

Massmart powered by Walmart

PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000

SECTION 51 MANUAL

FOR

MASSMART HOLDINGS LIMITED

Registration number: 1940/014066/06

and its subsidiaries

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1 INTRODUCTION

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act No. 2 of 2000 ("**PAIA**"). PAIA gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any right.

Massmart Holdings is a private body as defined in PAIA, and this Manual contains the information specified in Section 51(1) of PAIA, which is applicable to such a private body.

The aim of this Manual is to assist Requesters in requesting access to information (documents, records and/or Personal Information) from Massmart Holdings as contemplated in PAIA.

This Manual may be amended from time to time, and once amendments have been affected, the latest version of this Manual will be distributed and published in accordance with PAIA.

A Requester is invited to contact Massmart Holdings' Group Information Officer (see contact details below) should he/she require any assistance with the use or content of this Manual.

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

2 DEFINITIONS

Unless the context clearly indicates otherwise, the following terms shall have the meanings assigned to them hereunder, namely:–

- "**Data Subjects**" means the natural or juristic person/s to whom Personal Information relates;
- "**Group Information Officer**" means the person acting on behalf of Massmart Holdings and discharging the duties and responsibilities assigned to the head of Massmart Holdings by PAIA. The Group Information Officer is duly authorised to act as such and such authorisation has been confirmed by the head of Massmart Holdings in writing;
- "**Information Regulator**" shall bear the meaning ascribed thereto in POPIA;
- "**Manual**" means this manual published in compliance with Section 51 of PAIA, together with all annexures thereto;
- "**Massmart Group**" means the Massmart group of companies, comprising of Massmart Holdings Limited and its South African subsidiaries and associated companies and entities;
- "**Massmart Holdings**" means Massmart Holdings Limited, a company registered in terms of the laws of the Republic of South Africa under registration number 1940/014066/06 and its subsidiaries, Masstores (Pty) Ltd, Massmart Retail (Pty) Ltd and Massmart Wholesale (Pty) Ltd;

- **“Minister”** means the Minister of Justice and Correctional Services;
- **"Personal Information"** has the meaning ascribed thereto under POPIA;
- **“Personnel”** means any person who works for or provides services to or on behalf of Massmart Holdings and receives or is entitled to receive any remuneration. This includes, without limitation, directors (both executive and non-executive), all permanent, temporary and part-time staff as well as contract workers;
- **“POPIA”** means the Protection of Personal Information Act 4 of 2013, together with any regulations published thereunder;
- **"Processing"** means any operation or activity or any set of operations, whether or not by automatic means, concerning Personal Information, including –
 - the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - dissemination by means of transmission, distribution or making available in any other form by electronic communications or other means; or
 - merging, linking, blocking, degradation, erasure or destruction. For the purposes of this definition, and "Process" has a corresponding meaning;
- **“Record”** means any recorded information, regardless of form or medium, which is in the possession or under the control of Massmart Holdings, irrespective of whether it was created by Massmart Holdings;
- **“Request”** means a request for access to a Record of Massmart Holdings;
- **“Requester”** means any person, including a public body or an official thereof, making a Request for access to a Record of Massmart Holdings and includes any person acting on behalf of that person; and
- **"Third Party"** means any independent contractor, agent, consultant, sub-contractor or other representative of Massmart Holdings.

Unless a contrary intention clearly appears, words signifying:-

- the singular includes the plural and vice versa;
- any one gender includes the other genders and vice versa; and
- natural persons include juristic persons.

Terms defined in PAIA shall have the same meaning in this Manual.

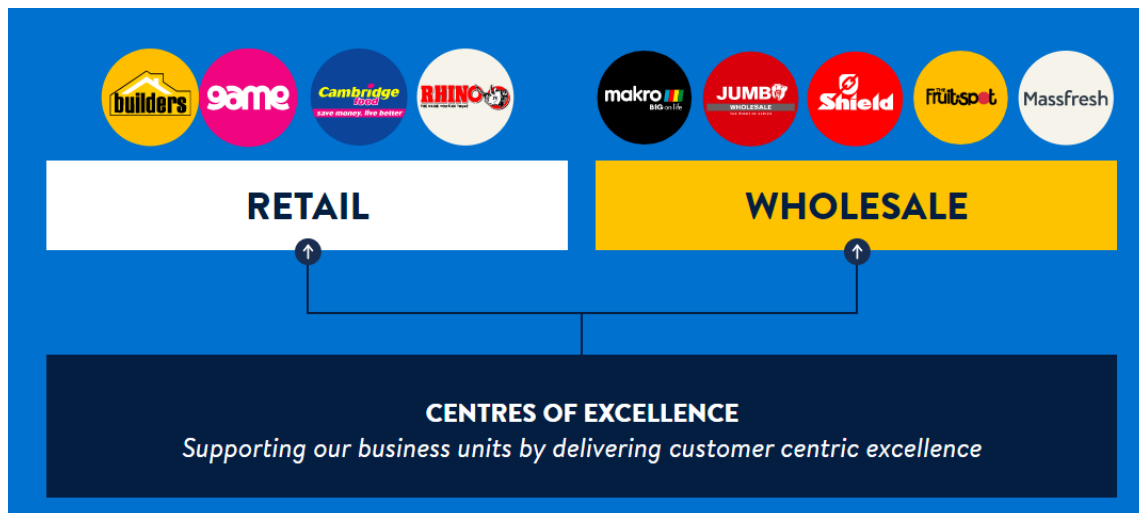
3 OVERVIEW OF THE MASSMART GROUP

Massmart is a South African-based globally competitive regional management group, invested in a portfolio of differentiated, complementary, focused wholesale and retail formats. These are each reliant on high volumes and operational excellence as the foundation of price leadership, in the distribution of mainly branded consumer goods for cash. Massmart is the second-largest distributor of consumer goods in Africa, the leading retailer of general merchandise, liquor and home improvement equipment and supplies, and the leading wholesaler of basic foods.

Massmart’s business units comprise Massmart Wholesale and Massmart Retail. Each has a dedicated management team focusing on a retail or wholesale format, merchandise proposition and customer base, and is empowered to take trading decisions within a strategic framework and governance structure defined by the Massmart Group

Our wholesale and retail chains are all focused on high-volume and low-cost distribution. We operate 420 stores in 13 countries in sub-Saharan Africa through the Group’s two business units – Massmart Wholesale and Massmart Retail. We are listed on the main board of the JSE Securities Exchange in the Consumer Services-Retail sector.

A simplified view of the Massmart Group and its primary brands is as follows:



This Manual only applies to Massmart Holdings and the abovementioned banners. Copies of the PAIA manuals in relation to the divisions of the Massmart Group can be found at:

DIVISION	LEGAL ENTITY	WEBSITE
Massmart Services	Masstores (Pty) Ltd t/a Massmart Services	www.massmart.co.za
Massmart Transport Services	Masstores (Pty) Ltd t/a Massmart Transport Services	www.massmart.co.za
Game	Masstores (Pty) Ltd t/a Game	https://www.game.co.za

DIVISION	LEGAL ENTITY	WEBSITE
Makro	Masstores (Pty) Ltd t/a Makro	https://www.makro.co.za
Builders	Massmart Retail (Pty) Ltd t/a Builders, Builders Express, Builders Trade Depot and Builders Superstore	https://www.builders.co.za
Cash & Carry	Massmart Wholesale (Pty) Ltd	http://www.jumbo.co.za
Rhino Cash & Carry and Rhino Liquors	Massmart Wholesale (Pty) Ltd t/a Rhino Cash & Carry and Rhino Liquors	http://africacnc.co.za
Jumbo	Massmart Retail (Pty) Ltd t/a Jumbo	http://www.jumbo.co.za
Cambridge Food	Massmart Retail (Pty) Ltd t/a Cambridge Food	https://www.cambridgefood.co.za
Cambridge Food Thembisa	Clidet NO 1003 (Pty) Ltd	https://www.cambridgefood.co.za
Cambridge Food Bara Hotel, Cambridge Food Hillbrow & Cambridge Food Randburg	Cambridge Food Gauteng (Pty) Ltd	https://www.cambridgefood.co.za
Cambridge Food Vosloorus	DDS Cash & Carry (Pty) Ltd	https://www.cambridgefood.co.za
Fruit Spot & Massfresh Meats	Fresh Food Direct (Pty) Ltd	www.massmart.co.za
Unison Risk Management Alliance	Unison Risk Management Alliance (Pty)	www.urma.co.za

DIVISION	LEGAL ENTITY	WEBSITE
	Ltd	
Wumdrop ZA	HB UNLIMITED OVERS CRICKET PROPRIETARY LIMITED	https://za.wumdrop.com

4 CONTACT DETAILS

The Group Information Officer of Massmart Holdings is the person to whom Requests for access to Records should be addressed.

The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of PAIA as well as section 56 of POPIA. This is in order to render Massmart Holdings as accessible as is reasonably possible for Requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of the POPIA. All Requests for information in terms of this Act must be addressed to the Information Officer.

The Group Information Officer's contact details are listed below:

Name of Private Body	Massmart Holdings Limited
Postal address	Private Bag X4 Sunninghill 2157
Street address	Massmart House 16 Peltier Drive Sunninghill Ext 6 Sandton 2196
Phone number	011 517-0000
Fax number	011 517-0020
Group Information Officer	Louise Lackay-Walters
Email address of Group Information Officer	info.officer@massmart.co.za
Telephone Number	011 517-6070

5 HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

The Information Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("**Guide**"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

The Guide is available in each of the official languages.

The Guide contains a description of, *inter alia* –

- the objects of PAIA and POPIA;
- the postal and street address, phone and fax number and, if available, electronic mail address of every Deputy Information Officer of every private body designated in terms of section 17(1) of PAIA, and section 56 of POPIA;
- the manner and form of a request for access to a record of a private body contemplated in section 50;
- the assistance available from the Information Regulator in terms of PAIA and POPIA;
- all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging –
 - an internal appeal;
 - a complaint to the Information Regulator; and
 - an application with a court against a decision by the Information Regulator; and
 - an application with a court against a decision on internal appeal or a decision by the Information Regulator or a decision of the head of a private body;
- the provisions of section 51 of PAIA requiring a private body, respectively, to compile a manual, and how to obtain access to a manual;
- the provisions of section 52 of PAIA providing for the voluntary disclosure of categories of records by a private body;
- the notices issued in terms of section 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
- the regulations made in terms of section 92 of PAIA.

The Guide is accessible on the Information Regulator's website, as well as from the offices of the Information Regulator during normal working hours, or you may request a copy of the Guide from Massmart Holdings by contacting our Group Information Officer. You may also direct any queries to:

The Information Regulator of South Africa

Physical Address: JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Postal Address: P.O. Box 31533, Braamfontein, Johannesburg, 2017

E-mail: infoereg@justice.gov.za / POPIAComplaints.IR@justice.gov.za / PAIAComplaints.IR.@justice.gov.za

Website: <https://www.justice.gov.za/infoereg/index.html>

6 HOW TO REQUEST ACCESS TO RECORDS HELD BY MASSMART HOLDINGS

PAIA grants a Requester access to records of a private body if the record is required for the exercise or protection of any rights. If a public body lodges a request in terms of PAIA, the public body must be acting in the public interest.

POPIA provides that a Data Subject may, upon proof of identity, request Massmart Holdings to confirm, free of charge, all the information it holds about the Data Subject. POPIA provides that a Data Subject may object, at any time, to the processing of personal information by Massmart Holdings, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing.

Should you wish to make a request to access Records held by Massmart Holdings in terms of Section 50 of PAIA, [please click here](#).

Requests in terms of PAIA shall be made in accordance with the procedure prescribed in the above link, alternatively, the Requester must use the prescribed form to make the request for access to a record, which form is attached hereto as Annexure 1. The request must be made to the Information Officer at the address or electronic mail address of the body concerned (*see s 53(1) of PAIA*).

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 specify a postal address, fax number in the Republic or email address. The Requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the Requester and state the necessary particulars to be so informed (*see s 53(2)(a) and (b) and (c) and (e) of PAIA*).

The Requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right (*see s 53(2)(d) of PAIA*).

If a request 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 satisfaction of the head of the private body (*see s 53(2)(f) of PAIA*).

Massmart Holdings is required to inform a Requester in writing of its decision in relation to a Request within 30 days after acknowledging receipt of the Request. If the Requester wishes to be informed of Massmart Holdings' decision in another manner as well, this must be set out in the Request and the relevant details included, allowing Massmart Holdings to inform the Requester in the preferred manner.

A Data Subject may also request Massmart Holdings to correct or delete personal information about the Data Subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that Massmart Holdings is no longer authorised to retain in terms of POPIA's retention and restriction of records provisions.

Should you wish to access and/or change and/or delete any of your personal information, [please click here](#).

7 FEES PAYABLE

The list detailing the prescribed fees payable to Massmart Holdings in respect of Requests and the fees in respect of access to Records (if the Request is granted) is attached as Annexure 2.

Kindly note that all Requests to Massmart Holdings will be evaluated and considered in accordance with PAIA. Publication of this Manual and describing the categories and subject matter of information held by Massmart Holdings does not give rise to any rights (in contract or otherwise) to access such information or Records except in terms of PAIA.

8 GROUNDS OF REFUSAL OF ACCESS

Massmart Holdings may, and must in certain instances, refuse access to Records on any of the grounds set out in Chapter 4 of Part 3 of PAIA.

Requests for access by a Requester must be refused by the Group Information Officer if –

- a. the disclosure would involve the unreasonable disclosure of personal information about a third party (natural person), including a deceased individual (*see section 63 of PAIA*);
- b. the record contains (a) trade secrets of a third party, (b) financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party, or (c) information supplied in confidence by a third party the disclosure of which could reasonably be expected to put that third party at a disadvantage in contractual or other negotiations; or to prejudice that third party in commercial competition (*see section 64 of PAIA*);
- c. the disclosure of the record would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement (*see section 65 of PAIA*);
- d. the disclosure could reasonably be expected to endanger the life or physical safety of an individual (*see section 66(a) of PAIA*);
- e. the record is privileged from production in legal proceedings unless the person entitled to the privilege has waived the privilege (*see section 67 of PAIA*); or
- f. the record contains information about research being or to be carried out by or on behalf of a third party, the disclosure of which would be likely to expose: (a) the third party; (b) a person that is or will be carrying out the research on behalf of the third party; or (c) the subject matter of the research, to serious disadvantage (*see section 69 of PAIA*).

Requests for access by a Requester may be refused by the Information Officer if –

1. the disclosure would be likely to prejudice or impair: (i) the security of: (aa) a building, structure or system, including, but not limited to, a computer or communication system; (bb) a means of transport; or (cc) any other property; or (ii) methods, systems, plans or procedures for the protection of: (aa) an individual in accordance with a witness protection scheme; (bb) the safety of the public, or any part of the public; or (cc) the security of property contemplated in subparagraph (i) (aa), (bb) or (cc) (*see section 66(b) of PAIA*);
2. the record:
 - a. contains trade secrets of Massmart Holdings;

- b. contains financial, commercial, scientific or technical information, other than trade secrets, the disclosure of which would be likely to cause harm to the commercial or financial interests of Massmart Holdings;
 - c. contains information, the disclosure of which could reasonably be expected:
 - a. to put Massmart Holdings at a disadvantage in contractual or other negotiations;
 - or
 - b. to prejudice Massmart Holdings' commercial competition; or
 - d. is a computer program, as defined in section 1(1) of the Copyright Act No. 98 of 1978, owned by Massmart Holdings, except insofar as it is required to give access to a record to which access is granted in terms of PAIA (*see section 68(1) of PAIA*); or
3. the record contains information about research being or to be carried out by or on behalf of Massmart Holdings, the disclosure of which would be likely to expose: (a) Massmart Holdings; (b) a person that is or will be carrying out the research on behalf of Massmart Holdings; or (c) the subject matter of the research, to serious disadvantage (*see section 69(2) of PAIA*).

Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

All Requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.

If a requested Record cannot be found or if the Record does not exist, the Information Officer shall, by way of an affidavit or affirmation, notify the Requester that it is not possible to give access to the requested Record. Such a notice will be regarded as a decision to refuse a Request for access to the Record concerned for the purpose of PAIA. If the Record should later be found, the Requester shall be given access to the Record in the manner stipulated by the Requester in the prescribed form, unless the Information Officer refuses access to such Record.

9 REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

The decision of the Information Officer or deputy Information Officer is final.

A requester aggrieved by a decision of the Information Officer to refuse a request for access may, within 180 days of the Information Officer's decision, submit a complaint to the Information Regulator in the prescribed manner and form (*see section 77A of PAIA*).

Alternatively, a requester is entitled to apply to a court of competent jurisdiction for appropriate relief (*see section 78 of PAIA*).

10 VOLUNTARY DISCLOSURE

Certain information is freely available at Massmart Holdings. This information consists of its most recent Annual Report and other information relating to Massmart Holdings is available on

its website at www.massmart.co.za. Brochures are mailed to customers, inserted into newspapers and other publications and made available in stores.

Certain information is also made available to employees of Massmart Holdings, which is not generally made available to the public. To avoid confusion, these items of information are not listed here but may be obtained by Massmart Holdings employees from its HR office upon request.

11 CATEGORIES OF REQUESTORS

The capacity under which a Requestor makes a request for records defines the category in which the Requestor will fall into. The following is a non-exhaustive list of Requesters:

- 11.1. A Data Subject who makes requests about themselves;
- 11.2. A representative who makes a request on behalf of the Data Subject(s);
- 11.3. A third party who requests information about a Data Subject; or
- 11.4. A public body who requests information in the public interest.

12 RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Information is retained in terms of the following legislation and is **usually available only to the persons or entities specified in such legislation**. The legislation includes, but is not limited to, the following:

- 1. Basic Conditions of Employment Act No. 75 of 1997;
- 2. Broad-Based Economic Empowerment Act No. 53 of 2003;
- 3. Companies Act No. 61 of 1973 (repealed save for chapter 14);
- 4. Companies Act, No. 71 of 2008;
- 5. Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
- 6. Competition Act No. 89 of 1998;
- 7. Consumer Affairs (Unfair Business Practices Act), 71 of 1988;
- 8. Consumer Protection Act No. 68 of 2008;
- 9. Copyright Act No. 98 of 1978
- 10. Customs and Excise Amendment Act, 45 of 1995;
- 11. Debt Collectors Act, No. 114 of 1998;
- 12. Deeds Registries Act No. 47 of 1937;
- 13. Electronic Communications and Transactions Act No. 25 of 2002;
- 14. Employment Equity Act No. 55 of 1998;
- 15. Financial Intelligence Centre Act No. 38 of 2001;
- 16. Hazardous Substances Act No. 15 of 1973;
- 17. Income Tax Act No. 58 of 1962;
- 18. Insider Trading Act No. 135 of 1998;
- 19. Labour Relations Act No. 66 of 1995;
- 20. Liquor Act No. 59 of 2003;
- 21. Liquor Products No. 60 of 1989;
- 22. Manpower Training Act No. 56 of 1981;
- 23. Medicines and Related Substances Control Act No. 101 of 1965;

24. National Credit Act, No. 34 of 2005;
25. National Environment Management Act No. 107 of 1998;
26. Pension Funds Act No. 24 of 1956 Tax on Retirement Funds Act No. 38 of 1996
27. Prevention of Combating of Corrupt Activities Act No. 12 of 2004;
28. Prevention of Organised Crime Act No. 121 of 1998;
29. Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000;
30. Protected Disclosures Act No. 26 of 2000;
31. Protection of Personal Information Act, No. 4 of 2013;
32. Regulation of Interception of Communications and Provision of Communications Related Information Act No. 70 of 2002.
33. Skills Development Act No. 97 of 1998;
34. Skills Development Levies Act No. 9 of 1999;
35. South African Revenue Services Act, 34 of 1997;
36. The Atmospheric Pollution Prevention Act No. 45 of 1965;
37. The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993;
38. The Constitution of the Republic of South Africa No.3 of 1994;
39. The Health Act No. 63 of 1977;
40. The Medical Schemes Act No. 131 of 1998;
41. The Occupational Health and Safety Act No. 85 of 1993;
42. The Value-Added Tax Act No. 89 of 1991;
43. Tobacco Products Control Act No. 83 of 1993;
44. Trade Marks Act No. 194 of 1993;
45. Unemployment Insurance Contributions Act No. 4 of 2002;
46. Unemployment Insurance Act No. 63 of 2001;
47. Value Added Tax Act, No. 89 of 1991.

**Although we have used our best endeavours to supply a list of applicable legislation, it is possible that this list may be incomplete. Whenever it comes to our attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, we shall update the list accordingly. If a Requester believes that a right of access to a record exists in terms of other legislation listed above or any other legislation, the Requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.*

Records kept in terms of the above legislation may, in certain instances (and insofar as the information contained therein is of a public nature) be available for inspection without a person having to Request access thereto in terms of PAIA.

13 RECORDS HELD BY MASSMART HOLDINGS

We maintain 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. In particular, certain grounds of refusal as set out in PAIA may be applicable to a Request for such Records.** All Requests for access will be evaluated on a case by case basis in accordance with the provisions of PAIA.

13.1 Company Records

- Documents of Incorporation;
- Memorandum and Articles of Association;
- Necessary certificates in terms of the Companies Act 71 of 2008;

- Share registers and other statutory registers;
- Names of directors;
- Minutes of meeting of committees and sub-committees;
- Operational Records;
- Company policies and directives;
- Intellectual property;
- Marketing Records;
- Legal Records;
- Internal correspondence;
- Statutory Records;
- Internal policies and procedures;
- Records held by officials of Massmart Holdings.

13.2 Financial Records

- Financial Records and reports;
- Accounting Records;
- Audit Records and reports;
- Debtors Records;
- Tax returns;
- Banking Records;
- Financial policies and procedures;
- Risk management Records;
- Management accounts and Records;
- Purchase and order Records;
- General correspondence.

13.3 Personnel Records

- A list of Massmart Holdings' and the Massmart Group's Personnel;
- Any personal Records provided to Massmart Holdings by its Personnel;
- Any Records a third party has provided to Massmart Holdings about any of its Personnel;
- Conditions of employment and other Personnel-related contractual and quasi-legal Records;
- Internal evaluation Records;
- Skills plans;
- Disciplinary Records;
- Termination Payments;
- Employment Equity Plans of the Massmart Group;
- Employee Tax information;
- Training schedules and manuals;
- Payroll Records;
- Pension and Provident Fund Records;
- Internal policies and procedures;
- General correspondence;
- Other internal Records and correspondence.
- BEE plans of the Massmart Group

13.4 Customer-related Records

- Any Records a customer has provided to the Massmart Group or a third party acting for or on behalf of the Massmart Group;
- Any credit Records or other research conducted by the Massmart Group in respect of its customers or research derived by the Massmart Group from its customers and their activities;
- Any Records a third party has provided to the Massmart Group either directly or indirectly;
- Records generated by or within the Massmart Group **pertaining** to the customer, including transactional Records.

13.5 Information Technology

- Computer software;
- IT technology capabilities;
- Support and maintenance agreements;
- Records regarding computer systems;
- Programs including software license agreements;
- IT policies and procedures;
- Network Diagrams;
- Configuration setups;
- Systems and user manuals;
- Asset register for IT-related material;
- System Performance Records;
- General correspondence.

13.6 Insurance Records

- Insurance Policies taken for the benefit of The Company and its employees

13.7 Permits

- Licenses, material permits, consents, approvals, authorizations and certificates
- Applications for permits, licenses, etc.;
- Registrations and declarations of permits.

13.9 Other Parties

Records are kept in respect of other parties, including without limitation contractors, Commercial Banks, auditors and consultants, suppliers, joint venture companies and service providers, and general market conditions. In addition, such other parties may possess Records which can be said to belong to the **Massmart Group**. The following Records fall under this category:

- Personnel, customer, or Massmart Group Records which are held by another party as opposed to being held by the Massmart Group; and
- Records held by the Massmart Group pertaining to other parties, including financial Records, correspondence, contractual Records, Records provided by the other party, and Records third parties have provided about the contractors or suppliers.

13.10 Other Records

Further Records are held including:-

- Information relating to the Massmart Group's own commercial activities; and
- Research information belonging to the Massmart Group or carried out on behalf of a third party.

14 INFORMATION AVAILABLE IN TERMS OF POPIA

14.1 Categories of Personal Information collected by Massmart Holdings

Massmart Holdings may collect information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to-

- 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;
- information relating to the education or the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- the biometric information of the person;
- the personal opinions, views or preferences of the person;
- 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;
- the views or opinions of another individual about the person; and
- 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.

14.2 The purpose of processing personal information

In terms of POPIA, data must be processed for a specified purpose. The purpose for which data is processed by Massmart Holdings will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected.

In general, Personal Information is processed for purposes of transacting with customers, onboarding suppliers, service providers, service or product delivery, records management, security, employment / recruitment and related matters. Please also refer to the Massmart's Privacy Policy for further information at <https://www.massmart.co.za/privacy-policy-2/>.

Massmart will retain Personal Information only for as long as is necessary to accomplish its legitimate business purposes or for as long as may be permitted or required by applicable law.

14.3 Categories of data subjects

Massmart Holdings collects Personal Information directly from the Data Subject and/or from Third Parties and where Massmart Holdings obtains Personal Information from Third Parties, Massmart will ensure that it obtains the consent of the Data Subject to do so, or will only Process the Personal Information without the Data Subject's consent where Massmart is permitted to do so in terms of the applicable laws.

Massmart Holdings Processes Personal Information of the following categories of Data Subjects:

- customers of Massmart Holdings;
- employees / Personnel of Massmart Holdings;
- independent contractors of Massmart Holdings;
- suppliers of Massmart Holdings; and
- any third party with whom Massmart Holdings conducts business.

14.4 Categories of recipients to whom Personal Information may be supplied

Depending on the nature of the Personal Information, Massmart Holdings may supply information or records to the following categories of recipients:

- statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data;
- any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or discovery in terms of the applicable rules;
- South African Revenue Services, or another similar authority;
- anyone making a successful application for access in terms of PAIA or POPIA; and
- subject to the provisions of POPIA and other relevant legislation, Massmart Holdings may share information about Data Subject's creditworthiness with any credit bureau or credit providers industry association or other association for an industry in which Massmart Holdings operates.

14.5 Transborder flows of Personal Information

Massmart Holdings may need to transfer a Data Subject's Personal Information to its related parties and service providers in countries outside South Africa, these countries may not have data-protection laws which are similar to those of South Africa. Where this is done, Massmart Holdings will transfer this Personal Information in accordance with the provisions of POPIA.

14.6 Information Security Measures

The security and confidentiality of Personal Information is important to Massmart. We have implemented reasonable technical, administrative, and physical security measures to protect Personal Information from unauthorised access or disclosure and improper use.

We are committed to ensuring that our security measures which protect your Personal Information are continuously reviewed and updated where necessary.

In Processing any Personal Information, Massmart Holdings shall comply with the following

minimum technical and organisational security requirements:

- **Physical Access** – Access to Personal Information is restricted in our offices (in senior Personnel offices), under lock and key, and only to those Personnel who need the Personal Information to perform a specific job / task.
- **Personnel Training** – All Personnel with access to Personal Information are kept up-to-date on our security and privacy practices. After a new policy is added, these Personnel are notified and/or reminded about the importance we place on privacy, and what they can do to enhance protection for the Personal Information of all Data Subjects.
- **Unique User Identification** – Personnel each have a unique user ID assigned to them, subject to strict confidentiality undertakings in terms of Massmart's password, access control and confidentiality policies.
- **Passwords** – Massmart Holdings shall ensure that there are passwords required for any access to Personal Information in line with its password policy.
- **Physical access and privileges** – Massmart Holdings ensures that access to Personal Information is limited to Personnel on a "need to know" basis, and Personnel are required to strictly utilise their unique user ID and applicable passwords to access same.
- **Systems Review** – Massmart Holdings conducts regular reviews of its technical and organisational security measure system in order to ensure that all of the above security measures are functioning effectively and applied consistently.

15 INFORMATION OR RECORDS NOT FOUND

If all reasonable steps have been taken to find a Record, and such a Record cannot be found or if the Records do not exist, then Massmart Holdings will notify the Requester, by way of an affidavit or affirmation, that it is not possible to give access to the requested Record.

The affidavit or affirmation will provide a full account of all the steps taken to find the Record or to determine the existence thereof, including details of all communications by Massmart Holdings with every person who conducted the search.

If the Record in question should later be found, the Requester shall be given access to the Record in the manner stipulated by the Requester unless access is refused by Massmart Holdings as permitted by PAIA.

16 INFORMATION REQUESTED ABOUT A THIRD PARTY

Where any information is requested from Massmart Holdings that relates to a third party, Massmart Holdings is required to notify the third party of the Request. The third party has an opportunity to grant his, her or its consent to the disclosure of the Record or to make representations as to why the requested Record should not be disclosed to the Requester. If Massmart Holdings decides to grant access to the Record, it will notify the affected third party again. The third party is entitled to apply to court in relation to that decision. The court will then determine whether the Record should be disclosed by Massmart Holdings or not.

17 OTHER INFORMATION AS PRESCRIBED

The Minister has not prescribed that any further information must be contained in this Manual.

18 AVAILABILITY OF THIS MANUAL

A copy of this Manual is available –

1. on our website (<https://www.massmart.co.za/paia/>) or by sending a Request for a copy to the Group Information Officer by email;
2. at the Massmart Holdings head office (being the principal place of business) for inspection by the general public during normal office hours;
3. to any person, upon request and subject to the payment of a reasonable fee; and
4. to the Information Regulator upon request.

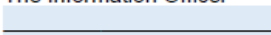
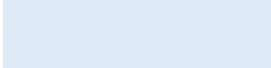
A fee for a copy of the Manual, as contemplated in the Regulations, shall be payable per each A4-size photocopy made.

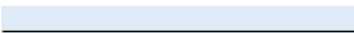
ANNEXURE 1

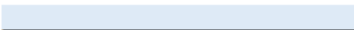
FORM 2
REQUEST FOR ACCESS TO RECORD
 [Regulation 7]

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			
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			
<p><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></p>			
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:	

FEEES	
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 <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: <i>(State Rank, Name And Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

ANNEXURE 2**FEES PAYABLE****Request fees:**

Where a Requester submits a Request for access to information held by Massmart Holdings on a person other than the Requester himself/herself, a Request fee in the amount of R140.00 is payable up-front before Massmart Holdings will further process the Request received. This Request fee may be paid at the time a Request is made, or the person authorised to deal with such Requests on Massmart Holdings' behalf may notify the Requester to pay the Request fee before processing the Request any further. A Requester may make an application to Court to be exempted from the requirement to pay the Request fee (*see section 54(1) and 54(3)(b) of PAIA*)

If access to a Record/s is granted by Massmart Holdings, the Requester may be required to pay an access fee for the search for and preparation of the Records and for re-production of the Record/s. The access fees which apply are set out below.

Access fees:

An access fee is payable in all instances where a Request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of section 54(8). Massmart Holdings is entitled to withhold a Record until the required access fees have been paid.

The applicable access fees which will be payable are:

Item	Description	Amount (Rand)
1.	The request fee payable by every requester	R140.00
2.	Photocopy/printed black & white copy of A4-size page	R2.00 per page or part thereof
3.	Printed copy of A4-size page	R2.00 per page or part thereof
4.	For a copy in a computer-readable form on: 1 Flash drive (to be provided by requester) 2 Compact disc 2.1 If provided by requester 2.2 If provided to requester	R40.00 R40.00 R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from service provider.
6.	Copy of visual images	
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of audio record on: 1 Flash drive (to be provided by requester) 2 Compact disc 2.1 If provided by requester 2.2 If provided to requester	R40.00 R40.00 R60.00

9.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation To not exceed a total cost of	R145.00 R435.00
10.	Deposit: if search exceeds 6 hours	One third of amount per request calculated in terms of item 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

Where an institution has voluntarily provided the Minister with a list of categories of Records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such Records, will be a fee for reproduction of the Record in question.

Deposits:

Where Massmart Holdings receives a Request for access to information held on a person other than the Requester himself/herself and the Group Information Officer upon receipt of the Request is of the opinion that the preparation of the required Record of disclosure will take more than 6 (six) hours, a deposit is payable by the Requester. The Requester may make an application to Court to be exempted from the requirement to pay this deposit. If a deposit is made and access to the Records requested is subsequently refused, the deposit will be repaid to the Requester.

The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

Note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations.