



# PAIA MANUAL

of

## THE BIDVEST GROUP LIMITED

(Registration no: 1946/021180/06)

and its subsidiaries

This Manual is prepared in terms of section 51 of the Promotion of Access to Information Act No 2 of 2000 ("PAIA") as amended by the Protection of Personal Information Act, No 4 of 2013 ("POPIA")

## TABLE OF CONTENTS

1.	<b>Definitions</b>
2.	<b>Introduction to PAIA and POPIA</b>
3.	<b>Purpose of the PAIA Manual</b>
4.	<b>The Information Regulators PAIA Guide</b>
5.	<b>Company Overview</b>
6.	<b>The Bidvest Group Limited - Contact Details</b>
7.	<b>Records Automatically Available</b>
8.	<b>Description of Subjects and Categories of Records</b>
9.	<b>List of Applicable Legislation</b>
10.	<b>Information related to Personal Information</b>
11.	<b>Request Procedure</b>
12.	<b>Objection</b>
13.	<b>Rectification</b>
14.	<b>Proof of Identity</b>
15.	<b>Timelines for Consideration of a Request for Access</b>
16.	<b>Grounds for Refusal of Access and Protection of Information</b>
17.	<b>Remedies Available to a Requester on Refusal of Access</b>
18.	<b>APPENDICES (Forms)</b>
	<b>APPENDIX A - Request for Access to Record (PAIA)</b>
	<b>APPENDIX B - Fees in respect of Private Bodies</b>
	<b>APPENDIX C - Objection Form (POPIA)</b>
	<b>APPENDIX D - Rectification (POPIA)</b>

## 1. DEFINITIONS

“Bidvest”, “Group”, “we”, “us” and “our”	means The Bidvest Group Limited (registration number 1946/021180/06), a listed company incorporated in South Africa with subsidiaries and associates as set out in section 5 below.
“Data Subject”	means the person to whom the personal information relates.
“Manual”	means this Bidvest Group Limited PAIA manual, together with all appendices hereto.
“PAIA”	means the Promotion of Access to Information Act, No 2 of 2000.
“POPIA”	means the Protection of Personal Information Act, No 4 of 2013.
“Processing”	means any operation or activity, whether or not by automatic means, concerning personal information including collection, receipt, storage, alteration, erasure, as further defined in POPIA.
“Record”	means any recorded information, regardless of form or medium which includes writing, label, marking, hardware, software, book, image (as further defined in POPIA).
“Regulator”	means the Information Regulator as defined in POPIA and established in terms of section 39 of POPIA.
“Requestor”	means any private body, any person, including a public body or official thereof, making a Request for Access to a Record of that private body, or a person acting on behalf of the aforesaid person.
“Request for Access”	means in relation to a private body, means a Request for Access to a record of a private body in terms of section 50.

## 2. INTRODUCTION TO PAIA AND POPIA

### **PAIA:**

The Promotion of Access to Information Act, 2000 ("PAIA") commenced on 9 March 2001, which among other things:

- seeks to give effect to a person's Constitutional right of access to information (subject to certain limitations) and sets out the procedural process to follow to exercise or protect this right.
- sets out the obligation of private bodies to compile a PAIA Manual.

Thus, where a person is desirous of obtaining information from Bidvest in terms of PAIA, such request must be made in the format as prescribed under this Manual, and following receipt of the request, Bidvest must decide if it is able to provide the requested information to the Requester in accordance with the provisions of PAIA.

### **POPIA:**

The Protection of Personal Information Act, 2013 ("POPIA") commenced on 1 July 2020 and gives effect to:

- a person's right to privacy, including the right to data privacy, and in accordance with this objective, describes and prescribes a series of conditions which must be met when personal information is processed, which conditions establish the minimum requirements for the Processing of personal information.
- amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information.

This Manual is compiled in accordance with section 51 of PAIA as amended by POPIA.

### 3. PURPOSE OF THE PAIA MANUAL

The purpose of this Manual:

- For purposes of PAIA: details the procedure that a Requester is to follow making a Request for Access, and the way a Request for Access will be facilitated by Bidvest.
- For purposes of POPIA: details the purpose for which personal information may be processed; a description of the categories of Data Subjects for whom Bidvest processes personal information, as well as the categories of personal information relating to such Data Subjects and the recipients to whom personal information may be supplied.

### 4. THE INFORMATION REGULATOR'S PAIA GUIDE

The Regulator has compiled an official PAIA Guide which is user-friendly and accessible in order to assist in understanding how to exercise any right contemplated in PAIA or POPIA.

The Regulators Guide is available in each of the official languages at the following link on the Regulators website (under the heading PAIA GUIDE AND MANUAL).

<https://www.justice.gov.za/infoereg/docs.html>

Should you have any queries, or require a copy of the Guide, contact the Regulator directly:

<b>Address:</b>	The Information Regulator (South Africa) JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001 P.O. Box 31533, Braamfontein, Johannesburg, 2017
<b>Telephone Number:</b>	+27 (0)10 023 5207
<b>E-mail Address:</b>	Complaint's email: <b>PAIA:</b> <a href="mailto:PAIAcomplaints@infoeregulator.org.za">PAIAcomplaints@infoeregulator.org.za</a> <b>POPIA:</b> <a href="mailto:POPIAComplaints@infoeregulator.org.za">POPIAComplaints@infoeregulator.org.za</a>  General enquiries: <a href="mailto:enquiries@infoeregulator.org.za">enquiries@infoeregulator.org.za</a>
<b>Website</b>	<a href="https://infoeregulator.org.za">https://infoeregulator.org.za</a>

**NOTE:** Copies of the Regulators PAIA Guide are available in at least 2 of the official languages, for public inspection, during normal office hours at the reception of the Bidvest Corporate Office (physical address set out in section 6 below) as well as at the various subsidiary entities principal place of business, which addresses are available on the Bidvest Website under the Contact Details for each Division.

<https://www.bidvest.co.za/divisional-information.php>

## 5. COMPANY OVERVIEW

The Bidvest Group Limited is a holding company whose shares are listed on the Johannesburg Stock Exchange. If you would like to find out more about us visit <https://www.bidvest.co.za/>

The Group holding company operates through several subsidiary and associate companies that are divided into seven divisions:

<https://www.bidvest.co.za/divisional-information.php>

The information is updated at year end annually on 30 June.

The annexure of interest in subsidiaries and associates can be found at pages 84 - 91 at the following link: <https://www.bidvest-reports.co.za/results/annual-2022/pdf/afs.pdf>

The divisions, subsidiaries and associate companies in the Group operate in a decentralized manner, while being accountable to the Group holding company.

This Manual applies to the subsidiaries and associate companies of the Group, unless any subsidiary or associate business has their own PAIA Manual visible on their corporate website which is applicable to their specific business.

Should you have a PAIA Request for Access to a Record held by any of our subsidiaries or associate companies in the Group, check the website of the subsidiary for their prescribed PAIA request procedures to follow, alternatively follow the procedures as set out in this Manual and the Request for Access will be coordinated and appropriately dealt with in the Group.

## 6. THE BIDVEST GROUP LIMITED - CONTACT DETAILS

<b>Chief Executive Officer</b>	Mpumi Madisa
<b>Physical Address</b>	Bidvest House, 18 Crescent Drive, Melrose Arch, 2196
<b>Postal Address</b>	P O Box 87274, Houghton, 2041
<b>Telephone Number/Head Office</b>	+27 (0) 11 772 8700
<b>Facsimile Number</b>	+27 (0) 11 772 8970
<b>Email Address</b>	<a href="mailto:info@bidvest.co.za">info@bidvest.co.za</a>

The contact details of the Group Information Officer are as follows:

<b>Group Information Officer</b>	C. Krige
<b>Physical Address</b>	Bidvest House, 18 Crescent Drive, Melrose Arch, 2196
<b>Postal Address</b>	P O Box 87274, Houghton, 2014
<b>Internet Address</b>	<a href="http://www.bidvest.co.za">www.bidvest.co.za</a>
<b>Telephone Number</b>	+27 (0) 11 772 8700
<b>Facsimile Number</b>	+27 (0) 11 772 8970
<b>Email Address</b>	<a href="mailto:info@bidvest.co.za">info@bidvest.co.za</a> <a href="mailto:information.officer@bidvest.co.za">information.officer@bidvest.co.za</a>

A copy of this PAIA Manual is available for inspection, during normal office hours at the reception of the above physical address.

## 7. RECORDS AUTOMATICALLY AVAILABLE

The following Information is automatically available via the Bidvest website and need not be formally requested in terms of this Manual.

