



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

PUBLIC

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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, Richard van Rensburg

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

4. Guide of the South African Human Rights Commission

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 countries' 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: infoereg@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;
6. Consumer Affairs (Unfair Business Practices Act), 71 of 1988;
7. Consumer Protection Act No. 68 of 2008;
8. The Value-Added Tax Act No. 89 of 1991;

9. Income Tax Act No. 58 of 1962;
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;
14. Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000;
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;
20. Unemployment Insurance Fund Act No. 63 of 2001;
21. The Medical Schemes Act No. 131 of 1998;
22. The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993;
23. National Environment Management Act No. 107 of 1998;
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;
33. Prevention of Organised Crime Act No. 121 of 1998;
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

http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf

11.2 Appendix B: Record Categories

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

Sales	
Pricing Information	Sales Policies Procedures
Sales Forecasts	General Correspondence
Product Sales Records/ Statistics	Customer Complaints
Customer Information	Smartshopper Card Details
Logistics	
Information Relating to Freight Agents	Inventory
Shipping Information	Delivery Plans
Policies and Procedures	General Correspondence
Customs Documentation	
Information Technology (IT)	
IT Policies and Procedures	Network Diagrams
Configuration Setups	User Manuals
System Performance Records	General Correspondence
Asset Registers - IT related hardware and software	User Awareness
Security Certifications	Privacy Program
Project Plans	Investment Plans and Budgets
Marketing	
Statistical Information on the Market	Smart Shopper Information
Customer Profiling / Purchase Information	Historical Records of Promotions
Information on Promotions, Products and Suppliers	Strategic Marketing Campaign Documents

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:

Access Fees for Reproduction	
Each photocopy of A4 sized part or a part thereof	R1.10
Each photocopy of A4 sized page or part thereof held on a computer or in electronic or machine-readable form	R0.75
Copy of a computer readable memory stick	R7.50
Copy of a computer readable compact disc	R70.00
Transcript copy of visual images of an A4 sized page or part thereof	R40.00
Copy of visual images	R60.00
Transcription of an audio record on an A4 sized page or part thereof	R20.00
Copy of the audio record	R30.00
Times reasonably spent to locate a record and preparation for the disclosure or part thereof	R30.00 per hour
Request Fees	
Access to a record containing personal information of the Requestor	Free
Any other access to a record as a public body made by a Requestor and another person other than the Requestor	R50.00
Postal Fees	
Postage of a record to the Requestor	R9.75
Courier of a record to the Requestor	R99.00

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.