

**PROMOTION OF ACCESS TO INFORMATION ACT
(PAIA)**

MANUAL

OF

NEVEON SOUTH AFRICA (PTY) LTD.

(former Unifoam (Pty) Ltd.)

CIPC Registration No. 1997/006922/07

PROMOTION OF ACCESS TO INFORMATION

ACT ACT NO. 2 OF 2000 ("The Act")

MANUAL IN TERMS OF SECTION 51 OF THE ACT FOR NEVEON SOUTH AFRICA (PTY) LTD

INTRODUCTION

NEVEON South Africa (Pty) Ltd, formerly Unifoam (Pty) Ltd. (hereinafter referred to as the "Company") is a private company with share capital and limited liability in the manufacturing sector which was formed in 1997 under the laws and regulations of South Africa.

With the effective date of coming into force on 1 July 2021 the Protection of Personal Information Act No. 4 of 2013 ("POPIA") amends PAIA in a number of ways. One of the essential ways in which POPIA has amended PAIA relates to the role of the South African Human Rights Commission ("SAHRC"). Under POPIA the function of the SAHRC in terms of PAIA has been transferred to the Information Regulator who is now to monitor both POPIA and PAIA as well as to handle complaints relating to any protected access to information.

The reference, in this Manual, to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

The particulars of section 51 of the Act are defined as follows:

CONTACT DETAILS - SECTION 51(1)(A)

The responsibility for administration of and compliance with POPIA and PAIA, has been delegated by the Chief Executive Officer of Nampak to the Information Officer of the Company. Requests should be directed to the Company as follows:

Postal Address	P O Box 6590 Zimbali 4418
Street Address	1 White Street Mandeni Isithebe 4490
Telephone Number	+27 32 459 1707
Fax Number	+27 32 459 1708
Head of the Company:	Eric L Hardy – Managing Director eric.hardy@neveon.co.za
Information Officer:	Anesh Rajkumar – HR Executive anesh.rajkumar@neveon.co.za
Deputy Information Officer:	Adrian L Hultzer – Finance Executive adrian.hultzer@neveon.co.za.co.za

THE GUIDE AS DESCRIBED IN THE ACT - SECTION 51(1)(B)

A Guide has been originally compiled in terms of Section 10 of PAIA by the SAHRC. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is for the time being still available for inspection, *inter alia*, at the office of the SAHRC at 33 Hoof Street, Forum III, Braampark, Braamfontein, Johannesburg, Gauteng, 2041, and on its website at www.sahrc.org.za.

THE LATEST NOTICE IN TERMS OF SECTION 52(2)

No notice has been published on the categories of records that are automatically available without a person having to request access in terms of Section 52(2) of PAIA.

THE SECTION 10 GUIDE ON HOW TO USE THE ACT - SECTION 51(1)(B)

The Guide is for the time being still available from the SAHRC. Please direct any queries to:

PAIA Unit

The South African Human Rights Commission
33 Hoof Street
Forum III, Braampark
Braamfontein
Johannesburg 2041

Telephone: 011 877 3600
Fax: 011 403 0625
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za
info@sahrc.org.za
complaints@sahrc.org.za

CATEGORIES OF COMPANY RECORDS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS IN TERMS OF THE ACT, I.E. VOLUNTARY DISCLOSURE - SECTION 51(1)(C)

The Company is not obliged to publish a notice in terms of Section 52(2) of the Act and to date has not elected to do so. Nevertheless, the Company does make certain information freely available to the public in various brochures, press releases, publications, and on its Internet Web Site at www.unifoam.co.za. Certain information is also made available to employees of the Company, which is generally not made available to the public.

To avoid confusion, these items are not listed here but may be obtained from the Company's Information Officer with approval from the Deputy Information Officer.

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION - SECTION 51(1)(D)

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

- ✓ Basic Conditions of Employment Act No. 75 of 1997;
- ✓ Broad-Based Black Economic Empowerment Act No. 53 of 2003;
- ✓ Compensation for Occupational Injuries and Disease Act No. 130 of 1993;
- ✓ Competition Act No. 89 of 1998;
- ✓ Companies Act No. 71 of 2008;
- ✓ Copyright Act No. 98 of 1978;
- ✓ Customs & Excise Act No. 91 of 1964;
- ✓ Designs Act No. 195 of 1993;
- ✓ Disaster Management Act No. 57 of 2002;
- ✓ Electronic Communications and Transactions Act No. 25 of 2002;
- ✓ Employment Equity Act No. 55 of 1998;
- ✓ Income Tax Act No. 58 of 1962;
- ✓ Labour Relations Act No. 66 of 1995;
- ✓ National Environmental Act No. 107 of 1998;
- ✓ Occupational Health & Safety Act No. 85 of 1993;
- ✓ Patents Act No. 57 of 1978;
- ✓ Pension Funds Act No. 24 of 1956;
- ✓ Promotion of Access to Information Act No. 2 of 2000;
- ✓ Protection of Personal Information Act No. 4 of 2013;
- ✓ Skills Development Act No. 97 of 1998;
- ✓ Skills Development Levies Act No. 9 of 1999;
- ✓ Trademarks Act No. 194 of 1993;
- ✓ Unemployment Contributions Act No. 4 of 2002;
- ✓ Unemployment Insurance Act No. 63 of 2001; and
- ✓ Value Added Tax Act No. 89 of 1991.

HOW TO REQUEST A RECORD, DESCRIPTION OF THE SUBJECTS ON WHICH THE COMPANY HOLDS RECORDS, AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT - SECTION 51(1)(E)

How to request a record

Request for access to records held by the Company must be made on the request forms that are still available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development website (www.doj.gov.za) under Regulations. For the convenience of requestors, copies of these forms are included in the version of this manual available at our offices. Requests for access to records must be made to the Company's Information or Deputy Information Officer at the address, fax number or electronic mail address provided. The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

It is vital that the requester identifies the right that he or she is seeking to exercise or protect and provides an explanation of why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Company's Information Officer.

If a requestor does not use the standard form (Annexure 1), the request may be rejected for lack of procedural compliance, refused (if sufficient information is not provided, or otherwise) or delayed.

Please note that requestors are also required to pay the prescribed fees. The list of prescribed fees in respect of requests, and in respect of access to records (if the request is granted) is attached as Annexure 2. The Deputy Information Officer must notify the requester (other than a personal requester) of the prescribed fee (if any) before further processing the request. The requester may lodge an internal appeal or an application to Court against the tender or payment of the request fee.

The Deputy Information Officer will then make a decision on the request and notify the requester in the required form. If the request is granted then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

Kindly note that all request to the Company will be evaluated and considered in accordance with the Act. The publication of this Manual and describing the categories and subject matters of information held by the Company do not give rise to any rights to access such information or records, except in terms of the Act.

Schedule of Records - Subjects and Categories of Records held by the Company

The Company maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act. In particular, there may be applicable grounds of refusal of such a request, as set out in the Act.

Please note further that many of the records held by the Company are those of third parties, such as customers, suppliers and employees, and with regard to the protection of third-party confidential information the Company adheres to the objectives and principles of POPIA.

For all information listed below, availability will be as per request in terms of PAIA.

INTERNAL RECORDS

The following are records pertaining to the Company's own affairs:

- ✓ Charters;
- ✓ Codes of Conduct;
- ✓ Company Secretarial Records;
- ✓ Financial Records;
- ✓ Intellectual Property;
- ✓ Internal Correspondence;
- ✓ Internal and external Policies and Procedures;
- ✓ Marketing Records;
- ✓ Memorandum of Incorporation;
- ✓ Minutes of Meetings;
- ✓ Operational Records;
- ✓ Patents, Trademarks and Copyrights;
- ✓ Records held by officials of the Company.
- ✓ Service Records; and
- ✓ Statutory Records;

PERSONNEL RECORDS

For the purposes of this section "personnel" means any person who works for or provides services to or on behalf of the Company and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of the Company. This includes, without limitation, partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers. Personnel records include the following:

- ✓ Any personal records provided the Company by its personnel;
- ✓ Any records a third party has provided to the Company about any of their personnel;
- ✓ Conditions of employment and other related contractual and quasi- legal record;
- ✓ Employment policies and procedures;
- ✓ Internal evaluation and disciplinary records; and
- ✓ Other internal records and correspondence.

CUSTOMER-RELATED RECORDS

Customer-related information includes the following:

- ✓ Contracts with the customer and between the customer and other persons;
- ✓ Any records a customer or a third party acting on behalf of the customer has provided to the Company (financial, legal, tax, operational, employee and similar records);
- ✓ Working papers and notes;
- ✓ Any research conducted by the Company in respect of its customers or research derived by the Company from its customers and their activities;
- ✓ Records, reports design and the like generated by the Company for its customers;
- ✓ Any records a third party has provided to the Company and which concern a customer; and
- ✓ Records generated by or within the Company pertaining to the customer,

including transactional records.

RECORDS KEPT BY / OF OTHER PARTIES

Records are kept in respect of other parties, including without limitation joint ventures and consortia to which the Company is party, contractors and sub- contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to the Company.

The following records fall into this category:

- ✓ Personnel, customer, or Company records which are held by another party as opposed to being held by the Company itself, and
- ✓ Records held by the Company pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contactors or suppliers.

OTHER RECORDS

The Company further holds other records, which include but are not necessarily limited to:

- ✓ Information relating to the Company's own commercial activities, procurement and administration; and
- ✓ Research information belonging to the Company or carried out on behalf of a third party.

OTHER INFORMATION AS MAY BE DESCRIBED - SECTION 51(1)(F)

No such information has been prescribed.

AVAILABILITY OF THE MANUAL - SECTION 51(3)

This manual is available from the SAHRC (see details above) and from the Company (see details above), represented by its Information Officer as appointed and registered in terms of POPIA.

FORM C (of Regulation 10)
REQUEST FOR ACCESS TO RECORD OF A 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

Information Officer: Anesh Rajkumar – HR Executive
anesh.rajkumar@neveon.co.za

Deputy Information Officer: Adrian L Hultzer – Finance Executive
adrian.hultzer@neveon.co.za

B. PARTICULARS OF PERSON REQUESTING INFORMATION

- (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 & Surname:

Identity Number:

Postal Address:

Postal Code:

Telephone Number:

Fax Number:

E-Mail Address:

Capacity in which Request is made:

(Only if on behalf of another person)

C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

(This section to be completed ONLY if Request is made on behalf of another person)

Full Names:

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. The requester must sign all the additional folios.

Description of the relevant part of the record:

Reference Number, if available:

Any further particulars of record:

E. FEES

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

Reason for Exemption from payment of Fees:

- I am a single person and my annual income does not exceed ZAR 14 712.00
- I am married and our joint annual income does not exceed ZAR 27 192.00
- Other Reason:

F. FORM OF ACCESS TO RECORD

<p><i>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.</i></p>						
Disability:			Form in which record is required:			
<p>Mark the appropriate box with an "X". NOTES: (a) Your indication as to the required form of access depends 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 to the record, if any, will be determined partly by the form in which access is requested.</p>						
<p>1. If the record is in written or printed form-</p>						
	Copy of record*		Inspection of record			
<p>2. If record consists of visual images- (this includes photographs, slides, video recordings, computer-generated images, sketches, etc).</p>						
	view the images		copy of the images*		transcription of the images*	
<p>3. If record consists of recorded words or information which can be reproduced in sound-</p>						
	Listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)			
<p>4. If record is held on computer or in an electronic or machine – readable form-</p>						
	Printed copy of record*		Printed copy of derived from the record*		copy in computer readable form* (stiffy or compact disc)	
<p>* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?</p> <p>A postal fee is payable.</p>					<p>YES</p>	<p>NO</p>
<p><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></p>						
<p>In which language would you prefer the record?</p>						

G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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

Indicate which right is to be exercised or protected:

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

H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved or denied. If you wish to be informed thereof 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 of _____ 20__

**SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF
REQUEST IS MADE**

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in Regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in section 52(3) are as follows: **ZAR**
 - (a) For every photocopy of an A4-size page or part thereof 1,10
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form 0,75
 - (c) For a copy in a computer-readable form on –
 - i) Stiffy disk 7,50
 - ii) Compact Disk 70,00
 - (d) i) For a transcription of visual images, for an A4-size page or part thereof
 - ii) For a copy of visual images 60,00
 - (e) i) For a transcription of an audio record, for an A4-size page or part thereof 20,00
 - ii) For a copy of an audio record 30,00

3. The request fee payable by a requester, other than a personal requester, as referred to in section 54(1) is 50,00

4. The access fees payable by a requester referred to in section 54(7) unless exempted under section 54(8) are as follows:
 - 4.1 a) For every photocopy of an A4-size page or part thereof 1,10
 - b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form 0,75
 - c) For a copy in a computer-readable form on:-
 - i) stifty Disk 7,50
 - ii) compact Disk 70,00
 - d) For a transcription of visual images
 - i) for an A4-size page or part thereof 40,00
 - ii) for a copy of visual images 60,00
 - e) For a transcription of an audio record
 - i) for an A4-size page or part thereof 20,00
 - ii) for a copy of an audio record 30,00
 - f) To search for and prepare the record for disclosure per hour or part thereof 30,00

- 4.2 For purposes of section 22(2) of the Act, the following applies:
- a) Six hours as the hours to be exceeded before a deposit is payable, and
 - b) One third of the access fee is payable as a deposit by the requester.
- 4.3 The actual postage is payable when a copy of a record must be posted to a requester.
- 5 Copies shall be printed in black and white.