<b>NAME OF INFORMATION</b>	<b>WEB PAGE</b>
The Divisional Information	<a href="https://www.bidvest.co.za/divisional-information.php">https://www.bidvest.co.za/divisional-information.php</a>
The Group Strategy	<a href="https://www.bidvest.co.za/strategic-business-model.php">https://www.bidvest.co.za/strategic-business-model.php</a>
The Sustainability Overviews	<a href="https://www.bidvest.co.za/sustainability-overview.php">https://www.bidvest.co.za/sustainability-overview.php</a>
The Integrated Report	<a href="https://www.bidvest.co.za/integrated-annual-report-archive.php">https://www.bidvest.co.za/integrated-annual-report-archive.php</a>
The ESG Report	<a href="https://www.bidvest-reports.co.za/integrated-reports/2021/pdf/bidvest-integrated-report-2021.pdf">https://www.bidvest-reports.co.za/integrated-reports/2021/pdf/bidvest-integrated-report-2021.pdf</a>
The Annual Financial Statements	<a href="https://www.bidvest-reports.co.za/results/annual-2022/pdf/afs.pdf">https://www.bidvest-reports.co.za/results/annual-2022/pdf/afs.pdf</a>
The Interim Reports	<a href="https://www.bidvest.co.za/investor-presentations.php">https://www.bidvest.co.za/investor-presentations.php</a>
The B-BBEE Certificate	<a href="https://www.bidvest.co.za/bee-certificate.php">https://www.bidvest.co.za/bee-certificate.php</a>
The Group News	<a href="https://www.bidvest.co.za/media-releases.php">https://www.bidvest.co.za/media-releases.php</a>
The SENS Announcements	<a href="https://www.bidvest.co.za/sens-releases.php">https://www.bidvest.co.za/sens-releases.php</a>
The Bidvest Directory	<a href="https://www.bidvest.co.za/">https://www.bidvest.co.za/</a>
The Bidvest Group Limited Code of Ethics	<a href="https://www.bidvest.co.za/pdf/code-ethics/code-of-ethics.pdf">https://www.bidvest.co.za/pdf/code-ethics/code-of-ethics.pdf</a>

## 8. DESCRIPTION OF SUBJECTS AND CATEGORIES OF RECORDS

Bidvest maintains Records on the categories and subject matters listed below.

Recording a subject matter or category does not imply that a Request for Access to such Record(s) will be granted. All Requests for Access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.

Please note that many of the Records held by Bidvest are those of third parties, such as clients and employees, and we take the protection of third-party confidential information seriously.

Requests for Access to these Records will be carefully considered.

Subjects of Records	Categories of Records
Statutory Company Information	<ul style="list-style-type: none"> <li>○ Incorporation documents</li> <li>○ Memorandum of Incorporation</li> <li>○ Minute books, Resolutions</li> <li>○ Records of all subsidiary companies</li> <li>○ Registers of directors and officers</li> <li>○ Share registers and other statutory registers</li> <li>○ Statutory returns to relevant authorities</li> <li>○ Statutory Records</li> <li>○ Records relating to appointment of directors, auditors, company secretary, public officer and other officers.</li> </ul>
Financial and Accounting Records	<ul style="list-style-type: none"> <li>○ Annual Financial Statements</li> <li>○ Accounting Records (inclusive of books of account)</li> <li>○ Administrative Records</li> <li>○ Banking Records</li> <li>○ Internal and external audit reports</li> <li>○ Rental agreements</li> <li>○ Invoices</li> <li>○ Supporting schedules and documentation to books of account</li> <li>○ Lease agreements</li> <li>○ Asset registers</li> <li>○ Sale Agreements</li> <li>○ Intellectual Property records</li> </ul>
Tax Records	<ul style="list-style-type: none"> <li>○ Customs and Excise Records</li> <li>○ Income tax returns and other documentation</li> <li>○ PAYE Records</li> <li>○ Regional services council Records</li> <li>○ Skills Development Levies Records</li> <li>○ Stamp Duties Records</li> <li>○ UIF and Workmen's compensation</li> <li>○ Value Added Tax Records</li> </ul>
Legal Records	<ul style="list-style-type: none"> <li>○ Documentation pertaining to litigation or arbitration</li> <li>○ General agreements and contracts</li> <li>○ Licenses, permits and authorizations</li> </ul>
Insurance Records	<ul style="list-style-type: none"> <li>○ Claims Records</li> <li>○ Details of insurance coverage, limits, and insurers</li> <li>○ Insurance policies</li> </ul>
Employee Records	<ul style="list-style-type: none"> <li>○ Agreements with trade unions</li> <li>○ Arbitration awards</li> <li>○ Attendance registers</li> <li>○ Casual employee Records</li> <li>○ CCMA Records</li> <li>○ Code of conduct</li> <li>○ Company tax submissions in respect of employees</li> </ul>



