

BASF CATALYSTS SOUTH AFRICA PROPRIETARY LIMITED
Registration Number: 2022/663474/07

PAIA MANUAL

Manual in terms of Section 51 of the Promotion of
Access to Information Act 2 of 2000 (as amended or
replaced from time to time)

CONTENTS

1.	DEFINITIONS AND INTERPRETATION	1
2.	PREAMBLE	3
3.	INTRODUCTION TO THE COMPANY	4
4.	COMPANY'S DETAILS	5
5.	THE OFFICIAL GUIDE	5
6.	CATEGORIES OF INFORMATION AVAILABLE IN TERMS OF PAIA.....	6
7.	INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION	10
8.	INFORMATION AUTOMATICALLY AVAILABLE	14
9.	SUBJECTS, CATEGORIES AND DESCRIPTION OF INFORMATION HELD	14
10.	PROCEDURE FOR REQUESTING ACCESS TO INFORMATION IN TERMS OF PAIA.....	14
11.	GROUND FOR REFUSAL	16
12.	THE INFORMATION OFFICER'S DECISION AND REQUESTER'S RECOURSE ..	17
13.	PROTECTION OF PERSONAL INFORMATION THAT IS PROCESSED BY THE COMPANY	17
	SCHEDULE 1 : FORM 2 REQUEST FOR ACCESS TO RECORD	22
	SCHEDULE 2 FORM 3 OUTCOME OF REQUEST AND OF FEES PAYABLE.....	26
	SCHEDULE 3 DESCRIPTION OF RECORDS OF PERSONAL INFORMATION HELD AND PURPOSES OF PROCESSING SUCH PERSONAL INFORMATION.....	28
	SCHEDULE 4 DESCRIPTION OF DATA SUBJECT OR CATEGORY OF DATA SUBJECTS AND CATEGORIES OF PERSONAL INFORMATION IN RELATION TO THE DATA SUBJECTS	32
	SCHEDULE 5 CROSS-BORDER FLOWS OF PERSONAL INFORMATION	35
	SCHEDULE 6 SECURITY MEASURES TO BE IMPLEMENTED BY THE COMPANY	36
	SCHEDULE 7 FORM FOR THE OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF POPIA	37
	SCHEDULE 8 FORM FOR THE REQUEST TO DELETE OR CORRECT PERSONAL INFORMATION IN TERMS OF POPIA	39
	SCHEDULE 9 FORM FOR THE LODGING OF A COMPLAINT	41

1. DEFINITIONS AND INTERPRETATION

"Company" means BASF Catalysts South Africa Proprietary Limited (registration number 2022/663474/07);

"Conditions for Lawful Processing" means the conditions for the lawful processing of Personal Information as fully set out in POPIA and in section 13 of this Manual;

"Data Subject" has the meaning ascribed thereto in section 1 of POPIA and includes both natural persons and juristic persons;

"Employee" means any person who works for, or provides services to or on behalf of the Company, and receives or is entitled to receive remuneration, which includes, without limitation, directors, permanent, temporary and part-time staff;

"Information Officer" means such person that has been registered as the information officer with the Information Regulator in accordance with POPIA, being Zinathi Twaku or such other person who is appointed as information officer from time to time;

"Manual" means this manual prepared in accordance with section 51 of PAIA;

"PAIA" means the Promotion of Access to Information Act 2 of 2000, as amended or replaced from time to time;

"Personal Information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to:

- (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- (b) information relating to the education or the medical, financial, criminal or employment history of the person;
- (c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- (d) the biometric information of the person;
- (e) the personal opinions, views or preferences of the person;
- (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- (g) the views or opinions of another individual about the person; and
- (h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;

"POPIA" means the Protection of Personal Information Act 4 of 2013, as amended or replaced from time to time;

"POPIA Regulations" means the regulations promulgated in terms of section 112(2) of POPIA;

"Private Body" means:

- (a) a natural person who carries or has carried on any trade, business or profession, but only in such capacity;
- (b) a partnership which carries or has carried on any trade, business or profession; or
- (c) any former or existing juristic person, but excludes a public body;

"Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including:

- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- (b) dissemination by means of transmission, distribution or making available in any other form; or
- (c) merging, linking, as well as restriction, degradation, erasure or destruction of information;

"Record" of, or in relation to, a Private Body, means any recorded information:

- (a) regardless of form or medium;
- (b) in the possession or under the control of that Private Body; and
- (c) whether or not it was created by that Private Body;

"Requester", in relation to a Private Body, means any person, including, but not limited to, a public body or an official thereof, making a request for access to a Record of that Private Body or any person acting on behalf of such person;

"Request for Access", in relation to a Private Body, means a request for access to a Record of a Private Body in terms of section 50 of PAIA;

"Responsible Party" means a public or Private Body or any other person which, alone or in conjunction with others, determines the purpose of and means for Processing Personal Information;

"Special Personal Information" means Personal Information concerning religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life, biometric information and criminal behaviour.

Capitalised terms used in this Manual have the meanings ascribed thereto in section 1 of POPIA and PAIA as the context specifically requires, unless otherwise defined herein.

2. PREAMBLE

2.1 Promotion of Access to Information Act, 2000

The Promotion of Access to Information Act 2000 gives effect to the section 32 Constitutional right of access to information held by the State and any information that is held by another person that is required for the exercise and protection of any rights and to provide for matters connected therewith. Where a request is made in terms of PAIA and the requester demonstrates why the information is required to exercise or protect a legal right, the body to which the request is made is obliged to give access to the requested information, except where PAIA expressly provides that the information may or must not be released. It is important to note that PAIA recognises certain limitations to the right of access to information including, but not exclusively, limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective, efficient and good governance in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

2.2 Protection of Personal Information Act, 2013

The Protection of Personal Information Act 4 of 2013 promotes the protection of Personal Information processed by public and private bodies, inducing certain conditions so as to establish minimum requirements for the processing of Personal Information. POPIA amended certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of Personal Information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and in terms of PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of Personal Information and to provide for matters concerned therewith.

2.3 PAIA came into operation on 23 November 2001 and POPIA came into effect on 1 July 2020, subject to a 12-month grace period which ended on 30 June 2021. The Company is a Private Body as defined in PAIA. Section 51 of PAIA requires that the Company, as a Private Body, compiles a manual giving information to the public regarding the procedure to be followed when requesting information from the Company for the purpose of exercising or protecting rights.

2.4 The Manual is not exhaustive of, nor does it comprehensively deal with every procedure provided for in PAIA and POPIA. Requesters are advised to familiarise themselves with the provisions of PAIA and POPIA before making any request to the Company in terms of PAIA and POPIA.

2.5 This Manual is available for public inspection:

- (a) At the physical address of the Company, free of charge; and
- (b) On the Company website, free of charge; and
- (c) On request by any person (along with payment of a prescribed fee).

