

PROMOTION OF ACCESS TO INFORMATION MANUAL

Röhlig-Grindrod Pharma (Pty) Ltd

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1996/010657/07
Vat No.: 4900195498

Directors:
K. Reddi (Executive)
V. Munsamy (Executive)

All business undertaken subject to
the Company's Standard Trading
Terms and Conditions and/or trading
conditions of our Overseas Principals.
A copy is available on request.

www.rohlig.co.za



1. INTRODUCTION

Röhlig-Grindrod Pharma (Pty) Ltd is a limited liability private company incorporated in accordance with the laws of the Republic of South Africa with registration number 1996/010657/07 ("Röhlig-Grindrod").

Röhlig-Grindrod conducts business primarily as a clearing and forwarding agent. General information about Röhlig-Grindrod can be accessed via the internet on <https://www.rohlig.co.za/> which is available to all persons who have access to the internet.

This Promotion of Access to Information Manual ("Manual") provides an outline of the type of records and the personal information Röhlig-Grindrod holds and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act, no. 2 of 2000 ("PAIA").

In addition, this Manual explains how to access, or object to, personal information held by Röhlig-Grindrod or request correction of the personal information, in terms of paragraphs 23 and 24 of the Protection of Personal Information Act, no. 4 of 2013 ("POPI Act").

The PAIA and POPI Acts give effect to everyone's constitutional right of access to information held by private sector or public bodies, if the record or personal information is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in section 5.

1.1. Availability of this manual

This manual is published on Röhlig-Grindrod's website at <https://www.rohlig.co.za/>, alternatively, a copy can be requested from <https://www.rohlig.co.za/> by way of the details in section 2.

1.2. Availability of guides to the PAIA and POPI Acts

Guides to the PAIA and POPI Acts can be obtained and queries directed to:

PAIA
South African Human Rights
Commission Promotion of Access to
Information Act Unit
Research and Documentation
Department

Private Bag 2700 Houghton
Johannesburg 2041
mnyuswa@sahrc.org.za
www.sahrc.org.za

Information Regulator
POPI Act

PO Box 31533
Braamfontein
Johannesburg 2017
inforeg@justice.gov.za
<https://www.justice.gov.za/inforeg/>

2. COMPANY DETAILS

Röhlig-Grindrod's contact details in terms of section 51 of PAIA are as follows:

Röhlig-Grindrod Pharma
2 Price Lane
Ext. 127
Meadowview Business Estate
Linbro Park
Johannesburg
2065
Gauteng
South Africa

Telephone number: +27 (11) 409 0300

Website: <https://www.rohlig.co.za/>

Duly authorised persons:

Information Officer : Kerry Weare kerryw@rohlig.co.za

Deputy Information Officer : Claude Jerarde Naidoo cinaidoo@rohlig.co.za

3. RECORDS AUTOMATICALLY AVAILABLE

No notice has been submitted by Röhlig-Grindrod to the Minister of Justice and Constitutional Development regarding the categories of records which are available without a person having to request access in terms of Section 52(2) of PAIA.

However, the information on Röhlig-Grindrod's website is automatically available without having to request access in terms of PAIA.

4. RECORD SUBJECTS AND CATEGORIES AVAILABLE IN TERMS OF PAIA

4.1. Company records availability

The Schedule of Records as contained in Appendix 1 of this Manual details the records that are held and/or processed by Röhlig-Grindrod for the purposes of PAIA and POPIA. Such access to such records may not be granted if they are subject to the grounds of refusal specified in sections 62 to 70 of PAIA.

4.2. List of applicable legislation

Röhlig-Grindrod retains records which are required in terms of legislation other than PAIA. Certain legislation provides that private bodies shall allow certain persons access to specified records, upon request. Legislation that may be consulted to establish whether the requester has a right of access to a record other than in terms of the procedure set out in PAIA is set out in Appendix 2.

5. PROCESSING OF PERSONAL INFORMATION

5.1. The purpose for processing personal information by Röhlig-Grindrod

Röhlig-Grindrod processes personal information for a variety of purposes, including but not limited to the

following:

- For recruitment purposes
- For employment and management purposes
- For learnership purposes
- For travel purposes
- For general administration, financial and tax purposes
- For legal or contractual purposes
- For health and safety purposes
- To monitor access, secure and manage its premises and facilities
- To transact with and render services to its suppliers, customers and business partners
- To support engagement with the general public
- To support engagement with investors and the media
- To market and advertise
- To comply with applicable laws

5.2. Categories of data subjects and personal information processed by Röhlig-Grindrod.

Categories of data subjects and personal information processed by Röhlig-Grindrod include the following:

