PROMOTION OF ACCESS TO INFORMATION (PAIA)
MANUAL:
PICK N PAY STORES LIMITED

PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

This manual applies to:
Pick n Pay Stores Limited
Pick n Pay Retailers (Pty) Ltd
Pick n Pay (Pty) Ltd Supply Chain

Registered Office Address: 101 Rosemead Avenue, Kenilworth, Cape Town 7708

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1. Introduction

Pick n Pay Stores Limited, Pick n Pay Retailers (including wholly owned subsidiary, Boxer) and Pick n Pay Supply Chain (hereafter “Pick n Pay”) is committed to the observance of and compliance with the directives of the South African Constitution and national legislation which endorse the key principles of good corporate governance, transparency and accountability.

This manual was compiled in accordance with the Promotion of Access to Information Act (PAIA) No. 2 of 2000. PAIA gives effect to carry out section 32 of the South African Constitution, which focuses on the right to access information i.e. everyone has the right of access to information held by the state or a private body to enforce a culture of transparency and accountability.

The act requires that Pick n Pay, as a private body, compile a manual giving information to the public regarding the records held and the procedures to be followed in order to obtain information from Pick n Pay.

2. Availability of the Manual

This manual will be updated as required or when the relevant legislation changes. The latest copy of this manual is available on public facing Pick n Pay websites, www.picknpay.co.za and http://www.picknpayinvestor.co.za. Alternatively, this manual can be requested from the Information Officer.

3. Pick n Pay Contact Details

All requests for access to records in terms of PAIA must be in writing and must be addressed to:
Pick n Pay Information Officer, Penny Gerber
Pick n Pay Office Park
101 Rosmead Avenue, Kenilworth, Cape Town, 7708
Telephone: +27 21 658 1000
Website: www.pnp.co.za
Email: InformationOfficer@pnp.co.za


The South African Human Rights Commission (“SAHRC”) is mandated under PAIA to promote the right of access to information, monitor the implementation of PAIA, make recommendations to strengthen
PAIA and to report annually to Parliament. The SAHRC has compiled a guide that contains information which would be reasonably required of any person wishing to exercise any rights set out in the Act. The guide is available in all the counties’ official languages and can be viewed at www.sahrc.org.za.

Any enquiries regarding the above guide and its contents should be directed to:
The South African Human Rights Commission
PAIA Unit (the Research and Documentation Department)
Postal address: Private Bag 2700, Houghton, 2041
Telephone: +27 11 484-8300
Fax: +27 11 484-7146
Website: www.sahrc.org.za
Email: PAIA@sahrc.org.za

5. Information Regulator
Any queries where you believe Pick n Pay has not adequately dealt with your request, or to lodge a complaint should be directed to:
The Information Regulator (South Africa)
33 Hoofd Street
Forum III, 3rd Floor Braampark
Braamfontein, Johannesburg
Website: www.justice.gov.za
Email: inforeg@justice.gov.za

6. Records Available in terms of any Other Legislation
Pick n Pay keeps information and records in accordance with the following legislation, which includes, but is not limited to the following legislation:
1. The Constitution of the Republic of South Africa No.3 of 1994;
2. Companies Act No. 61 of 1973;
3. Competition Act No. 89 of 1998;
4. Insider Trading Act No. 135 of 1998;
5. Broad-Based Economic Empowerment Act No. 53 of 2003;
7. Consumer Protection Act No. 68 of 2008;
8. The Value-Added Tax Act No. 89 of 1991;
10. South African Revenue Services Act, 34 of 1997;
11. Basic Conditions of Employment Act No. 75 of 1997;
12. Employment Equity Act No. 55 of 1998;
13. Labour Relations Act No. 66 of 1995;
15. The Occupational Health and Safety Act No. 85 of 1993;
16. Manpower Training Act No. 56 of 1981;
17. Skills Development Act No. 97 of 1998;
18. Skills Development Levies Act No. 9 of 1999;
19. Unemployment Insurance Contributions Act No. 4 of 2002;
21. The Medical Schemes Act No. 131 of 1998;
22. The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993;
24. The Atmospheric Pollution Prevention Act No. 45 of 1965;
25. The Health Act No. 63 of 1977;
26. Pension Funds Act No. 24 of 1956 Tax on Retirement Funds Act No. 38 of 1996;
27. Deeds Registries Act No. 47 of 1937;
28. Customs and Excise Amendment Act, 45 of 1995;
29. Copyright Act No. 98 of 1978
30. Trade Marks Act No. 194 of 1993;
31. Financial Intelligence Centre Act No. 38 of 2001;
32. Prevention of Combating of Corrupt Activities Act No. 12 of 2004;
34. Protected Disclosures Act No. 26 of 2000;
35. Tobacco Products Control Act No. 83 of 1993;
36. Medicines and Related Substances Control Act No. 101 of 1965;
37. Hazardous Substances Act No. 15 of 1973;
38. Liquor Act No. 59 of 2003;
39. Liquor Products No. 60 of 1989;
40. Electronic Communications and Transactions Act No. 25 of 2002;
41. Regulation of Interception of Communications and Provision of Communications Related Information Act No. 70 of 2002.
From time to time, Pick n Pay may be required to comply with other legislation as a result of the products and services being provided to customers operating in different sectors.