2.6 The Manual is available from the designated Information Officer, whose details appear in clause 4 below.

2.7 Nothing stated in this Manual shall limit, or constitute a waiver of, any of the rights of the Requester

or the Company in terms of PAIA and POPIA.

- 2.8 The Company makes no representation and gives no undertaking or warranty that the information in this Manual or any other information provided by it to a Requester is complete or accurate, or that such information is fit for any purpose. All users of any such information shall use such information entirely at their own risk, and the Company shall not be liable for any loss, expense, liability or claims, of whatsoever nature or howsoever arising, resulting from any use of this Manual or any other information provided in this Manual or from any error therein.

3. INTRODUCTION TO THE COMPANY

- 3.1 BASF Catalysts South Africa Proprietary Limited / Company represents BASF's Mobile Emissions Catalysts manufacturing facility which produces catalysts.

- 3.2 The Company has compiled this Manual, not only to comply with the provisions of PAIA and POPIA, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in the Company's possession which will assist them in the exercise and protection of their rights. Where information requested is not immediately available the Company will endeavour to make it available in a timely manner insofar as that is reasonably practicable in the circumstances.

- 3.3 This Manual sets out the procedure to be followed to facilitate a request for access to information as well as the following information:

- (a) the categories of Records held by the Company which are available without a person having to submit a formal PAIA request;
- (b) the purpose of the Processing of Personal Information;
- (c) the process for making a Request for Access to a Record of the Company;
- (d) the categories of Data Subjects and of the information or categories of information relating thereto;
- (e) a description of the Records of the Company which are available in accordance with any other legislation;
- (f) the contact details of the Information Officer and/ or Deputy Information Officer who will assist the public with the Records they intend to access;
- (g) a description of the guide on how to use PAIA, as updated by the Information Regulator and how to obtain access to the guide;
- (h) the recipients or categories of recipients to whom Personal Information may be supplied;
- (i) any planned transborder flows of Personal Information; and
- (j) a general description of the security measures implemented by the Company to ensure the confidentiality, integrity and availability of the information which is to be processed.

4. COMPANY'S DETAILS

Full name: BASF Catalysts South Africa Proprietary Limited

Registration number: 2022/663474/07

Registered address:

Business address: 425 Struanway

Struandale

Gqeberha

6200

South Africa

Postal address: P.O. Box 14259

Sidwell

Port Elizabeth

Eastern Cape

6061

Telephone number: +27 041 401 1000

Information Officer: Zinathi Twaku

Email address of Information Officer: information.officer@basf-catalystsmetals.com

5. THE OFFICIAL GUIDE

5.1 The Information Regulator has in terms of section 10(1) of PAIA amended, updated and made available a revised guide containing information reasonably required by a person wishing to exercise any right in terms of PAIA and POPIA ("**Guide**").

5.2 The Guide is available in each of the official languages and in braille.

5.3 The Guide that has been published contains the following information:

(a) the objects of PAIA and POPIA;

(b) the postal and street address, phone and fax number, and if available, the electronic mail

address of the Information Officer of:

- (i) every public body; and
 - (ii) every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
- (c) the manner and form of a Request for Access to:
- (i) a Record of a public body; and
 - (ii) a Record held by a Private Body;
- (d) assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- (e) the assistance available from the Information Regulator in terms of PAIA and POPIA;
- (f) all remedies in law regarding an act or an omission in respect of a right or duty conferred or imposed by PAIA and POPIA including how to lodge an internal appeal, a complaint to the Information Regulator and a court application;
- (g) the requirements for a public body and Private Body, respectively, to compile a Manual, and how to obtain access to a Manual;
- (h) the voluntary disclosure of categories of records by a public body and Private Body, respectively;
- (i) the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to Requests for Access; and
- (j) the regulations made in terms of section 92 of PAIA.
- 5.4 A copy of this Guide is available for inspection upon request to the Information Officer of the Company during normal working hours. It is also on the Information Regulator's website.

6. CATEGORIES OF INFORMATION AVAILABLE IN TERMS OF PAIA

- 6.1 The Company holds the following categories of information which will be available for inspection in terms of PAIA. The procedure in terms of which such Records may be requested from the Company is set out in section 10 of this Manual. The Records listed below will not in all instances be provided to a Requester who requests them in terms of PAIA as the Requester is required to identify the right the Requester is seeking to exercise or protect and provide an explanation of why the requested Record is required for the exercise or protection of that right. Furthermore, the request may be denied on the basis of the grounds of refusal under PAIA.
- 6.2 Examples of categories of Records and description of Records that may be held by the Company from time to time are as follows:
- (a) Statutory information/Records

- (i) Records of Minutes, as well as Resolutions passed (where applicable);
 - (ii) All incorporation documents including Memorandum & Articles of Association, copies of all CK and/or CM forms lodged with the CIPC;
 - (iii) Directors attendance register;
 - (iv) Combined computerised register.
- (b) Financial Records (where applicable)
- (i) Annual Financial Statements;
 - (ii) Asset records;
 - (iii) Rental agreements;
 - (iv) Tax Records including tax returns;
 - (v) VAT returns;
 - (vi) Debtors' records;
 - (vii) Creditors' records;
 - (viii) Insurance records;
 - (ix) Auditors' reports;
 - (x) Interim and annual financial statements;
 - (xi) Bank statements and other banking records (including electronic banking records);
 - (xii) Invoices and billing information;
 - (xiii) Records regarding the Company's financial commitments.
- (c) Accounting Records
- (i) Books of account including journals and ledgers;
 - (ii) Delivery notes, orders, invoices, statements, receipts and vouchers.
- (d) Taxation Records
- (i) Employee tax information;
 - (ii) Company tax information.
- (e) Statutory and other Employee Records including internal policies and procedures

- (i) Personnel Records of Employees;
- (ii) Conditions of employment;
- (iii) Employment contracts;
- (iv) Employment policies and procedures including the Disciplinary Code and the Code of Conduct;
- (v) Medical aid records;
- (vi) Provident fund records;
- (vii) Disciplinary records;
- (viii) Salary records;
- (ix) Leave records;
- (x) Salary and wage register and other payroll records;
- (xi) Registrations with Department of Labour, Unemployment Insurance Fund, Compensation Fund and in terms of the Skills Development Levies Act;
- (xii) Records of Unemployment Insurance Fund contributions;
- (xiii) Records relating to employee benefits;
- (xiv) Health and safety records;
- (xv) Employee specific court orders;
- (xvi) Documents issued to employees for income tax purposes;
- (xvii) Records of payments made to the South Africa Revenue Service on behalf of employees;
- (xviii) All other statutory compliance, such as:
 - (A) Department of Labour;
 - (B) Unemployment Insurance Fund;
 - (C) VAT;
 - (D) Skills Development Levies;
 - (E) UIF;
 - (F) The Compensation Fund; and
 - (G) in terms of the Skills Development Levies Act;

