Marlise Richter

Identity number:

7	6	1	2	2	2	0	0	0	4	0	8	4
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Postal address: 2nd Floor Community House; 41 Salt River Road, Salt River, Cape Town South Africa 7925

Telephone number: (082) 858 9927 Fax number: (.....)

E-mail address: marlise@healthjusticeinitiative.org.za and info@healthjusticeinitiative.org.za

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

Dr Richter is a Senior Researcher at the Health Justice Initiative. She has been authorised to submit a request on behalf of the Health Justice Initiative in the public interest.

C. Particulars of 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: Not applicable

Identity number:

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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:

See next page:

Sisonke programme (Open-label, Single-arm Phase 3B Implementation Study to Monitor the Effectiveness of the Single-dose Ad26.COV2. S COVID-19 Vaccine Among Health Care Workers in South Africa (VAC31518COV3012))

1. Copies of any emails and any other written requests, motivations and correspondence from either the National Department of Health or National Department of Sports, Arts and Culture and/or their respective Ministers, Deputy Ministers and/or their Director Generals and/or Deputy Director Generals, sent to

- i. the South African Medical Research Council ('SAMRC')
- ii. the South African Health Product Regulatory Agency ('SAHPRA')
- iii. the National Coronavirus Command Council ('NCCC')
- iv. any other statutory or Covid-19 coordinating body in South Africa
- v. Ministerial Advisory Committee on COVID-19 ('MAC') and Ministerial Advisory Committee on COVID-19 vaccines ('VMAC')

that requested permission to authorise and/or prioritise individuals other than health care workers for vaccination under the Sisonke programme, including using any of its stock to vaccinate

- a. Professional athletes, sports people, sport coaches, and sports administrators from different sporting codes in South Africa
- b. South African government officials
- c. South African diplomatic staff
- d. Cabinet members.

2. In respect of 1 above, copies of all respective responses and regulatory and/or other approvals, waivers or rejections.

3. Copies of all correspondence with
- i. the Department of Sports, Arts and Culture
 - ii. any national and/or international sports bodies and/or
 - iii. any local research bodies including any local research ethics committees
- relating to the request and approval for professional athletes; sports officials; government officials or other persons to also be offered a vaccine through the Sisonke programme and its stock for the period April to June 2021.

- 4.
- i. The list of all categories of persons offered and/or administered a vaccine under the auspices of the Sisonke programme and from any of its stock in April – June 2021.
 - ii. A copy of the list of all the provincial sites where the vaccines were administered for the Sisonke programme and from any of its stock in April – June 2021.
 - iii. A list of the sports bodies and codes, government departments, multilateral institutions and/or foreign embassies that participated and the total number of vaccines administered including the gender, disability, age, and occupational breakdown.



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:

Not applicable

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: Not applicable	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:					
x	copy of record*		inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images	x	copy of the images*		transcription of the images*

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

3. If record consists of recorded words or information which can be reproduced in sound:					
x	listen to the soundtrack (audio cassette)		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*	x	printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES x Please email	NO
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Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record? English

G. Notice of decision regarding request for access

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?

Via email correspondence at marlise@healthjusticeinitiative.org.za and info@healthjusticeinitiative.org.za
.....

Signed at Cape Town this day 19th of July year 2021



.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

Appendix A:

19 July 2021

To whom it may concern

Letter of Authorisation: Health Justice Initiative (HJI)

To the extent that a letter of authority is requested, this is to confirm that Dr Marlise Richter is duly authorised to submit a request in terms of the *Promotion of Access to Information Act of 2000* on behalf of the Health Justice Initiative.

Yours sincerely,

Fatima Hassan

Fatima Hassan

Director: Health Justice Initiative

Our Ref: 001/NDSAC/2021

28 July 2021

Information Officer:

Director-General: Mr Vusumusi Mkhize

Per Email: directorgeneral@dac.gov.za

Dear Mr Mkhize

Request for information pursuant to the Promotion of Access to Information Act 2000 - the Sisonke Covid-19 vaccination programme

We are writing to request specific information on government's response to the Covid-19 pandemic and the Department of Sports, Arts and Culture's ('the Department') role in it. It has come to our attention that the Department requested the prioritisation of artists, musicians, professional athletes, sports people, sport coaches, and sports administrators from different sporting codes in South Africa ahead of the general population, to be specially included in the Sisonke programme and prioritised in the national roll out.

In light of this, please find enclosed a completed FORM A request for access to information pursuant to the Promotion of Access to Information Act 2 of 2000 (PAIA).

In order for us to undertake our work effectively, we request that you respond to this request as expeditiously as possible.

We also request this information because due to the unique and pressing circumstances that faced the country at the time, the Sisonke programme and the national Covid-19 vaccine rollout remain deeply connected: government has and still reports the total number of people vaccinated in South Africa as the total of the Sisonke programme and the national rollout; all government dashboards and data issued shows this number as well, and under the Johnson & Johnson (Janssen) totals, while the national figures do not include the small number of people vaccinated in other clinical, placebo-controlled trials who received other active vaccines in South Africa. This underscores that the Sisonke programme was indeed different.

We submit that a review of PAIA reveals that there are no applicable grounds of refusal that may arise in respect of the records sought and we note further the provisions of section 46 of PAIA which provides for mandatory disclosure in the public interest

Moreover, we remind you of the guidance from the Constitutional Court in *President of the Republic of South Africa and Others v M&G Media Limited* [2011] ZACC 32, in which the Constitutional Court explained that:

1. The scheme of PAIA is such that information must be disclosed unless it is exempt from disclosure, in circumstances where the exemptions must be narrowly construed.
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3. A bare denial will not suffice to justify a refusal.
4. There is no discretion to withhold information that is not protected, and the unprotected material must be disclosed despite any other provision of PAIA, unless it cannot be reasonably severed from the protected portions.

Appendix A is a letter of authorisation from the Health Justice Initiative (HJI).

Please find enclosed the relevant attachments in relation to the above-mentioned request.

Kindly advise of the amount of the request fee to be paid and provide us with the bank details so that we can attend to the payment accordingly.

Yours sincerely,



Dr Marlise Richter

Marlise@healthjusticeinitiative.org.za

info@healthjusticeinitiative.org.za



REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 6]

FOR DEPARTMENTAL USE	
	Reference number:
Request received by	(state rank, name and surname of information officer/deputy information officer) on
	(date)
at	(place).
Request fee (if any): R	
Deposit (if any): R	
Access fee: R	
.....	
SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER	

A. Particulars of public body

The Information Officer/Deputy Information Officer

Information Officer:
Director-General: Mr Vusumusi Mkhize
Per Email: directorgeneral@dac.gov.za

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: Marlise Richter

Identity number:

7	6	1	2	2	2	0	0	0	4	0	8	4
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Postal address: 2nd Floor Community House 41 Salt River Road Salt River, Cape Town

Telephone number: (.....) 082 858 9927 Fax number: (.....)

E-mail address: marlise@healthjusticeinitiative.org.za and info@healthjusticeinitiative.org.za

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

Dr Richter is a Senior Researcher at the Health Justice Initiative. She has been authorised to submit a request on behalf of the Health Justice Initiative in the public interest.

C. Particulars of 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: Not applicable

Identity number:

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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:

See next page

Sisonke programme (Open-label, Single-arm Phase 3B Implementation Study to Monitor the Effectiveness of the Single-dose Ad26.COVID-19 Vaccine Among Health Care Workers in South Africa (VAC31518COV3012))

1. Copies of any emails and any other written requests, motivations, and correspondence including the respective dates, from the National Department of Sports, Arts and Culture and/or its Minister, Deputy Minister and/or the Director General and/or Deputy Director Generals, sent to:

- i. the National Department of Health ('NDoH')
- ii. the Minister of Health
- iii. the South African Medical Research Council ('SAMRC')
- iv. the South African Health Product Regulatory Agency ('SAHPRA')
- v. the National Coronavirus Command Council ('NCCC')
- vi. any other statutory or Covid-19 coordinating body in South Africa
- vii. Ministerial Advisory Committee on COVID-19 ('MAC') and Ministerial Advisory Committee on COVID-19 vaccines ('VMAC')
- viii. any provincial, national and/or international sports bodies including the International Olympics Committee (IOC) and the South African Sports Confederation and Olympic Committee (SASCOC) -

that requested that artists, musicians, professional athletes, sports people, sport coaches, and sports administrators from different sporting codes in South Africa be included under the Sisonke programme, including using any of its stock for vaccination and/or prioritised otherwise.