7. Categories of Requestors

The capacity under which a Requestor makes a request for records defines the category in which the Requestor will fall into. There are four categories of Requestors:

- A Data Subject who makes requests about themselves;
- A Representative who makes a request on behalf of the Data Subject(s);
- A Third Party who requests information about a Data Subject; or
- A Public Body who requests information in the public interest.

8. Categories of Records held by Pick n Pay

This manual sets out a description of the subjects on which Pick n Pay holds records, and categories of records held on each subject (refer to Appendix B). These include operational records utilised in the day to day running and administration of the business. Access to the listed records /information per Appendix B does not guarantee access requests will be approved / granted.

9. Request Process

The purpose of this section is to provide directive and guidance on the process to follow when requesting information from Pick n Pay.

- The Requestor should contact Pick n Pay’s Information Officer to obtain guidance on the process to follow when sending documentation containing personal information. This includes application forms and proof of identification documents.
- The prescribed form must be used and completed to make the request for access to a record. The form can be downloaded from the Department of Justice website (refer to Appendix A).
- Proof of identification of the Requestor (and related third parties acting on behalf of the Requestor) must be provided on submitting the request form.
- The requester must specify the right that they are seeking to protect or that they wish to exercise and provide an explanation as to why the requested records are required for the protection or exercise of that right.
- If the request is made on behalf of another person, then proof is required of the capacity in which the requester is making the request.
• Proof of identity must be provided in the form of a certified copy of the Requestor’s and/or delegate’s identity document or passport via secure methods provided by the Information Officer in the initial correspondence.

• An initial response to a request will take approximately 30 days. The Information Officer may extend the period by an additional 30 days depending on the complexity of the request requirements.

• Please note that an application for access to information can be refused in the event that the application does not comply with the requirements of PAIA.

• The successful completion and submission of the access request does not automatically allow the Requestor access to the requested records.

• If access to a record/information is granted, the Requestor will be notified, and the notification will include the following:
  - An indication of the access fee that should be paid upon gaining access (if any).
  - An indication of the form in which the access will be granted.

• If access to a record/information is denied, the Requestor will be notified, and will include the following:
  - Adequate reasons for the refusal.
  - Process to appeal the refusal.

• Should the requester not be satisfied with the decision of the Information Officer, the Requester may apply to court for relief. In terms of PAIA, the said application must be made within 180 days after the decision has been made by the Information Officer.

10. Prescribed Request Fees

Prescribed fees were published by the Minister of Justice and Constitutional Development in the Government Gazette No. 23119, General Notice No. 187 of 15 February 2002. Please refer to Appendix C for Pick n Pay’s fee structure.

11. Appendices

11.1 Appendix A: Request Form

The application form can be obtained from

## Appendix B: Record Categories

<table>
<thead>
<tr>
<th><strong>Business Information</strong></th>
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<tbody>
<tr>
<td>Documents of Incorporation</td>
<td>Memorandum of Incorporation</td>
</tr>
<tr>
<td>Minutes of Board of Directors Meetings</td>
<td>Appointment of Directors/Auditors/Secretaries</td>
</tr>
<tr>
<td>Public Officer and other Prescribed Officers</td>
<td>Share Register and other Statutory Registers</td>
</tr>
<tr>
<td>Management Reports</td>
<td>Strategic and Business Plans</td>
</tr>
<tr>
<td>Annual integrated Reports</td>
<td>Services and Products (incl. pricing)</td>
</tr>
<tr>
<td>Records held in compliance to specific legislation, regulations and codes</td>
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<table>
<thead>
<tr>
<th><strong>Finance and Accounting</strong></th>
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<tbody>
<tr>
<td>Annual Financial Statements</td>
<td>Tax Records (company and individual employees)</td>
</tr>
<tr>
<td>Accounting Records</td>
<td>Banking Records Banking Statements</td>
</tr>
<tr>
<td>Paid Cheques</td>
<td>Electronic Bank Records</td>
</tr>
<tr>
<td>Asset Register</td>
<td>Rental Agreements</td>
</tr>
<tr>
<td>Invoices</td>
<td>General Correspondence</td>
</tr>
<tr>
<td>Management Accounts and Records</td>
<td>Budgets</td>
</tr>
<tr>
<td>Insurance</td>
<td>Share Register</td>
</tr>
<tr>
<td>Financial Transactions</td>
<td>Purchase and Order Records</td>
</tr>
<tr>
<td>Banking Records</td>
<td>Contracts</td>
</tr>
<tr>
<td>Financial Policies and Procedures</td>
<td>Risk Management Records</td>
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<tr>
<td>Internal Audit Records</td>
<td>Statutory Returns Records</td>
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<tr>
<th><strong>Income Tax records</strong></th>
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<tbody>
<tr>
<td>Pay As You Earn (PAYE) Records</td>
<td>Documents Issued to Employees for Income Tax</td>
</tr>
<tr>
<td>Payments to SARS on Behalf of Employees</td>
<td>Statutory Records</td>
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<tr>
<th><strong>Human Resources</strong></th>
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<tbody>
<tr>
<td>Employment Contracts</td>
<td>Employment Equity Plan (if applicable)</td>
</tr>
<tr>
<td>Medical Aid Records</td>
<td>Pension Fund Records</td>
</tr>
<tr>
<td>Salary Records</td>
<td>Disciplinary Records</td>
</tr>
<tr>
<td>Disciplinary Code</td>
<td>Leave Records</td>
</tr>
<tr>
<td>Training Records and Manuals</td>
<td>Identity Documents</td>
</tr>
<tr>
<td>Bank and Address Particulars</td>
<td>Background Check (criminal records, credit checks)</td>
</tr>
<tr>
<td>Life Cover and Provident fund: tax reference number and ID numbers of nominated beneficiaries</td>
<td></td>
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<tr>
<th><strong>Environmental Health and Beauty</strong></th>
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<tbody>
<tr>
<td>Environmental Assessments</td>
<td>Accident Investigation Reports</td>
</tr>
<tr>
<td>Safety Organizational Structures</td>
<td>Policies and Procedures</td>
</tr>
<tr>
<td>Information Relating to the Fire Systems</td>
<td>Machinery Tests Records</td>
</tr>
<tr>
<td>Contractor Agreements</td>
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</tbody>
</table>
11.3 Appendix B: Fees Payable

Request fees:

- Where a Requestor submits a request for access to information held by Pick n Pay relating to a person other than the Requestor, a request fee in the amount of R50.00 is payable up-front. Upon receipt of payment, Pick n Pay will further process the received request.

- If access to a record/s is granted by Pick n Pay, the Requestor may be required to pay an access fee for the search for, the preparation and for the re-production of the record/s. The access fees which apply are set out below.

- An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of Section 54 (8). This includes the following:
  - A single person whose annual income does not exceed R14,712.00; or
- Married persons or a person and his/her life partner whose annual income does not exceed R27,192.00

- Pick n Pay, as a registered Private Body, will add VAT to all aforementioned fees in terms of the Value Added Tax (VAT) Act.

- A Requestor may lodge a complaint with a court of law against the payment of the request fee.

- All payments shall be made in the form of an Electronic Funds Transfer (EFT) to the Pick n Pay bank account. Banking details to be obtained from Pick n Pay’s Information Officer.

Pick n Pay is entitled to withhold a record until the required access fees have been paid. The applicable access fees which will be payable are:

<table>
<thead>
<tr>
<th>Access Fees for Reproduction</th>
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<tbody>
<tr>
<td>Each photocopy of A4 sized part or a part thereof</td>
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<tr>
<td>Each photocopy of A4 sized page or part thereof held on a computer or in electronic or machine-readable form</td>
</tr>
<tr>
<td>Copy of a computer readable memory stick</td>
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<tr>
<td>Copy of a computer readable compact disc</td>
</tr>
<tr>
<td>Transcript copy of visual images of an A4 sized page or part thereof</td>
</tr>
<tr>
<td>Copy of visual images</td>
</tr>
<tr>
<td>Transcription of an audio record on an A4 sized page or part thereof</td>
</tr>
<tr>
<td>Copy of the audio record</td>
</tr>
<tr>
<td>Times reasonably spent to locate a record and preparation for the disclosure or part thereof</td>
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</table>

<table>
<thead>
<tr>
<th>Request Fees</th>
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</thead>
<tbody>
<tr>
<td>Access to a record containing personal information of the Requestor</td>
</tr>
<tr>
<td>Any other access to a record as a public body made by a Requestor and another person other than the Requestor</td>
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</tbody>
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<tr>
<th>Postal Fees</th>
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<tbody>
<tr>
<td>Postage of a record to the Requestor</td>
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<tr>
<td>Courier of a record to the Requestor</td>
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**Deposits:**

- Where Pick n Pay receives a request for access to information held on a person other than the Requestor himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record/s of disclosure will take more than 6 (six) hours, a deposit is payable by the Requestor.
• The Requestor may make an application to Court to be exempted from the requirement to pay this deposit.
• If a deposit is made and access to the record/s requested is subsequently refused, the deposit will be repaid to the Requestor. The amount of the deposit is equal to a $1/3$ (one third) of the amount of the applicable access fee.