- (xix) Workplace skills plans and training records; and
 - (xx) Other internal records.
- (f) Agreements and contracts
All agreements and/ or contracts of a material nature.
- (g) Administration, secretarial and legal Records (where applicable)
 - (i) Complaints, pleadings, briefs and other documents pertaining to any actual, pending or threatened litigation, arbitration or investigation;
 - (ii) Shareholder records;
 - (iii) Share register;
 - (iv) Minutes of meetings of directors;
 - (v) Records relating to the incorporation of the Company;
 - (vi) Minutes of meetings of committees and sub-committees;
 - (vii) Powers of Attorney;
 - (viii) Records of litigation / arbitration proceedings;
 - (ix) Trade mark, copyright, patent, service mark certificates and registrations;
 - (x) Material licences, permits and authorisations.
- (h) Insurance
 - (i) Insurance policies;
 - (ii) Claim records;
 - (iii) Details of insurance coverage, limits and insurers.
- (i) Information Technology
 - (i) Hardware;
 - (ii) Operating systems and other operational records;
 - (iii) Telephone and other lines;
 - (iv) Software packages;
 - (v) Agreements;

- (vi) Support and maintenance agreements;
- (vii) User manuals and licences.
- (j) Sales, advertising, promotional and marketing materials;
- (k) Databases.

7. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

The Records listed below are examples of categories of Records and description of Records that may be held by the Company from time to time. These Records will not in all instances be provided to a Requester who requests them in terms of PAIA as the Requester is required to identify the right the Requester is seeking to exercise or protect and provide an explanation of why the requested Record is required for the exercise or protection of that right. Furthermore, the request may be denied on the basis of the grounds of refusal under PAIA.

Category of Records	Applicable Legislation
Employment records - each employee's name and occupation; the time worked by each employee; the remuneration paid to each employee; and the date of birth of any employee under 18 years of age	Basic Conditions of Employment Act, 1997

<p>Accounting records - information concerning the financial affairs of the Company, including: purchase and sales records, general and subsidiary ledgers and other documents and books used in the preparation of financial statements; and copies of all reports presented at the annual general meetings of the Company; and copies of the Company's annual financial statements and accounting records.</p> <p>Constitutional Documents - a copy of the Company's Memorandum of Incorporation, and any amendments or alterations to it, rules of the Company; a record of the Company's current and past directors.</p> <p>Shareholder documents - notices and minutes of all shareholders meetings, including all resolutions adopted by shareholders; and any document that was made available by the Company to the holders of securities in relation to each such resolution; and a copy of the Company's securities register; and copies of any written communications sent generally by the Company to all holders of the Company's securities.</p> <p>Director records - minutes of all meetings and director resolutions, or directors' committees, or the audit committee; records of the Company's directors including: full name; identity number or date of birth; nationality and passport number, occupation; date of their most recent election or appointment as director; name and registration number of every other company or foreign company of which the person is a director.</p> <p>Company secretarial records - a record of the Company secretaries and auditors, including, in respect of each person appointed as Company secretary or auditor: the name of each such person; and the date of every such appointment; and if a firm or juristic person is appointed: the name, registration number and registered address.</p>	<p>Companies Act, 2008</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------

<p>Sales records - records of each transaction containing the following: the supplier's full name, or registered business name, and VAT registration number, if any; the address of the premises at which, or from which, the goods or services were supplied; the date on which the transaction occurred; a name or description of any goods or services supplied or to be supplied; the unit price of any particular goods or services supplied or to be supplied; the quantity of any particular goods or services supplied or to be supplied; the total price of the transaction, before any applicable taxes; the amount of any applicable taxes; and the total price of the transaction, including any applicable taxes.</p>	<p>Consumer Protection Act, 2008</p>
<p>Employment records - records in respect of the Company's workforce, its employment equity plan and any other records relevant to the Company's compliance with the Employment Equity Act, 1998.</p>	<p>Employment Equity Act, 55 of 1998</p>
<p>Financial records - Information pertaining to clients or prospective clients provided to verify a person's identity; information obtained concerning the nature of the business relationship; the intended purpose of the business relationship; and the source of the funds which the prospective client is expected to use in concluding transactions in the course of the business relationship; records of all transactions concluded in the course of the business relationship with the client, including, without limitation, the amount involved and the currency in which it was denominated; the date on which the transaction was concluded; the parties to the transaction; the nature of the transaction; business correspondence; and where the Company provides account facilities to clients, the identifying particulars of all accounts and the account files at the Company that are related to the transaction.</p>	<p>Financial Intelligence Centre Act, 38 of 2001</p>

Accounting records - books of account, records or other accounting documents relating to the Company, including, without limitation, the amounts of remuneration paid or due by the Company to each employee; the amount of employees' tax deducted or withheld from the amounts of remuneration paid to employees; and the income tax reference number of each employee where that employee is registered as a taxpayer.	Income Tax Act, 58 of 1962
Employment records – records of all collective agreements; arbitration awards; and/or wage determinations.	Labour Relations Act, 1995
Employment records – a record of each recommendation made to the Company or an inspector regarding any matter affecting the health or safety of persons at the workplace.	Occupational Health and Safety Act, 85 of 1993
Pension fund records - The rules of the fund to which the Company's employees belong.	Pension Funds Act, 24 of 1956
The Company's PAIA Manual.	Promotion of Access to Information Act, 2000
Records containing Personal Information – personal information relating to: employees of the Company; the Company's customers; the Company's suppliers/ vendors; the Company itself; and the Company's group of companies.	Protection of Personal Information Act, 2013
Learnership records - the learnership agreements between learners and the Company; and learners' contracts of employment, if applicable.	Skills Development Act, 97 of 1998
Records relating to the skills development levy.	Skills Development Levies Act, 9 of 1999
Records containing the Company's street address, and the business's branches; the names, identification numbers and monthly remuneration of each of its employees, and the address at which the employees are employed.	Unemployment Insurance Act, 63 of 2001
Unemployment Insurance records - the Company's contributions to the Unemployment Insurance Fund.	Unemployment Insurance Contributions Act, 4 of 2002

The abovementioned Acts, as amended, apply and the list is not exhaustive.

8. INFORMATION AUTOMATICALLY AVAILABLE

- 8.1 The Company may, on a voluntary basis, make available a description of categories of records that are automatically available without a person having to request access in terms of PAIA.
- 8.2 At this stage, the following Records are automatically available for inspection, downloading, purchase and/or printing or photocopying, either from the Company's website or upon request: Company's PAIA Manual and Company's External Privacy Statement.
- 8.3 The only fee for access to these records may be a prescribed fee for reproduction.

9. SUBJECTS, CATEGORIES AND DESCRIPTION OF INFORMATION HELD

Please note that the Records listed in sections 6 and 7 above are not automatically available, and the process outlined in PAIA in respect of Access to Information must be followed.

10. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION IN TERMS OF PAIA

- 10.1 A request must comply with all the procedural requirements as contained in section 53 of PAIA relating to a Request for Access to a Record. These procedural requirements are set out in this section. .
- 10.2 If a Requester wishes to request access to any of the aforementioned categories of information, they are required to complete a request form as set out in schedule **Error! Reference source not found.** hereto. These forms are also available from the Company's Information Officer (whose contact details are in section 4 of this Manual).
- 10.3 The completed request must be submitted, together with the prescribed fee where applicable, to the Information Officer at the postal or physical address or electronic mail address recorded in section 4 above.
- 10.4 In certain instances there is a prescribed fee (payable in advance where applicable) for requesting and accessing information in terms of PAIA. A Requester may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information that is requested, including copying charges.
- 10.5 A Requester may lodge a complaint with the Information Regulator or make an application with a court against the tender or payment of the request fee or the tender or payment of a deposit, as the case may be.
- 10.6 It is important to note that access is not automatic - the Requester must identify the right they are seeking to protect and explain why the Record requested is required for the exercise or protection of that right. The Request for Access form must be completed with enough particularity to at least enable the Information Officer to identify the following:
 - (a) the Record/s requested;
 - (b) the identity of the Requester;

- (c) the form of access that is required, if the request is granted;
- (d) the postal address of the Requester; and
- (e) the right that the Requester is seeking to protect and an explanation as to why the Record is necessary to exercise or protect such a right.

10.7 The Requester will be notified in the manner indicated by him/her/it on the Request for Access form (schedule 2) whether or not his/her/its request has been approved.

10.8 Timeline for processing request and extension of prescribed time period

- (a) The Company will process the Request for Access within 30 days of receipt of the Request for Access, unless the Request for Access is of such a nature that an extension of the prescribed time limit is necessitated in accordance with section 57 of PAIA. In the case of an extension of the time limit, the Requester has the right to lodge a complaint with the Information Regulator by following the process and completing the form prescribed by POPIA (see schedule 9 in this regard). The Requester may also make an application with a court against the refusal of the request.
- (b) If, in addition to a written reply from the Information Officer, the Requester wishes to be informed of the decision on the Request for Access in any other manner, the Requester must state the manner and the particulars so required.
- (c) If a Request for Access is made on behalf of another person, the Requester must submit proof of the capacity in which the Requester is making the request to the reasonable satisfaction of the Information Officer.
- (d) If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.
- (e) The prescribed fee for reproduction of the Record requested by a Personal Requester will be charged in accordance with PAIA.
- (f) If the search for a Record of the Company in respect of which a Request for Access by a Requester has been made; and the preparation of that Record for disclosure would, in the opinion of the Information Officer, require more than the hours prescribed for this purpose for Requesters, the Information Officer must by notice require the Requester to pay as a deposit the prescribed portion (being not more than one third) of the access fee which would be payable should the request be granted.
- (g) The Requester may lodge a complaint with the Information Regulator against the tender of the request fee or the tender or payment of a deposit, as the case may be (see schedule 9).

10.9 Third parties

If the Requester's interest affects a third party then the Company will first need to inform the third party within 21 days of receiving the request and the third party will have 21 days to make representations and/or submissions regarding the granting of access to the Record. If the Information Officer does decide to grant access to the Record after considering these submissions, the third

party that has been affected has 30 days in which to appeal the decision in the High Court or to lodge a complaint with the Information Regulator in the prescribed form. If no appeal or complaint is lodged within 30 days, the Requester must be granted access to the Record.

11. GROUNDS FOR REFUSAL

11.1 There are various grounds upon which the Company may or must refuse a Request for Access to a Record in accordance with Chapter 4 of PAIA. They are:

- (a) the protection of Personal Information of a third person (who is a natural person, including a deceased person) from unreasonable disclosure (section 63 of PAIA);
- (b) the protection of commercial information of a third party if the Records contain trade secrets, financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party (section 64 of PAIA);
- (c) if the disclosure would result in the breach of a duty of confidence owed to a third party (section 65 of PAIA);
- (d) if the disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person (section 66 of PAIA);
- (e) if the Record was produced during legal proceedings, unless that legal privilege has been waived (section 67 of PAIA);
- (f) if the Record contains trade secrets, financial or sensitive information or any information that would put the private body at a disadvantage in negotiations or prejudice it in commercial competition (section 68 of PAIA);
- (g) if the Record contains information about research being carried out or about to be carried out on behalf of a third party (section 69 of PAIA).

11.2 Section 70 of PAIA contains an overriding provision. Disclosure of a Record that has been requested is compulsory if it would reveal a substantial contravention of, or failure to comply with the law, or imminent and serious public safety or environmental risk and the public interest in the disclosure of the Record clearly outweighs the harm contemplated by its disclosure.

11.3 Records that cannot be found

If all reasonable steps have been taken to find a Record requested and there are reasonable grounds for believing that the record:

- (a) is in the Private Body's possession but cannot be found; or
- (b) does not exist,

the Head of the Private Body must, by way of affidavit or affirmation, notify the Requester that it is not possible to give access to that Record. The Company will include information regarding the steps that were taken to try to locate the Record.

12. THE INFORMATION OFFICER'S DECISION AND REQUESTER'S RECOURSE

- 12.1 Once the Information Officer has considered all the submissions, including any submissions by a third party if the Request affects a third party, they will make a decision as to whether or not access to the Record will be granted. If access is granted the Requester must then be granted access to the Record within 30 days of being informed of the decision.
- 12.2 The Requester is entitled to receive proper reasons as to why a request is refused.
- 12.3 If the Information Officer does not grant the Requester Access to the Record the Requester is entitled in accordance with PAIA to apply to a court for relief within 180 days of notification of the decision. Such relief may include any order compelling the Record or Records requested to be made available to the Requester or for another appropriate order. The court will determine whether the Records should be made available or not. The Requester may also lodge a complaint with the Information Regulator against the refusal of the request.
- 12.4 The Requester may also approach the Information Regulator and lodge a complaint in accordance with section 74 of POPIA in the prescribed form against the access fee to be paid or the form of access granted (refer to schedule 9). The details of the Information Regulator are as follows:

The Information Regulator (South Africa)
JD House
27 Stiemens Street
Braamfontein
Johannesburg
2001
Email: PAIAComplaints@inforegulator.org.za

- 12.5 The Company does not have any internal appeal procedures. As such, the decision made by the Information Officer is final and Requesters will have to exercise the external remedies at their disposal in the event that a Request for Access is refused.

13. PROTECTION OF PERSONAL INFORMATION THAT IS PROCESSED BY THE COMPANY

13.1 Conditions for Lawful Processing

Chapter 3 of POPIA sets out the Conditions for Lawful Processing of Personal Information which must be complied with when a Responsible Party Processes Personal Information. Below is a description of the eight Conditions for Lawful Processing as contained in POPIA:

(a) Accountability

POPIA provides that the Responsible Party is obliged to ensure that the Conditions for Lawful Processing and all other measures required in terms of POPIA are complied with.

(b) Processing limitation

The Processing must be done lawfully and in a manner that does not infringe the right to privacy of a Data Subject. Personal Information may only be Processed if, given the purpose for which it is Processed, it is adequate, relevant and not excessive. There must furthermore

be a justification for Processing Personal Information. Consent is one of the justifications but Personal Information may be Processed in the absence of consent if it is necessary for pursuing the legitimate interests of the Responsible Party or the third party to whom it is disclosed or for the protection of the legitimate interests of the Data Subject. It may also be Processed if it complies with an obligation imposed by law or where it is necessary for the performance of a contract. The Processing of Special Personal Information or Personal Information of children generally requires consent, subject to certain limited exceptions.

(c) Purpose specification

POPIA provides that Personal Information must be collected for a specific, explicitly defined and lawful purpose related to a function or activity of the Responsible Party. Subject to certain exceptions, Records of Personal Information must not be retained for longer than is necessary to achieve the purpose for which it was collected or subsequently Processed, and must be destroyed or deleted once the Responsible Party is no longer authorised to retain the Record. Such exceptions include where:

- (i) the retention is required or authorised by law;
- (ii) the Data Subject has consented to the retention; or
- (iii) the Personal Information is being retained for historical, statistical or research purposes.

(d) Further Processing Limitation

POPIA provides that the further Processing of Personal Information must be in accordance with or compatible with the purpose for which the Personal Information was collected.

(e) Information quality

A Responsible Party must take reasonably practicable steps to ensure that Personal Information is complete, accurate, not misleading and updated where necessary.

(f) Openness

A Responsible Party is required to maintain the documentation of all Processing operations under its responsibility as required in terms of PAIA and must take reasonably practicable steps to ensure that the Data Subject is made aware of the Personal Information being collected, together with other stipulated information, subject to certain exceptions.

(g) Security safeguards

POPIA provides that a Responsible Party must secure the integrity and confidentiality of Personal Information in its possession or under its control by implementing appropriate, reasonable technical and organisational measures to prevent the loss of, damage to or unauthorised destruction of Personal Information, or unlawful access to or Processing of Personal Information. In addition, the Responsible Party should take all reasonable measures to identify all reasonably foreseeable internal and external risks, establish and maintain appropriate safeguards against risks identified, verify that the safeguards are

effectively implemented and ensure that the safeguards are updated in response to new risks.

(h) Data subject participation

A Data subject is entitled to request a Responsible Party to confirm whether or not it holds Personal Information about the Data Subject, and to request the Record itself or a description of the Record, subject to the requirements in PAIA. A Data Subject may also request a Responsible Party to correct or delete Personal Information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, obtained unlawfully, or to destroy or delete personal information that a Responsible Party is no longer authorised to retain.

13.2 Purpose of the Processing of Personal Information by the Company

The purposes for which the Company Processes or will Process Personal Information are set out in schedule .

13.3 Categories of Data Subjects and Personal Information/Special Personal Information relating thereto

As per section 1 of POPIA, a Data Subject may either be a natural or a juristic person. The categories of Data Subjects in relation to which the Company Processes Personal Information are set out in schedule 4.

13.4 Recipients or categories of recipients of Personal Information

Depending on the nature of the data, the Company may supply information or records to the following categories of recipients:

- (a) **Other Group Companies:** Your Personal Information may be shared between different functions and Group Companies;
- (b) **Third Parties / Service Providers / Partners:** We may share your Personal Information with service providers including:
 - (i) Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data;
 - (ii) Any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or discovery in terms of the applicable rules (i.e. the Competition Commission in terms of the Competition Act, 1998);
 - (iii) South African Revenue Service, or another similar authority;
 - (iv) Anyone making a successful application for access in terms of PAIA;
 - (v) Any credit bureau or credit providers industry association or other association for an industry in which the Company operates, subject to the provisions of POPIA and the National Credit Act, 2005;
 - (vi) Insurance providers;

- (vii) Health care providers;
- (viii) Travel agents;
- (ix) Payroll providers;
- (x) Payment partners;
- (xi) IT service providers;
- (xii) Independent accountants, auditors or attorneys; and
- (xiii) any other third parties that have a legitimate interest in obtaining the information.

13.5 Cross-border flows of Personal Information

- (a) Section 72 of POPIA provides that Personal Information may only be transferred by a Responsible Party to a third party in a foreign country outside of the Republic of South Africa in the following circumstances:
 - (i) if the third party who is the recipient of the Personal Information is subject to a law, binding corporate rules or a binding agreement which provides an adequate level of protection that effectively upholds principles similar to the Conditions for Lawful Processing under POPIA, including provisions relating to the further transfer of Personal Information from the recipient to third parties who are in a foreign country; or
 - (ii) if the Data Subject consents to the transfer of their Personal Information; or
 - (iii) if the transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
 - (iv) if the transfer is necessary for the conclusion or performance of a contract between the Responsible Party and a third party, concluded in the interests of the Data Subject; or
 - (v) if the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject would in all likelihood provide such consent.
- (b) Schedule 5 contains a non-exhaustive list of the countries to which Personal Information may from time to time be transferred.

13.6 Description of information security measures to the implemented by the Company

The types of security measures implemented by the Company from time to time in order to secure the integrity and confidentiality of the Personal Information and ensure that Personal Information is protected from loss, damage, unauthorized destruction or unlawful access are listed in schedule 6 hereto.

13.7 Objection to the Processing of Personal Information by a Data Subject

Section 11(3) of POPIA and Regulation 2 of the POPIA Regulations provides that a Data Subject may object to Processing in the prescribed form attached as schedule 7 to this Manual where the Processing is based on one of the following grounds, unless legislation provides for such Processing:

- (a) Processing protects a legitimate interest of the Data Subject;
- (b) Processing is necessary for the proper performance of a public law duty by a public body;
- (c) Processing is necessary for pursuing the legitimate interests of the Responsible Party or of a third party to whom it is supplied;
- (d) Processing is for purposes of direct marketing other than direct marketing by means of unsolicited electronic communications as referred to in section 69 of POPIA.

13.8 Request for correction or deletion of Personal Information

Section 24 of POPIA and Regulation 3 of the POPIA Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form attached as schedule 8 to this Manual.

**SCHEDULE 1 : 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

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made (<i>when made on behalf of another person</i>)			
Postal Address			
Street Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made (<i>if applicable</i>)			
Identity Number			
Postal Address			

Street Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
PARTICULARS OF RECORD REQUESTED			
<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>			
Description of record or relevant part of the record			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
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			

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

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(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)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(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)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>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.</i>	
Indicate which right to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
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 (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by (State Rank, Name and Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any)	

Signature of Information Officer

**SCHEDULE 2 : FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE**

[Regulation 8]

Note:

1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number:

TO:

Your request dated , refers.

1. You requested:

Personal inspection of information at registered address of public/private body (<i>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</i>) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

OR

2. You requested:

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

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (<i>including transcriptions</i>)	
E-mail of information (<i>including soundtracks if possible</i>)	
Cloud share/file transfer	
Preferred language: (<i>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</i>)	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor			
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

Yes

No

Hours of search		Amount of deposit (calculated on one third of total amount per request)	

The amount must be paid into the following Bank account:

Name of Bank:

Name of account holder:

Type of account:

Account number:

Branch Code:

Reference Nr:

Submit proof of payment to:

Signed at

this

day of

20

Information officer

SCHEDULE 3 : DESCRIPTION OF RECORDS OF PERSONAL INFORMATION HELD AND PURPOSES OF PROCESSING SUCH PERSONAL INFORMATION

This table sets out a non-exhaustive list of the examples of Personal Information that may be Processed and/or held by the Company from time to time and the purposes for which such Personal Information may be Processed from time to time.

Description of Record of Personal Information	Purpose of Processing
<p>Employees / personnel of the Company:</p> <ul style="list-style-type: none"> • name; • date of birth; • contact details including personal email address; • home address; • national ID number; • nationality; • citizenship status; • information about employees and their dependants; • other data necessary to administer the employee's employment; • position; • salary and benefits; • proof of work status and work permit; • bank details; • tax details; • records of absence; • other data necessary to administer an employee's engagement with the Company; • requests for unemployment benefits; • employee's photo and any other data the employee may post on the intranet; • information about events or other activities organised by the Company; • output from performance reviews; • feedback from employees regarding their satisfaction with their current role; • career and development goals; • focus areas; • personal values; 	<ul style="list-style-type: none"> • to register an employee as an employee and administer the contract the employee has entered into with the employee; • to verify that employees comply with the Company's internal policies; • to pay employee's salary, fees or other payments and associated taxes and charges to governmental authorities; • to comply with legally required reporting to authorities; • to reimburse expenses; • to fulfil financial responsibilities; • to provide employees with tools and equipment needed to perform their work; • to carry out pay equity analyses; • to contact employee's dependants in case of emergency; • to administer benefits such as life/health/medical insurance; • to facilitate internal communications; • to administer and run Company events and activities; • to enable employees to develop their careers and give employees relevant training, tools and other support; • to evaluate, assess and follow up on employee performance and career development; • to allow employees to work, communicate and collaborate with internal and external stakeholders; • to detect and search for, and where necessary, investigate and resolve security intrusions, incidents or threats; • to protect the Company's confidential data (including Personal Information),

<ul style="list-style-type: none"> • behavioural preferences; • any warnings or disciplinary actions; • performance metrics, including through third party applications used to perform the job; • log-in details to work-related systems; • internal communications; • CCTV material in certain office areas; • health and sickness records; • trade union membership; • racial or ethnic origin; • religion or belief; • biometric data; • health information; and • driving licence. 	<p>proprietary information; business secrets; and other assets;</p> <ul style="list-style-type: none"> • to monitor certain activity if there is a legal obligation, to carry out a legal investigation if necessary, or for the establishment, exercise of defence of legal claims; • to learn about and improve the Company's processes; • to allow access to the Company offices and printers; • to learn about and improve the organisation; • to register and administer all types of leave; • to assess employee's working capability on health grounds, for equal opportunities monitoring and employment equity reporting; • to handle legal claims or to carry out other legal obligations as an employer; • to implement the Company's employment equity objectives and to check progress with meeting these employment equity objectives; • to ensure the safety of the Company's employees.
<p>Prospective Employees (ie. Candidates):</p> <ul style="list-style-type: none"> • personal identifiers; • professional or employment-related information; • education information, and other data candidates provide us; • professional or employment-related information; • education information, and other data information taken down during the recruitment process; • other information about candidates provided as a result of background checks and other similar records; • personal information collected from interviews and outcomes of any recruiting exercises candidates complete, including personality/reasoning ability tests and, 	<ul style="list-style-type: none"> • to communicate with candidates throughout the hiring process; • to assess candidate's qualifications, skills, and suitability for the considered job; • to verify information provided by candidates and carry out background checks; • to consider candidates for, and inform candidates about future job opportunities; • to prepare the employment agreement if the candidate is offered a job at the Company; • to comply with applicable laws, regulations, legal processes or enforceable governmental requests, e.g. immigration and visa laws and requirements; and • to help us to achieve employment equity

<p>for certain roles, recordings of presentational based interviews.</p> <ul style="list-style-type: none"> • information received from internal and external reference and background checks, including criminal records at offer stage only (if applicable for the position the candidate has applied for, and as permitted by applicable laws); • information related to the candidate's immigration status and visa requirements; • demographic information such as gender, race and ethnicity; and • other information candidates provide to us. 	<p>objectives.</p>
<p>Any third party with whom the Company conducts its business services , suppliers, vendors and third party service providers:</p> <ul style="list-style-type: none"> • authorised persons' names; • dates of birth; • identity numbers; • company registration numbers; • video images; • financial data; • physical and postal addresses; • contact numbers; • email addresses; • copies of the incorporation certificate; • vendors' tax information and tax clearance certificate; • VAT vendor details; • banking details and evidence of banking details; and • various special personal information as part of the background checks which include sanction screening and credit checks. 	<ul style="list-style-type: none"> • on-boarding new vendors and/ or service providers; • effecting payment to vendors on completion of services or delivery of goods; • conducting sanction checks; • conducting criminal and credit checks on potential vendors; • managing accounts payable in respect of vendors; • for statistical and budgetary purposes; • verifying vendor's BEE certification; • controlling access to the premises; and • managing the vendor and/ or service provider relationship and entering into contracts in respect thereof.
<p>The Company</p> <ul style="list-style-type: none"> • director's names; • identity numbers; • passport numbers; • ages; 	<ul style="list-style-type: none"> • conducting the Company's business; • submitting data requests internally and externally for data when engaging with third party juristic entities; • engaging in company secretarial matters; and

<ul style="list-style-type: none">• occupations;• qualifications;• results of background checks;• employee records;• records of performance and/ or objectionable conduct of individuals;• Company registration details;• tax numbers;• physical addresses of Company premises;• Company contact details such as telephone numbers;• web addresses;• financial information; and• accounting-related records.	<ul style="list-style-type: none">• investigating and preventing cases of suspected fraud and non-compliance related to the business.
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------

SCHEDULE 4 : DESCRIPTION OF DATA SUBJECT OR CATEGORY OF DATA SUBJECTS AND CATEGORIES OF PERSONAL INFORMATION IN RELATION TO THE DATA SUBJECTS

This table sets out a non-exhaustive list of the examples of data subjects or categories of data subjects and categories of personal information in relation to the data subjects that may be Processed by the Company from time to time.