Categories of data subjects

Customers and potential customers

Business partners

Suppliers

Employees

Personal information processed

Personal information of customer and employees

Customer contact and location information

Shipping, warehousing, transport, customs and other documents relating to the services

Personal Information of business partner's employees

Business partners contact information

Personal Information of suppliers' employees

Suppliers contact information

Employee personal information

Employee medical information

Employee disability information

Employee Pension and Provident Fund Information

Employee contracts

Employee performance records

Payroll records

Electronic access records

Physical access records

Surveillance records

Health and safety records

Training records

Employment history

Time and attendance records

Curriculum vitae and application forms

Criminal checks

Background checks

Physical access records

Visitors

Physical access records
Electronic access records and scans
Surveillance records

5.3. Recipients or categories of recipients with whom personal information is shared

Röhlig-Grindrod may share the personal information of its data subjects for any of the purposes outlined in Section 5.1, with the following:

- Any associated company of Röhlig-Grindrod
- Any consultant or advisor to Röhlig-Grindrod
- Any relevant regulatory authorities
- Any service provider, contractor or supplier with whom Röhlig-Grindrod has an agreement
- Any business partners who provide products and services to Röhlig-Grindrod

Röhlig-Grindrod does not share the personal information of its data subjects with any third parties, except if it is:

- Obligated to provide such information for legal or regulatory purposes
- Required to do so for purposes of existing or future legal proceedings
- Selling one or more of its businesses to someone to whom it may transfer its rights under any customer agreement
- Involved in the prevention of fraud, loss, bribery or corruption
- Performing services and process personal information on its behalf
- Is required to provide or manage any information, products and / or services to data subjects
- The third party is a contractor, supplier or service provider who requires the personal information to render a service

Röhlig-Grindrod will send its data subjects notifications or communications if it is obliged by law or in terms of contractual relationship with them.

Röhlig-Grindrod will only disclose personal information to government authorities if it is required to do so by law.

Röhlig-Grindrod's employees are required to adhere to data privacy and confidentiality principles and to attend data privacy training.

5.4. Information security measures to protect personal information

Röhlig-Grindrod employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care.

Measures include:

- Firewalls
- Virus protection software and update protocols
- Logical and physical access control
- Secure setup of hardware and software making up the IT infrastructure

5.5. Trans-border flows of personal information

When making authorised disclosures or transfers of personal information in terms of section 72 of POPI, personal data may be disclosed to recipients located in countries which do not offer a level of protection for that data as high as the level of protection as South Africa.

6. DETAILS OF HOW TO MAKE A REQUEST

6.1. To facilitate the processing of a request, a requestor must:

- Use the prescribed form to the Information Officer as contained in Appendix 3.
- Provide sufficient detail to enable Röhlig-Grindrod to identify:
 - The record(s) requested.
 - The requestor (and, if an agent is lodging the request, proof of capacity).
 - The South African postal address or email address of the requestor.
 - The form of access required.
 - If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof.
- Indicate the right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

Röhlig-Grindrod has the right to reject any request for information submitted in terms of Sections 62 to 70 of Chapter 4 of the PAIA.

6.2. Prescribed fees

The following applies to requests (other than personal requests):

- i. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed.
- ii. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- iii. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- iv. Records may be withheld until the fees have been paid.
- v. The detailed Fee Structure is as contained in Appendix 4.

7. REMEDIES

Röhlig-Grindrod does not have internal appeal procedures regarding the PAIA and POPI Act requests. As such, the decision made by the duly authorised persons in section 2 is final. If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator for relief.

Appendix A - Company records

The following is a list of the records which Röhlig-Grindrod holds and the categories into which they fall. The procedure in terms of which such records may be requested from Röhlig-Grindrod is set out in section 6 of this manual.