2. In respect of 1 above, copies of all respective responses and regulatory and/or other approvals, permissions, waivers and/or rejections.

3.

- i. The details or a list with the number of artists, musicians, professional athletes, sports people, sport coaches, and sports administrators from different sporting codes and/or other persons in the National Department of Sports, Arts and Culture that were offered and/or administered a vaccine under the auspices of the Sisonke programme, including using any of its stock in March – June 2021 or from any other vaccine programme, where they were given a vaccine outside of the age cohort prioritisation system determined by government.
- ii. The provincial sites where the vaccines in 3.i. above were administered.
- iii. The details or a list of all the art councils or bodies, sports bodies and codes that participated in 3.1 above and the total number of vaccines administered under the auspices of the Sisonke programme, including using any of its stock, or any other programme with the gender, race, disability, age, and occupational breakdown.
- iv. The number of SASCOC officials and sports administrators who received a vaccination under the Sisonke programme but who did not travel to Japan to attend the Olympics.

4. Copies of any correspondence with the IOC and/or Pfizer in the period January - June 2021 regarding any offers of donations of vaccines for use by Olympic and Paralympic athletes.



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:

Not applicable

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: Not applicable	Form in which record is required:
Mark the appropriate box with an X .	
NOTES:	
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1. If the record is in written or printed form:						
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2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):						
	view the images	x	copy of the images*		transcription of the images*	

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

3. If record consists of recorded words or information which can be reproduced in sound:						
x	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)			
4. If record is held on computer or in an electronic or machine-readable form:						
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*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	x	NO
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Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record? English

G. Notice of decision regarding request for access

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?

Please email marlise@healthjusticeinitiative.org.za and info@healthjusticeinitiative.org.za

Signed at Cape Town this day ...28th..... ofJuly.....year 2021



.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

Appendix A:

19 July 2021

To whom it may concern

Letter of Authorisation: Health Justice Initiative (HJI)

To the extent that a letter of authority is requested, this is to confirm that Dr Marlise Richter is duly authorised to submit a request in terms of the *Promotion of Access to Information Act of 2000* on behalf of the Health Justice Initiative.

Yours sincerely,

Fatima Hassan

Fatima Hassan

Director: Health Justice Initiative

Our Ref: 001/SAMRC/2021

23 July 2021

Information Officer:

The President & Chief Executive Officer, Prof Glenda Gray

Per Email: glenda.gray@mrc.ac.za

Deputy Information Officer

Ms Nikiwe Momoti

Per Email: nikiwe.momotim@mrc.ac.za

Deputy Information Officer

Dr Alfred Thutloa

Per Email: alfred.thutloa@mrc.ac.za

Dear Prof Gray, Ms Momoti and Dr Thutloa

***Request for information pursuant to the Promotion of Access to Information Act 2000 -
Sisonke programme***

We refer to our previous correspondence in this matter, wherein the Health Justice Initiative (HJI) requested specific information related to the Covid-19 pandemic. Our requests have not been acknowledged and/or fully responded to.

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Moreover, we remind you of the guidance from the Constitutional Court in *President of the Republic of South Africa and Others v M&G Media Limited* [2011] ZACC 32, in which the Constitutional Court explained that:

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Annexure A is a letter of authorisation from the Health Justice Initiative (HJI).

Please find enclosed the relevant attachments in relation to the above-mentioned request.

Kindly advise of the amount of the request fee to be paid and provide us with the bank details so that we can attend to the payment accordingly.

Yours sincerely,



Dr Marlise Richter

Marlise@healthjusticeinitiative.org.za

info@healthjusticeinitiative.org.za



REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 6]

FOR DEPARTMENTAL USE	
	Reference number:
Request received by	(state rank, name and surname of information officer/deputy information officer) on
at	(date)
	at
	(place).
Request fee (if any): R	
Deposit (if any): R	
Access fee: R	
.....	
SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER	

A. Particulars of public body

The Information Officer/Deputy Information Officer

Information Officer - The President & Chief Executive Officer
Prof Glenda Gray
Per Email: glenda.gray@mrc.ac.za

Deputy Information Officer
Ms Nikiwe Momoti
Per Email: nikiwe.momoti@mrc.ac.za

Deputy Information Officer
Dr Alfred Thutloa
Per Email: alfred.thutloa@mrc.ac.za

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: Marlise Richter

Identity number:

7	6	1	2	2	2	0	0	0	4	0	8	4
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Postal address: 2nd Floor Community House 41 Salt River Road Salt River, Cape Town

Telephone number: (.....) 082 858 9927 Fax number: (.....)

E-mail address: marlise@healthjusticeinitiative.org.za and info@healthjusticeinitiative.org.za

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

Dr Richter is a Senior Researcher at the Health Justice Initiative. She has been authorised to submit a request on behalf of the Health Justice Initiative in the public interest.

C. Particulars of 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: Not applicable

Identity number:

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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:

See next page

'Sisonke Programme' (Open-label, Single-arm Phase 3B Implementation Study to Monitor the Effectiveness of the Single-dose Ad26.COV2.S COVID-19 Vaccine Among Health Care Workers in South Africa (VAC31518COV3012))

1. A copy of the request/s to all relevant ethics committees for any ethics amendment to the protocol of the Sisonke programme and copies of all ethics clearances and approvals, issued by any of the relevant ethics committees for the period April – June 2021.**
2. A copy of the SAMRC request to the South African Health Product Regulatory Agency ('SAHPRA'), to waive or amend the eligibility criteria of the Sisonke programme in the period April – June 2021 where the request was to include any person other than for those previously included as eligible in terms of the SAHPRA-approved protocol - including professional athletes, sports officials and government officials.
3. A copy of all responses from SAHPRA related to 1.) and 2.) above and a copy of its written approval/s.
4. A copy of any other written request that sets out the motivation and reasons for any request to amend, waive or change the eligibility criteria for inclusion in the Sisonke programme and for being a recipient of any stock from the Sisonke programme for the period April – June 2021.
5. Copies of all correspondence with the Ministers and the Director-Generals ('DGs') of the National Departments of Health and Arts, Culture and Sports; SAHPRA, South African Sports Confederation and Olympic Committee ('SASCOC'), the International Olympic Committee ('IOC') and/or any other statutory entity, sports body, and/or research or academic body, and/or ethics committee/s relating to the use of vaccines and vaccine stock from the Sisonke programme.
6. A list of the categories of persons other than health care workers and those previously included as eligible in terms of the SAHPRA-approved protocol that were offered and/or administered a vaccine under the auspices of the Sisonke programme and from any of its stock in April – June 2021.
7. A list of all the places and sites where the vaccines in 6 above, were administered, and the sports bodies and codes, government departments, multilateral institutions and/or foreign embassies that participated and benefited from the Sisonke programme and / or its stock; and the total number of vaccines administered including the gender, disability, age, and occupational breakdown.

**<https://clinicaltrials.gov/ct2/show/NCT04838795?term=VAC31518COV3012&draw=2&rank=1> and [http://sisonkestudy.samrc.ac.za/#\[object%20Object](http://sisonkestudy.samrc.ac.za/#[object%20Object)



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:

Not applicable

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: Not applicable	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:						
x	copy of record*		inspection of record			
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):						
	view the images	x	copy of the images*		transcription of the images*	

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

3. If record consists of recorded words or information which can be reproduced in sound:						
x	listen to the soundtrack (audio cassette)		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*	x	printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)	

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	x	NO
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Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record? English

G. Notice of decision regarding request for access

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?

Please email marlise@healthjusticeinitiative.org.za and info@healthjusticeinitiative.org.za

Signed at Cape Town this day ...23rd... of ...July year 2021



.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

Appendix A:

19 July 2021

To whom it may concern

Letter of Authorisation: Health Justice Initiative (HJI)

To the extent that a letter of authority is requested, this is to confirm that Dr Marlise Richter is duly authorised to submit a request in terms of the *Promotion of Access to Information Act of 2000* on behalf of the Health Justice Initiative.

Yours sincerely,

Fatima Hassan

Fatima Hassan

Director: Health Justice Initiative