Data Subject or Category of Data Subject	Description of Personal Information processed in relation to Data Subject
Employees / personnel of the Company	<ul style="list-style-type: none"> • name; • date of birth; • contact details including employee's personal email address; • the employee's home address; • the employee's national ID number; • the employee's nationality; • the employee's citizenship status; • information about employees and their dependants; • other data necessary to administer employees' employment with the Company; • the employee's position; • the employee's salary and benefits; • the employee's proof of work status and work permit; • the employee's bank details; • the employee's tax details; • records of absence relating to the employee; • other data necessary to administer the employee's engagement with the Company; • the employee's gender; • the employee's photo and any other data the employee may post on the Company intranet; • information about participation in events or other activities organised by the Company; • data around employee well-being for planning purposes and in order to manage workloads and expectations; • output from performance reviews; • feedback from employees regarding their satisfaction with their current role; • employee's career and development goals; • employee's focus areas; • employee's personal values; • any warnings or disciplinary actions; • performance metrics, including through third party applications used to perform the employee's job; • internal communication; • CCTV material in certain office areas; • employee health and sickness records including information about allergies, disabilities, pregnancy, etc.;

	<ul style="list-style-type: none"> • trade union membership; • employee's racial or ethnic origin; • employee's religion or belief; and • employee's biometric data
Prospective Employees (ie. Candidates)	<ul style="list-style-type: none"> • personal identifiers; • candidate's professional or employment-related information; • candidate's education information, and other information candidates provide us; • Information taken down during the recruitment process; • information about candidates provided via background checks and other similar records; • details related to candidate's work experience, such as candidate's CV or resume, cover letter, academic qualifications, transcripts; • information about the type of employment candidates are looking for including targeted compensation, benefits and other job preferences; • publicly available information from publicly available sources relevant for the hiring process, e.g. candidate's LinkedIn profile; • personal information collected from interviews and outcomes of any recruiting exercises candidates complete, including personality/reasoning ability tests;. • information received from internal and external reference and background checks, including criminal records at offer stage only (if applicable for the position the candidate has applied for, and as permitted by applicable laws); • information related to the candidate's immigration status and visa requirements; and • demographic information such as gender, race and ethnicity.
Any third party with whom the Company conducts its business services including contractors, suppliers, vendors and third party service providers	<ul style="list-style-type: none"> • authorised persons' names; • dates of birth; • identity numbers; • company registration numbers;

	<ul style="list-style-type: none">• financial data;• financial statements;• resolutions;• physical and postal addresses;• contact numbers;• email addresses;• copies of incorporation certificate of the juristic entity;• tax information and tax clearance certificate;• VAT vendor details;• banking details and evidence of banking details; and• various information as part of background checks which includes sanction screening and credit checks.
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

SCHEDULE 5 : CROSS-BORDER FLOWS OF PERSONAL INFORMATION

This is a non-exhaustive list of the countries to which Personal Information may be transferred from time to time when Personal Information is shared with entities in the BASF Catalysts South Africa's group of companies or any entities within BASF SE's group of companies:

- Germany
- Poland

SCHEDULE 6 : SECURITY MEASURES TO BE IMPLEMENTED BY THE COMPANY

The following is a non-exhaustive list of the examples of types of security measures implemented by the Company in order to ensure that Personal Information is protected from loss of, damage to or unauthorized destruction of or unlawful access to Personal Information:

- (a) encryptions for USB;
- (b) password protections;
- (c) limited or restricted access;
- (d) firewalls;
- (e) locked safety cabinets;
- (f) web page blockers; and/or
- (g) ECMS Information Security Policy for Employees.

SCHEDULE 7 : FORM FOR THE OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF POPIA

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, 2017

[Regulation 2(1)]

Note:

1. *Affidavits or other documentary evidence in support of the objection must 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.*

Reference Number....

A	DETAILS OF DATA SUBJECT
Name and surname of Data Subject:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name and surname of Responsible Party (<i>if the Responsible Party is a natural person</i>):	
Residential, postal or business address:	
	Code ()
Contact number(s):	
E-mail address:	
Name of public or Private Body (<i>if the Responsible Party is not a natural person</i>):	
Business address:	

	Code ()
Contact number(s):	
E-mail address:	
C	REASONS

Signed at _____ this _____ day of _____ 20_____

Signature of Data Subject (applicant)

SCHEDULE 8 : FORM FOR THE REQUEST TO DELETE OR CORRECT PERSONAL INFORMATION IN TERMS OF POPIA

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, 2017

[Regulation 3(2)]

Note:

1. Affidavits or other documentary evidence in support of the request must 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.

Reference Number....

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.
- Destruction or deletion of a Record of Personal Information about the Data Subject which is in the possession or under the control of the Responsible Party and who is no longer authorised to security the Record of information.

A	DETAILS OF DATA SUBJECT	
	Surname:	
	Full names:	
	Identity number:	
	Residential, postal or business address:	
		Code ()
	Contact number(s):	
	E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY	
	Name and surname of Responsible Party (<i>if the Responsible Party is a natural person</i>):	
	Residential, postal or	

business address:	
	Code ()
Contact number(s):	
E-mail address:	
Name of public or Private Body (<i>if the Responsible Party is not a natural person</i>):	
Business address:	
	Code ()
Contact number(s):	
Fax number:	
E-mail address:	
C	<p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT/*DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY.</p> <p><i>(Please provide detailed reasons for the request) *Delete whichever is not applicable.</i></p>

Signed at _____ this _____ day of _____ 20____

Signature of Data Subject (applicant)

SCHEDULE 9 : FORM FOR THE LODGING OF A COMPLAINT

[Regulation 10]

Note:

1. *This form is designed to assist the Requester (hereinafter referred to as "the Complainant") in requesting a review of a public or private body's response or non-response to a request for access to records under the Promotion of Access to Information Act 2 of 2000 ("PAIA"). Please fill out this form and send it to the Information Regulator ("Regulator") or complete the online complaint form available at <https://www.justice.gov.za/infoereg/>.*
2. *PAIA gives the public a right to file a complaint with the Regulator about any of the nature of complaints detailed in part E of this complaint form.*
3. *It is the policy of the Regulator to defer investigating or to reject a complaint if the Complainant has not first given the public or private body (herein after referred to as "the Body") an opportunity to respond to and attempt to resolve the issue. To help the Body address your concerns prior to approaching the Regulator, you are required to complete the prescribed PAIA form and submit it to the Body.*
4. *A copy of this form will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve your dispute, unless otherwise stated herein*
5. *The Regulator will only accept your complaint once you confirm having complied with the prerequisites below.*
6. *Please attach copies of the following documents, if you have them:*
 - (a) *Copy of the form to the organisation requesting access to records;*
 - (b) *The organisation's response to your complaint or access request;*
 - (c) *Any other correspondence between you and the organisation regarding your request;*
 - (d) *Copy of the appeal form, if your complaint relate to a public body;*
 - (e) *The organisation's response to your appeal;*
 - (f) *Any other correspondence between you and the organisation regarding your appeal;*
 - (g) *Documentation authorizing you to act on behalf of another person (if applicable);*
 - (h) *Court order or court documents relevant to your complaint, if any.*
7. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

TO: The Information Regulator
P.O Box 31533
Braamfontein,
2017

General Enquiries: enquiries@infoeregulator.org.za

Tel number: +27 (0) 10 023 5200

PREREQUISITES

Did you submit request (PAIA form) for access to record of a public/private body?	Yes		No	
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes		No	
Did you exhaust all the internal appeal procedure against a decision of the Information officer of a public body?	Yes		No	
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	

FOR REGULATOR'S USE ONLY

Received by: (<i>Full names</i>)				
Position:				
Signature:				
Complaint accepted:	Yes		No	
Reference Number:				
<i>Date stamp</i>				

**PART A
PERSONAL INFORMATION OF COMPLAINANT**

Full names:			
Identity number:			
Postal Address:			
Street Address:			
E-mail address:			
Contact numbers:	Tel. (B):		
	Cellular		

I consent to being contacted at the above e-mail address or through that of my representative on my behalf. I acknowledge that sending e-mail over the Internet is not secure, in that it can be intercepted and/or manipulated and retransmitted.

**PART B
REPRESENTATIVE INFORMATION**

(Complete only if you will be represented. A Power of Attorney must be attached if complainant is a representative, failing which the complaint will be rejected)

Full names of representative:	
Nature of	

representation:		
Identity number/ Registration number:		
Postal Address:		
Street Address:		
E-mail address:		
Contact numbers:	Tel. (B):	
	Cellular:	

PART C ORGANISATION AGAINST WHICH THE COMPLAINT IS LODGED			
Type of body:	Private	<input type="checkbox"/>	Public
Name of *public/ private body:			
Registration number (<i>if any</i>):			
Name, surname and title of person you dealt with at the public or private body to try to resolve your complaint or request to access of information:			
Postal Address:			
Street Address:			
E-mail address:			
Contact numbers:	Tel. (B):		
	Cellular		
Reference number given (<i>if any</i>):			

<p>PART D COMPLAINT</p> <p><i>Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public body for response and possible resolution; there are limited exceptions)</i></p>

Date on which request for access to records submitted:				
Please specify the nature of the right(s) to be exercised or protected, if a complaint is against a private body:				
Have you attempted to resolve the matter with the organisation?	Yes		No	
If yes, when did you receive it? (<i>Please attach the letter to this application.</i>)				
Did you appeal against a decision of the information officer of the public body?	Yes		No	
If yes, when did you lodge an appeal?				
Have you applied to Court for appropriate relief regarding this matter?	Yes		No	
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.				

PART E

DETAILED TYPE OF ACCESS TO RECORDS

(Please select one or more of the following to describe your complaint to the Regulator)

Unsuccessful appeal: (Section 77A(2)(a) or section 77A(3)(a) of PAIA)	<i>I have appealed against the decision of the public body and the appeal is unsuccessful.</i>	<input type="checkbox"/>
Unsuccessful application for condonation: (Sections 77A(2)(b) and 75(2) of PAIA)	<i>I filed my appeal against the decision of the public body late and applied for condonation. The condonation application was dismissed.</i>	<input type="checkbox"/>
Refusal of a request for access: (Section 77A(2)(c)(i) or 77A (d)(i) or 77A(3)(b) or of PAIA)	<i>I requested access to information held by a body and that request was refused or partially refused.</i>	<input type="checkbox"/>
The body requires me to pay a fee and I feel it is excessive: (Sections 22 or 54 of PAIA)	<i>Tender or payment of the prescribed request fee.</i>	<input type="checkbox"/>
	<i>The tender or payment of a deposit.</i>	<input type="checkbox"/>
Repayment of the deposit: (Section 22(4) of PAIA)	<i>The information officer refused to repay a deposit paid in respect of a request for access</i>	<input type="checkbox"/>

	<i>which is refused.</i>	
Disagree with time extension: (Sections 26 or 57 of PAIA)	<i>The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request is inappropriate.</i>	<input type="checkbox"/>
Form of access denied: (Sections 29(3) or sections 60(a) of PAIA)	<i>I requested access in a particular and reasonable form and such form of access was refused.</i>	<input type="checkbox"/>
Deemed refusal: (Sections 27 or 58 of PAIA)	<i>It is more than 30 days since I made my request and I have not received a decision. No response received and no extension has been taken.</i>	<input type="checkbox"/>
	<i>Extension period has expired and no response received.</i>	<input type="checkbox"/>
Inappropriate disclosure of a record: (Mandatory grounds for refusal of access to record)	<i>Records that are subject to the grounds for refusal of access to records have been inappropriately or unreasonable disclosed.</i>	<input type="checkbox"/>
No adequate reasons for the refusal of access: (Section 56(3)(a) of PAIA)	<i>My request for access is refused, and a body did not provide valid or adequate reasons for the refusal, including the provisions of this Act relied on.</i>	<input type="checkbox"/>
Partial access to record: (Section 28(2) of 59(2) of PAIA)	<i>The body has granted access to part of the requested records and I believe that more of them should be disclosed.</i>	<input type="checkbox"/>
Fee waiver: (Sections 22(8) or 54(8) of PAIA)	<i>I am exempt from paying any fee and the body has refused to grant my request to waive the fees.</i>	<input type="checkbox"/>
Records that cannot be found or do not exist: (Section 23 or 55 of PAIA)	<i>The body indicated that some or all of the requested records do not exist and I believe that more records do exist.</i>	<input type="checkbox"/>
Failure to disclose records:	<i>The body decided to grant me access to requested records, but I have not received them.</i>	<input type="checkbox"/>
No jurisdiction (exercise or protection of any rights): (Section 50(1)(a) of PAIA)	<i>The body indicated that the requested records are excluded from PAIA and I disagree.</i>	<input type="checkbox"/>
Frivolous or vexatious request: (Section 45 of PAIA)	<i>The body indicated that my request is manifestly frivolous or vexatious and I disagree.</i>	<input type="checkbox"/>
Access to personal information: (Section 23 of POPIA)	<i>My request to a responsible party to confirm whether or not the responsible party holds personal my information has been refused</i>	<input type="checkbox"/>
	<i>My request for access to record or a description</i>	<input type="checkbox"/>

	<i>of my personal information held by the responsible party, including information about the identity of all third parties, or categories of third parties, who have, or have had, access to my personal information has been refused.</i>	
Other: (Please explain):		

**PART F
EXPECTED OUTCOME**

How do you think the Regulator can assist you? Describe the result or outcome that you seek.

**PART G
AGREEMENTS**

The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. In order for the Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:

- I agree that the Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion the right of access to information as well as the protection of the right to privacy in South Africa. I understand that the Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by Protection of Personal Information Act, 2013. I understand that if I do not agree, the Regulator will still process my complaint.*
- The information in this Complaint Form is true to the best of my knowledge and belief.*
- I authorize the Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.*
- I authorize anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Regulator. The Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.*
- If any of my contact information changes during the complaint process, it is my responsibility to inform the Regulator; otherwise my complaint could experience a delay or even be closed.*

Signed at _____ this _____ day of _____ 20_____

Complainant