- 1.1 Administration
 - 1.1.1 Memorandum of incorporation
 - 1.1.2 Minutes of meeting of the board of directors
 - 1.1.3 Proxy forms
 - 1.1.4 Register of directors' shareholdings
 - 1.1.5 Share certificates
 - 1.1.6 Share register and other statutory registers and / or records and / or documents
 - 1.1.7 Special resolutions / resolutions passed at general and class meetings
 - 1.1.8 Records relating to the appointment of Auditors, Directors, Prescribed Officer, Public Officer and Company Secretary
 - 1.1.9 Minutes of meetings of Executive Committee
 - 1.1.10 Resolutions of the directors of Röhlig-Grindrod
- 1.2 Finance
 - 1.2.1 Accounting records
 - 1.2.2 Annual financial reports
 - 1.2.3 Interim and annual financial statements
 - 1.2.4 Asset registers
 - 1.2.5 Banking records
 - 1.2.6 Debtors / creditors statements and invoices
 - 1.2.7 Invoices issued in respect of debtors and billing information
 - 1.2.8 Policies and procedures
 - 1.2.9 Insurance records
 - 1.2.10 Tax records and
 - 1.2.11 Auditors reports
- 1.3 Human resources
 - 1.3.1 List of employees
 - 1.3.2 Statistics regarding employees
 - 1.3.3 Employment contracts
 - 1.3.4 Conditions of employment
 - 1.3.5 Information relating to prospective employees including curricula vitae and application forms
 - 1.3.6 Personnel records including personal details, disciplinary records, performance and evaluation records
 - 1.3.7 Employee tax information
 - 1.3.8 Records of unemployment
 - 1.3.9 Insurance fund contributions
 - 1.3.10 Records regarding life assurance and disability income protection
 - 1.3.11 Provident fund records
 - 1.3.12 Payroll records
 - 1.3.13 Health and safety records
 - 1.3.14 Employment equity plan
 - 1.3.15 Skills development plan
 - 1.3.16 Codes of conduct
 - 1.3.17 Disciplinary code and procedure
 - 1.3.18 Remuneration policy

1.3.19 Training schedules and material

1.4 Customers and suppliers

1.4.1 List of customers and details of customers

1.4.2 Customer and supplier agreements

1.4.3 Standard terms and conditions for supply of services and products

1.4.4 Standard operating procedures

1.5 Property

1.5.1 Asset registers

1.5.2 Lease agreements in respect of immovable property

1.5.3 Records regarding insurance in respect of movable property

1.6 Risk management and audit

1.6.1 Audit reports

1.6.2 Risk management frameworks

1.6.3 Risk management plans and risk registers

1.7 Safety, health and environment

1.7.1 Complete safety, health and environment risk assessment

1.7.2 Environmental managements plans

1.7.3 Inquiries, inspections, examinations by environmental authorities

1.8 Information technology

1.8.1 Computer / mobile device usage policy documentation

1.8.2 Disaster recovery plans

1.8.3 Hardware asset registers

1.8.4 Information security policies / standards / procedures Information technology systems and user manuals

1.8.5 Information usage policy documentation

1.8.6 Project implementation plans Software licensing

1.8.7 System documentation and manuals

Appendix B - Records available in terms of any other legislation

Röhlig-Grindrod retains records which are required in terms of legislation other than PAIA.

Certain legislation provides that private bodies shall allow certain persons access to specified records upon request.

Legislation that may be consulted to establish whether the requester has a right of access to a record other than in terms of the procedure set out in PAIA is set out below. This list is not exhaustive.

Basic Conditions of Employment Act 75 of 1997
Broad Based Black Economic Empowerment Act 53 of 2003
Companies Act 71 of 2008
Compensation for Occupational Injuries and Diseases Act 130 of 1993
Competition Act 89 of 1998
Customs and Excise Act 91 of 1964 Electronic
Communications Act 36 of 2005
Employment Equity Act 55 of 1998
Financial Markets Act 19 of 2012
Income Tax Act 58 of 1962
Labour Relations Act 66 of 1995
Merchant Shipping Act 57 of 1951
National Environmental Management Act 107 of 1998 National
Minimum Wage Act 9 of 2018
National Ports Act 12 of 2005
National Railway Safety Regulator Act 16 of 2002
Occupational Health and Safety Act 85 of 1993
Prevention and Combating of Corrupt Activities Act 12 of 2004
Promotion of Equality and Prevention of Unfair. Discrimination Act 4 of 2000
Protected Disclosures Act 26 of 2000
Protection of Personal Information Act 4 of 2013 National
Road Traffic Act 93 of 1996
Sea Transport Documents Act 65 of 2000
Insurance Act 18 of 2017
Skills Development Act 97 of 1998
Skills Development Levies Act 9 of 1999
Tax Administration Act 28 of 2011
Unemployment Insurance Act 63 of 2001 Unemployment
Insurance Contributions Act 4 of 2002 Value Added Tax
Act 89 of 1991

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			
E-mail 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			
E-mail 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>If 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 is 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

Appendix 4 - Prescribed fees

The following applies to requests (other than personal requests):

- 1.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed
- 1.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted)
- 1.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit
- 1.4 Records may be withheld until the fees have been paid
- 1.5 Payments should be made to Röhlig-Grindrod

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 are set-out in regulation 11(1) of PAIA.