	<ul style="list-style-type: none"> <li>○ Confidentiality agreements</li> <li>○ Disciplinary Records and internal evaluations</li> <li>○ Employee personal details</li> <li>○ Employment conditions and policies</li> <li>○ Employment contracts</li> <li>○ Employment equity plan</li> <li>○ Internal correspondence</li> <li>○ Internal Records, policies, and procedures</li> <li>○ Leave Records</li> <li>○ Operating manuals</li> <li>○ Medical aid Records</li> <li>○ Personnel Records provided by personnel</li> <li>○ Records of strikes, lockouts or protest action</li> <li>○ Remuneration and benefits Records</li> <li>○ Restraint of trade agreements</li> <li>○ Retirement and Pension fund Records</li> <li>○ Service Records</li> <li>○ Share option schemes registers</li> <li>○ Share option schemes rules</li> <li>○ Share purchase scheme register</li> <li>○ Share purchase scheme rules</li> <li>○ Training schedules and material</li> </ul>
Customer Records and Credit Services	<ul style="list-style-type: none"> <li>○ Customer contracts</li> <li>○ Credit application forms</li> <li>○ Customer Records</li> <li>○ Debtors with collection agents</li> <li>○ Records of customer details and payment performance listed with credit bureaus</li> <li>○ Sales Records</li> <li>○ Terms and conditions of sale</li> <li>○ Transaction Records</li> </ul>
Supplier /Third Party Records	<ul style="list-style-type: none"> <li>○ Code of Conduct</li> <li>○ Supplier contracts</li> <li>○ Terms and conditions for dealing with suppliers</li> <li>○ Transactional Records and supporting information</li> </ul>

## 9. LIST OF APPLICABLE LEGISLATION

Where applicable to the business conducted by the divisions in the Group, the various subsidiaries and associates retain Records which are required in terms of legislation other than PAIA.

Certain legislation provides that private bodies shall allow certain persons access to specified Records upon request. The legislation may be consulted to establish whether the Requester has a right of access to a Record other than in terms of the procedure set out in PAIA.

The following legislation is included and can be consulted, but is not an exhaustive list:

- Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act, No. 19 of

2006

- Air Services Licensing Amendment Act. No. 21 of 2008
- Airports Company Amendment Act, No. 14 of 2001
- Aliens Control Amendment Act, No. 76 OF 1995
- Appropriation Act, 2008 No. 9 of 2008
- Banks Amendment Act No 20 of 2007
- Basic Conditions of Employment Act No. 75 of 1997
- Bills of Exchange Amendment Act, No. 56 of 2000
- Board Based Black Economic Empowerment Act, No 53 of 2003
- Broadcasting Amendment Act, No. 4 of 2009
- Carriage by Air Amendment Act, No. 15 of 2006
- Civil Aviation Act, No. 13 of 2009
- Companies Act No. 71 of 2008 (as amended)
- Compensation for Occupational Injuries and diseases Act, No 130 of 1993
- Competition Act No. 89 of 1998
- Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
- Consumer Protection Act No 68 of 2008
- Copyright Act No. 98 of 1978
- Counterfeit Goods Act No 37 of 1997
- Criminal Law (Forensic Procedures) Amendment Act, No. 6 of 2010
- Currency and Exchanges Act No. 9 of 1933 (and Exchange Control Regulations)
- Customs and Excise Act No. 91 of 1964
- Debt Collectors Act No. 114 of 1998
- Designs Act No 195 of 1993
- Electronic Communication and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Financial Advisory and Intermediary Services Act No 37 of 2002 (as amended)
- Financial Services Board Act No. 97 of 1990
- Income Tax Act No. 58 of 1962
- Immigration Act No 13 of 2002
- King IV Code on Corporate Governance
- Labour Relations Act No. 66 of 1995
- Medical Schemes Act No. 131 of 1998
- Merchandise Marks Act No. 17 of 1941
- National Credit Act No 34 of 2005
- Occupational Health and Safety Act No 85 of 1993
- Patents Act No 57 of 1978
- Pension Funds Act No. 24 of 1956
- Prevention of Organized Crime Act No. 121 of 1998
- Promotion of Equality and Prevention of Unfair Discrimination Act, No 4 of 2000
- Protection of Personal Information Act No 4 of 2013
- Regulation of Interception of Communications and Provision of Communication-related Information Act No 70 of 2002
- Sale and Services Matters Act No. 25 of 1964
- Second - Hand Goods Act No 6 of 2009
- Securities Transfer Tax Act No 25 of 2007

- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- South African Revenue Services Act No 34 of 1997
- Tax on Retirement Funds Act NO 38 of 1996
- Trade Practices Act No. 76 of 1976
- Trademarks Act No. 194 of 1993
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991.

If you believe that a right of access to a Record exists in terms of legislation other than that listed above, you are required to indicate what legislative right the Request for Access is based on, to allow the Information Officer the opportunity of considering the Request for Access in the light thereof.

## 10. INFORMATION RELATED TO PERSONAL INFORMATION

### Introduction

The Protection of Personal Information Act, 4 of 2013 (POPIA), regulates and controls the Processing, including the collection, use, and transfer of personal information relating to identifiable, living, natural persons and juristic persons.

Personal information as defined in terms of POPIA includes but is not limited to, information as follows: Name, address, contact details, date of birth, place of birth, identity number, colour, ethnic or social origin, religion, identifying number, passport number, bank details, tax number, financial information, biometric information, personal opinions or views of a person, criminal history, membership of a trade union, images by way of CCTV.

In terms of POPIA, a person (Responsible Party) has a legal duty to collect, use, transfer and destroy (process) another's (Data Subject) personal information (Personal Information) in a lawful, legitimate, and responsible manner and in accordance with the provisions and 8 Processing conditions set out under POPIA.

### How to request your personal information under POPIA

Requests for personal information under POPIA must be made in accordance with the provisions of PAIA which process is outlined below in section 11.

If we provide you with your personal information, you have the right to request the correction, deletion or destruction ("rectification") of your personal information, on the prescribed form (APPENDIX D hereto). You may also object to the Processing of your personal information on the prescribed form (APPENDIX C hereto).

### Purpose of Processing personal information

POPIA provides that personal information may only be processed lawfully and in a reasonable manner that does not infringe upon the Data Subject's privacy.

The type of personal information that we process will depend on the purpose for which it is collected. We will disclose the reason the personal information is being collected and will process the personal

information for that purpose only.

Information is required by our businesses to allow them to perform the following (without detracting from the generality hereof):

- to pursue their business objectives and strategies;
- to comply with a variety of lawful obligations, including without detracting from the generality thereof, to carry out actions for the conclusion and performance of a contract as between the Group company and the Data Subject;
- to put in place protective mechanisms to protect the parties' legitimate interests including the performance of risk assessments and risk profiles where applicable and necessary;
- to obtain or provide Personal Information from a credit bureau or credit provider or credit association, information about certain Data Subject's credit record, including personal information about any judgement or default history;
- for the purposes of contacting the Data Subject and attending to the Data Subject's enquiries and requests;
- for the purpose of providing the Data Subject from time to time with information pertaining to the Companies, their officers, employees, services and goods and other ad hoc business-related information;
- to pursue the parties' legitimate interests, or that of a third party to whom the Personal Information is supplied;
- for the purposes of providing, maintaining, and improving our Products and Services, and to monitor and analyse various usage and activity trends pertaining thereto;
- for the purposes of performing internal operations, including management of employees, employee wellness programmes, the performance of all required HR and IR functions, call centres, customer care lines and enquiries, attending to all financial matters including budgeting, planning, invoicing, facilitating, and making payments, making deliveries, sending receipts, and generally providing commercial support, where needed, requested, or required; and
- for the purpose of preventing fraud and abuse of the Companies' processes, systems, procedures, and operations, including conducting internal and external investigations and disciplinary enquiries and hearings.

See further information on our website.

<https://www.bidvest.co.za/data-protection.php>

### **Description of categories of Data Subjects and personal information processed**

The Group holds information and Records relating to the following broad categories of data subjects or persons, which is a non exhaustive list of categories:

- Clients - Natural persons: names; contact details; physical and postal addresses; date of birth; ID number; tax related information; nationality; gender; confidential correspondence.
- Clients – Juristic persons / entities / business partners: names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners.
- Clients – Foreign persons / entities: names; contact details; physical and postal, financial information addresses; date of birth; passport number tax related information; nationality; gender; confidential correspondence; registration number; founding documents; tax related information; authorised

signatories, beneficiaries, ultimate beneficial owners.

- Contracted Service Providers/Suppliers/Franchisors/Franchisees - Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, banking information.
- Intermediaries/Advisor/Banks/Insurers /Agents; Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners.
- Employees / Directors /Potential Employees/Learners/Interns/Shareholders /Volunteers /Employees' family members/Temporary employees - gender, pregnancy; marital status; race, age, language, education information; financial information; employment history; ID number; next of kin; children's name, gender, age, school, grades; physical and postal address; contact details; opinions, criminal behaviour and/or criminal Records; well-being; trade union membership; external commercial interests; medical information; health Records; images; demographics.
- Website end-users/Application end-users: names, electronic identification data: IP address; log-in data, cookies, electronic localization data; cell phone details, GPS data, social media.
- Persons who interact with us physically or enter sites, offices, parking areas, manufacturing site, showroom and all facilities of the company or interact via websites / email / correspondence and who provide their personal information.

### **Categories of recipients for Processing personal information**

We may supply personal Information to these potential recipients:

- Management.
- Employees and temporary employees/learnerships/internships/job applicants/agents/bursary applicants/directors.
- Group entities.
- Business partners.
- Advertisers.
- Customers and clients.
- Medical Service Providers, insurance companies, pensions and provident funds, wellness or health providers; banks.
- Contractors / vendors / suppliers / service providers / operators / franchisors / franchisees.
- Third party service providers.
- Cyber third parties service providers / Users / Third parties with whom Bidvest conducts business.
- Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for personal information, enforcement agencies; public bodies who we engage with to discharge legal and public duties and obligations including SARS, National treasury, Department of Labour and the financial sector conduct authorities.
- Courts, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for personal information or discovery in terms of the applicable rules.
- Anyone making a successful Request for Access in terms of PAIA or POPIA.
- Subject to the provisions of POPIA and other relevant legislation, Bidvest may share information about a client's creditworthiness with any credit bureau or credit providers industry association or other association for an industry in which Bidvest operates.

We may from time to time have to disclose personal information to other parties as set out above, including, trading partners, agents, auditors, organs of state, regulatory bodies and / or national governmental, provincial, or local government municipal officials, or overseas trading parties or agents, but such disclosure will always be subject to an agreement which will be concluded as between ourselves and the party to whom we are disclosing the personal information to, which contractually obliges the recipient of the personal information to comply with strict confidentiality and data security conditions. Personal information may also be disclosed where we have a legal duty or a legal right to do so.

### **Cross border flows of personal information**

The Group company may from time to time have to disclose a Data Subject's personal information to other parties, including organs of state, other departments or subsidiaries, product or third-party service providers, regulators and or governmental officials, overseas service providers and or agents. Such disclosure will always be subject to an agreement which will be concluded as between the company and the party to whom it is disclosing the Data Subject's personal information to, which contractually obliges the recipient of this personal information to comply with strict confidentiality and data security conditions. Where personal information and related data is transferred to a country which is situated outside the borders of South Africa, the Data Subject's personal information will only be transferred to those countries which have similar data privacy laws in place or where the recipient of the personal information is bound contractually to a no lesser set of obligations than those imposed by POPIA.

### **Security measures**

The Group companies will ensure that the Data Subject's personal information is securely stored electronically, which for operational reasons, will be accessible to certain categories of authorised persons within the company on a need to know and business basis, save that where appropriate, some of the Data Subject's personal information may be retained in hard copy and stored securely.

Considering the nature, scope, context, and purpose of Processing, the Group companies ensure implementation of appropriate technical and organizational measures designed to ensure the confidentiality, integrity and security of personal information against unlawful access and against accidental loss, destruction or damage as prescribed by POPIA.

The security measures implemented to secure against unauthorized processing or access may include (note: this is not an exhaustive list):

- Firewalls; authentication software; intrusion detection systems; unique user profiles; encryption;
- Anti - Virus software and update protocols;
- Logistical and physical access control; alarms systems; biometric access barriers; video monitoring;
- Secure setup of hardware and software making up our information technology infrastructure; and
- Outsourced service providers who are contracted to implement security controls.

## **11. REQUEST PROCEDURE**

### **Completion of the prescribed form**

Any Request for Access to a Record of a private body in terms of PAIA must substantially correspond with the form attached hereto marked *APPENDIX A - Request for Access to Record (Section 53(1) of PAIA) [this is per PAIA Regulation 7]*.

**Note:** section G to APPENDIX A requires you to describe how the record you are requesting, is reasonably required for you to protect, or exercise, another right(s). You must show the connection between the

record requested and the exercise or protection of the right or rights.

A Request for Access to a Record which does not comply with the formalities as prescribed by PAIA will be returned to you for completion as per the PAIA formalities.

### **Payment of the prescribed fees**

A fee may be payable, depending on the type of information requested, as described under *APPENDIX B (Fees in respect of private bodies)*

There are two categories of fees which are payable:

- **The request fee:** R140
- **The access fee:** This is calculated by considering reproduction costs, search, and preparation costs, as well as postal costs.

Section 54 of PAIA entitles us to levy a charge or to request a fee to enable us to recover the cost of processing a Request for Access. The fees that may be charged are set out in Appendix B.

Where a decision to grant a Request for Access has been taken, the Record will not be disclosed until the necessary fees have been paid in full.

POPIA provides that a Data Subject may, upon proof of identity, request us to confirm, free of charge, all the information we hold about the Data Subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.

POPIA also provides that where the Data Subject is required to pay a fee for services provided to him/her, we must provide the Data Subject with a written estimate of the payable amount before providing the service and may require that the Data Subject pays a deposit for all or part of the fee.

## **12. OBJECTION**

POPIA provides that a Data Subject may object, at any time, to the Processing of personal information, on reasonable grounds relating to his/her situation, unless legislation provides for such Processing.

The Data Subject must complete the prescribed form attached hereto as *APPENDIX C - Objection to the Processing of personal information in terms of section 11(3) of POPIA Regulations relating to the protection of personal information, 2018 [this is per POPIA Regulation 2]* and submit it to the Information Officer at the postal or physical address or electronic mail address set out above.

## **13. RECTIFICATION**

A Data Subject may also request us to correct or delete personal information about the Data Subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully; or destroy or delete a Record of personal information about the Data Subject that we are no longer authorised to retain in terms of POPIA's retention and restriction of Records provisions.

A Data Subject that wishes to request a rectification in the form of a correction or deletion of personal information or the destruction or deletion of a Record of personal information, must submit a request to the Information Officer at the postal or physical address or electronic mail address set out above, on the form attached hereto as *APPENDIX D – Request for correction or deletion of personal information or*

*destroying or deletion of Record of personal information in terms of section 24(1) of POPIA's Regulations relating to the protection of personal information, 2018 [this is per POPIA Regulation 3].*

#### **14. PROOF OF IDENTITY**

Proof of identity is required to authenticate your identity and the Request for Access. You will, in addition to the prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal form of identity.

#### **15. TIMELINES FOR CONSIDERATION OF A REQUEST FOR ACCESS**

Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.

Should an extension be required, the initial 30 (thirty) days may be extended for a further period of no more than 30 (thirty) days, if for instance the request requires a search for records that cannot reasonably be completed within the initial period. You will be notified by the Information Officer, together with reasons explaining why the extension is necessary.

#### **16. GROUNDS FOR REFUSAL OF ACCESS AND PROTECTION OF INFORMATION**

There are various grounds upon which a Request for Access to a Record may be refused. These grounds include:

- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
- the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific, or technical information that may harm the commercial or financial interests of a third party);
- if disclosure would result in the breach of a duty of confidence owed to a third party;
- if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- if the Record was produced during legal proceedings, unless that legal privilege has been waived;
- if the Record contains trade secrets, financial or sensitive information or any information that would put us at a disadvantage in negotiations or prejudice it in commercial competition; and/or
- if the Record contains information about research being carried out or about to be carried out on behalf of a third party or by the Group company.

Section 70 of PAIA contains an overriding provision. Disclosure of a Record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the Record in question clearly outweighs the harm contemplated by its disclosure.

If the Request for Access to information affects a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the request. The third party would then have a further 21



(twenty-one) days to make representations and/or submissions regarding the granting of access to the Record.

## **17. REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS**

Subject to section 15 above, if the Information Officer grants a Requester access to the relevant Record, such access must be granted within 30 (thirty) days of being informed of the decision.

There is no right of appeal against the decision of the Information Officer and the only recourse available to a Requester who is aggrieved by the decision of the Information Officer is by way of an application to a court for relief in terms of section 78 of PAIA.

## **18. APPENDICES – (FORMS)**

<b>APPENDIX A</b>	Request for Access to Record
<b>APPENDIX B</b>	Fees in respect of Private Bodies
<b>APPENDIX C</b>	Objection Form (POPIA)
<b>APPENDIX D</b>	Rectification (POPIA)

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**FORM 2  
REQUEST FOR ACCESS TO RECORD**

[Regulation 7]

**NOTE:**

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

**TO:** The Information Officer


*(Address)*

**E-mail address:**

**Fax number:**

*Mark with an "X"*

- Request is made in my own name.     Request is made on behalf of another person.

<b>PERSONAL INFORMATION</b>				
Full Names				
Identity Number				
Capacity in which request is made (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			

Full names of person on whose behalf request is made (if applicable)			
Identity Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
<b>PARTICULARS OF RECORD REQUESTED</b>			
<p><i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			

<b>TYPE OF RECORD</b> (Mark the applicable box with an "X")	
Record is in written or printed form	
Record comprises virtual images ( <i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i> )	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

<b>FORM OF ACCESS</b> (Mark the applicable box with an "X")	
Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

<b>MANNER OF ACCESS</b> (Mark the applicable box with an "X")	
Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	

Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language  (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)	

<b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b>	
If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.	
Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

<b>FEES</b>	
a) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. 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	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal Address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
*Signature of Requester / person on whose behalf request is made*

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FOR OFFICIAL USE

<i>Reference Number:</i>	
<i>Request received by: (State Rank, Name and Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

\_\_\_\_\_  
*Signature of Information Officer*

**FEES**

In respect of Private Bodies

<b>Item</b>	<b>Description</b>	<b>Amount</b>
1.	The request fee payable by every Requester	R140.00
2.	Photocopy / printed black & white copy of A4 size page	R2.00 per page or part thereof
3.	Printed copy of A4 size page	R2.00 per page or part thereof
4.	For a copy in a computer-readable form on: - (iii) Flash drive (to be provided by Requestor) (iv) Compact disc <ul style="list-style-type: none"> <li>• If provided by Requestor</li> <li>• If provided to the Requestor</li> </ul>	R40.00 R40.00 R60.00
5.	For a transcription of visual images per A4 size page	Service to be outsourced. Will depend on quotation from service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4 size page	R24.00
8.	Copy of an audio record on: (v) Flash drive (to be provided by Requestor) (vi) Compact Disk <ul style="list-style-type: none"> <li>• If provided by Requestor</li> <li>• If provided to the Requestor</li> </ul>	R40.00 R40.00 R60.00
9.	To search for and prepare the Record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of: -	R145.00 R435.00
10.	Deposit: If search exceeds 6 hours	One third of amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**  
[Regulation 2]

Note:

1. Affidavits or other documentary evidence applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
Name(s) and surname / registered name of data subject:	
Unique Identifier / Identity Number:	
Residential, postal or business address:	_____ _____ _____ Code ( _____ )
Contact number(s):	
Fax number / E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname / Registered name of responsible party:	
Residential, postal or business address:	_____ _____ _____ Code ( _____ )
Contact number(s):	
Fax number / E-mail address:	
<b>C</b>	<b>REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) TO (f)</b> <i>(Please provide detailed reasons for the objection)</i>

Signed at ..... on this ..... day of ..... 20 .....

.....  
*Signature of data subject / designated person*



**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018  
[Regulation 3]**

Note:

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable.

Mark the appropriate box with an “x”.

**Request for:**

- Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.**
- Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorized to retain the record of information.**

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
Name(s) and surname / registered name of data subject:	
Unique Identifier / Identity Number:	
Residential, postal or business address:	<hr/> <hr/> <hr/> <hr/> <div style="text-align: right;">Code (____)</div>
Contact number(s):	
Fax number / E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname / Registered name of responsible party:	
Residential, postal or business address:	<hr/> <hr/> <hr/> <hr/> <div style="text-align: right;">Code (____)</div>
Contact number(s):	
Fax number / E-mail address:	
<b>C</b>	<b>INFORMATION TO BE CORRECTED / DELETED / DESTROYED</b>

<b>D</b>	<b>REASONS FOR *CORRECTIONS OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN</b> <i>(Please provide detailed reasons for the request)</i>

Signed at ..... on this ..... day of ..... 20.....

.....  
*Signature of data subject / designated person*