

Simba Proprietary Limited

(Registration number: 1995/003667/07)

Manual prepared in accordance with section 51 of the Promotion
of Access to Information Act 2 of 2000 (“PAIA”)

1. Object of PAIA and the Protection of Personal Information Act of 2013 (“POPIA”)

- 1.1. The Object of PAIA is to give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights.
- 1.2. The object of POPIA includes to promote the protection of personal information processed by public and private bodies and to introduce certain conditions so as to establish minimum requirements for the processing of personal information.
- 1.3. Section 51 of the PAIA requires that Simba, compile a manual giving information to the public regarding the procedure to be followed in requesting information from Simba for the purpose of exercising and/or protecting rights.
- 1.4. This Manual is intended to fulfil this requirement.
- 1.5. Accordingly, this Manual provides a reference to the records that Simba hold and the process that needs to be adopted, to access such records. All requests for access to information should be addressed to the Designated Information Officer.
- 1.6. Please refer to the External Privacy Notice on our website should you have any queries or requests regarding requests or queries in respect of your Personal Information in terms of POPIA.

2. Interpretation

In this Manual, clause headings are for convenience purposes only and shall not be used in its interpretation, unless the context clearly indicates a contrary intention –

2.1. Any reference to Simba, will also include all its wholly owned subsidiaries.

2.2. An expression which denotes –

- 2.2.1. any gender includes the other genders;
- 2.2.2. a natural person includes an artificial or juristic person and vice versa;
- 2.2.3. the singular includes the plural and vice versa;

2.3. The following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings –

“the Act” means the Promotion of Access to Information Act 2 of 2000 as amended from time to time, including all relevant regulations thereto;

“Designate Information Officer” means the person duly authorized and appointed to facilitate and assist the Head with any request in terms of the Act, whose details are set out in this Manual;

“Guide” means the Guide prepared and made available by the SAHRC for purposes of assisting persons wishing to make a request for information in terms of the Act;

- “Information Regulator”** means the Information Regulator established in terms of POPIA.
- “the/this Manual”** means this manual together with all annexures hereto, as available at the offices of Simba from time to time;
- “Requester”** means the person making the request in terms of the Act;
- “SAHRC”** means the South African Human Rights Commission; and
- “Simba”** means Simba Proprietary Limited, a private body and private company duly registered and incorporated in the Republic of South Africa with registration number 1995/003667/07,

3. Scope of this manual

- 3.1. Simba compiled this Manual not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in its business environment and to ensure that members of the public have effective access to information in its possession, which will assist them in exercising and protecting their rights.
- 3.2. Recorded in this Manual, you will be able to view the categories of information which Simba holds. You will also be guided with regards to the correct procedure to follow should you require access to any of this information

4. Administration of the Act

- 4.1. The Head of Simba has authorised the Designate Information Officer mentioned below to administrate the requirements of the Act.
- 4.2. All Requests for access to Simba records in terms of this Act, must be addressed to the Designated Information Officer.

Designate Information Officer	Ulrich von Willingh
Telephone number	021 974 4000
Email address	ssaprivacyoffice@pepsico.com
Postal address	PO Box 99, Isando, 1600, Gauteng, South Africa
Street address	6th Floor, 144 Oxford Road, Rosebank, Johannesburg, 2196
Website:	https://simba.co.za/

5. Guide for the requests to access to information.

- 5.1. In accordance with Section 10 of the Act, the Information Regulator must update and make available the existing Guide that has been compiled by the SAHRC”) on how to use the Act.
- 5.2. This Guide can be obtained from the office of the SAHRC and is also published on their website listed below.

5.3. Enquiries regarding the Guide can be addressed to the Information Regulator the contact details of which are as follows:

	Information Regulator	SAHRC
Physical address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001	27 Stiemens Street, Braamfontein
Telephone		Tel: 011 877 3600 Fax: 0864100149
email	infoereg@justice.gov.za	paia@sahrc.org.za and tsebulela@sahrc.org.za
website	https://www.justice.gov.za/infoereg/index.html	https://www.sahrc.org.za/

6. Sections 51(1)(c) and 52(2) of the Act - *The latest notice in terms of section 52(2) of the Act (if any)*

At this stage no notices(s) has/have been published on the categories of records that are automatically available without a Requester having to request access in terms of the Act.

7. Section 51(1)(d) of the Act - *Records available in terms of other legislation*

Where applicable to our operations, information is available in terms of certain legislation as amended from time to time, including, but not limited to the:

- Basic Conditions of Employment Act 75 of 1997;
- Compensation for Occupational Injuries and Disease Act 130 of 1993;
- Companies Act 71 of 2008;
- Employment Equity Act 55 of 1998;
- Environment Conservation Act 73 of 1989;
- Income Tax Act 58 of 1962;
- Labour Relations Act 66 of 1995;
- National Water Act 36 of 1998;
- Occupational Health & Safety Act 85 of 1993;
- Skills Development Act 97 of 1998;
- Skills Development Levies Act 9 of 1999;
- South African Qualifications Authority Act 58 of 1995;
- Unemployment Insurance Act 63 of 2001; and
- Value Added Tax Act 89 of 1991.

8. Section 51(1)(e) of the Act - *Subjects and categories of records held by Simba*

Simba holds the following information, including, but not limited to:

Subjects	Categories
Company documents	<ul style="list-style-type: none"> • incorporation documents • memorandum of incorporation • records relating to the appointment of directors, auditors, the company secretary, public officers and other officers of the company

	<ul style="list-style-type: none"> • share register • directors register • administrative records • Minutes •
Financial	<ul style="list-style-type: none"> • annual financial statements • tax returns • accounting records • asset register • rental agreements • invoices • PAYE records • documents issued to employees for income tax purposes • records of payments made to SARS on behalf of employees
Human Capital	<ul style="list-style-type: none"> • employment equity plan (if applicable) • medical aid records • pension fund records • disciplinary records • SETA records • disciplinary code • training records • training manuals
Legal	<ul style="list-style-type: none"> • customer contracts • supplier contracts • licenses • leases • IT agreements • IT licenses • legal opinions • advertising agreements
Statutory compliances	<ul style="list-style-type: none"> • VAT records • regional services levies • skills development levies • UIF • workmen's compensation
Other	<ul style="list-style-type: none"> • operational information • customer information

Please note that access to some of these records may be legitimately refused in terms of chapter 4 of the Act.

9. Process for requesting records

9.1. A request for access to a record that does not fall within the categories identified in clauses 7 and 8 above of this Manual must be done formally. The Requester must complete *Form C* (as

attached) and submit it to the Designate Information Officer of Simba. The form must be submitted to the Designate Information Officer of Simba at the postal address **and** the email address provided. Once the completed form is received the Designate Information Officer will respond to your request within 30 calendar days of receiving the request, by indicating whether your request for access has been granted. A request fee will be sent to the Requester. Such fee is regulated in terms of section 54 of the Act and the fee schedule is set out in the SAHRC Guide referred to above. Once proof of payment of the request fee is received by the Designate Information Officer, the information and records will be collated and dispatched to the Requester.

- 9.2. Please note that the form must be completed in a manner so as to provide sufficient particulars to enable the Designate Information Officer of Simba to identify the information requested and to identify the person requesting such information. The form must also indicate which form of access is required to the information as well as specify a postal address or fax number of the Requester, which is in the Republic of South Africa. The form must also identify the right that the Requester is seeking to exercise or protect and provide an explanation of why the requested information is required for the exercise or protection of that right. Kindly be advised that the successful completion and submission of an access request form does not automatically allow the Requester access to the requested record and/or information.
- 9.3. If in addition to a written reply, the Requester wishes to be informed of the decision on the request in any other manner, the Requester must state the specific manner and the necessary particulars to be provided therein. If the request is made on behalf of another person, the Requester must submit proof of the capacity in which the Requester is making the request, wish must be to the reasonable satisfaction of the Designate Information Officer.

10. Request for access to information about third parties

- 10.1. If you request access to a record that contains information about a third party, we are obliged to attempt to contact the third party to inform them of the request and to give them an opportunity to respond by either consenting to the access or by providing reasons why the access should be denied.
- 10.2. In the event that the third party furnishes reasons for the denial of access, our Designate Information Officer will consider these reasons in determining whether access should be granted.
- 10.3. You may appeal against a refusal of access by the Designated Corporate Information Officer. Please refer to Sections 74, 77 and 78 of the Act for further details on the Appeal Process.

11. Availability of the Manual

A copy of the Manual will be available for inspection at:

- Simba's head office (refer to the address provided below) and
- The South African Human Rights Commission/Information Regulator

The Manual will also be available on Simba's external website provided above.

12. Disclaimer

The Manual does not allege to be exhaustive of or to comprehensively deal with every procedure provided for in the Act. A Requester is advised to familiarise him/her/itself with the provisions of the Act, before lodging any request with Simba.

FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY (Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

[Regulation 10]

A. Particulars of private body

The Designate Information Officer:

Ulrich von Willingh
Simba (Proprietary) Limited
Email: ssaprivacyoffice@pepsico.com
Postal address: PO Box 99, Isando, Gauteng, 1600
Street address: 6th Floor, 144 Oxford Road, Rosebank,
Johannesburg, 2196
(Registered address: Andre Greyvenstein Avenue, Isando,
Johannesburg, 1600, Gauteng)

B. Particulars of person requesting access to the record

- | | |
|-----|---|
| (a) | The particulars of the person who requests access to the record must be given below. |
| (b) | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| (c) | Proof of the capacity in which the request is made, if applicable, must be attached. |

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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

C. Particulars of person on whose behalf request is made

This section must be completed <i>ONLY</i> if a request for information is made on behalf of another person.
--

Full names and surname:

Identity number:

D. Particulars of record

- | | |
|-----|--|
| (a) | Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. |
| (b) | If the provided space is inadequate, please continue on a separate folio and attach it to this form. |
| (c) | The requester must sign all the additional folios. |

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

E. Fees

- | | |
|-----|--|
| (a) | request for access to a record, <i>other than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid. |
| (b) | You will be <i>notified of</i> the amount required to be paid as the request fee. |
| (c) | The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record. |
| (d) | If you qualify for exemption <i>of</i> the payment <i>of</i> any fee, please state the reason for exemption. |

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Mark the appropriate box with an X.	
NOTES:	
(a) Compliance with your request in the specified form may depend on the form in which the record is available.	
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.	
(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:			
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	transcription of the images*
<input type="checkbox"/>		<input type="checkbox"/>	copy of the images"
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	listen to the soundtrack	transcription of soundtrack*	
<input type="checkbox"/>	audio cassette	written or printed document	
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)
<input type="checkbox"/>		<input type="checkbox"/>	printed copy of information derived from the record"
If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?		YES	NO
Please note that postage is payable by you.			

G Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected - **Please provide a proper description:**

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

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at..... This..... day of20..

SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE