

**PAIA MANUAL Prepared in terms of section 51 of the Promotion of Access to Information Act, 2 of 2000 for Kerry Piper (Pty) Ltd - Registration number: 2015/136682/07**

## **1. Introduction and purpose of this Manual**

This manual is prepared and published by Kerry Piper (Pty) Ltd ("Kerry Piper", "the Company", "we", "us" or "our") in accordance with section 51 of the Promotion of Access to Information Act, 2 of 2000 ("PAIA"), as amended, and where applicable the Protection of Personal Information Act, 4 of 2013 ("POPIA").

The purpose of this manual is to assist members of the public, clients, suppliers, employees, service providers and other requesters to understand the categories of records held by the Company and the process to request access to such records. Access to records is subject to the provisions of PAIA, POPIA and any other applicable law, including the lawful grounds on which access may be refused.

Kerry Piper is a South African business involved in the production, distribution and export of injection brines, specialised spice packs, commodities and related products and services for the food, meat-processing and associated industries. In the course of its operations, the Company may collect, hold and process records relating to its clients, suppliers, employees, service providers, products, operations and regulatory obligations.

## **2. Company information**

<b>Business name</b>	Kerry Piper (Pty) Ltd
<b>Registration number</b>	2015/136682/07
<b>Physical address</b>	ECO GLADES 3 - WAREHOUSE 11 - 12, 46 Ribbon Grass Road, Eco Park, Highveld, Gauteng, 0157
<b>Postal address</b>	Same as physical address
<b>Telephone number</b>	073 193 5523
<b>General email address</b>	admin@kerrypiper.co.za
<b>Website</b>	www.kerrypiper.co.za

### 3. Information Officer details

The Information Officer is responsible for dealing with requests for access to records and for supporting the Company's compliance with PAIA and POPIA.

<b>Name</b>	Quinton Coetzee
<b>Position</b>	Information Officer
<b>Email address</b>	admin@kerrypiper.co.za
<b>Telephone number</b>	073 193 5523

The Company will ensure that its Information Officer and/or any Deputy Information Officer is registered with the Information Regulator where required and in accordance with applicable regulatory requirements.

### 4. Information Regulator details

<b>Name</b>	Information Regulator (South Africa)
<b>Physical address</b>	Woodmead North Office Park, 54 Maxwell Drive, Woodmead, Johannesburg, 2191
<b>Website</b>	<a href="https://www.inforegulator.org.za">https://www.inforegulator.org.za</a>
<b>Telephone number</b>	010 023 5200
<b>PAIA complaints email</b>	PAIAComplaints@inforegulator.org.za
<b>POPIA complaints email</b>	POPIAComplaints@inforegulator.org.za

### 5. Guide on how to use PAIA

The Information Regulator has published a guide, as contemplated in section 10 of PAIA, to assist persons who wish to exercise any right in terms of PAIA and POPIA. The guide explains, among other things, the purpose of PAIA, how to make a request for access to records, the assistance available from Information Officers, the prescribed forms and fees, and the remedies available to requesters.

A copy of the guide may be obtained from the Information Regulator's website or requested from the Information Regulator. The Company will also provide reasonable assistance to a requester who requires guidance on the procedure for submitting a request to the Company.

## **6. Categories of records available without a formal PAIA request**

Certain information may be made available without a formal PAIA request, where applicable and at the Company's discretion. This may include:

- publicly available information on the Company's website;
- product descriptions, brochures and marketing material;
- public company announcements, newsletters or communications, where applicable;
- general contact information; and
- other records which the Company elects to make publicly available from time to time.

The inclusion of a category in this section does not mean that all records in that category will automatically be available. The Company may still require a formal PAIA request where appropriate.

## **7. Records held by the Company**

The Company may hold the following categories of records. This list is not exhaustive and does not mean that all records listed will be made available. Access remains subject to PAIA and any applicable grounds for refusal.

### **7.1 Company and governance records**

- CIPC registration documents;
- memorandum of incorporation and company resolutions;
- shareholder and director records, where applicable;
- board, shareholder and management meeting records;
- company policies, procedures and internal governance documents.

### **7.2 Financial, accounting and tax records**

- financial statements, management accounts and accounting records;
- invoices, statements, receipts and proof of payment;
- banking records and payment records;
- tax returns, VAT records and SARS correspondence;
- audit, accounting and bookkeeping records.

### **7.3 Personnel and human resources records**

- employment contracts and personnel files;
- payroll, remuneration, leave and benefits records;
- disciplinary, performance and training records;
- employee tax, UIF and statutory employment records;
- occupational health and safety records, where applicable.

### **7.4 Client, customer and supplier records**

- client and supplier onboarding documentation;
- client, customer and supplier contracts, orders and correspondence;
- product, pricing, delivery and transaction records;
- service level arrangements and operational correspondence;
- records relating to complaints, disputes and queries.

### **7.5 Product, operational and quality records**

- product descriptions, specifications and formulation-related records;
- manufacturing, blending, packaging, batch and quality-control records;
- supplier, raw material, commodity and procurement records;
- import, export, logistics and delivery records, where applicable;
- equipment, inventory, warehouse and operational records.

### **7.6 Legal, regulatory and compliance records**

- signed contracts and legal agreements;
- compliance policies, procedures and registers;
- PAIA, POPIA and information governance records;
- records of data subject and PAIA requests;
- dispute, complaint, insurance, claim and litigation records;
- regulatory correspondence and submissions.

### **7.7 Information technology, website and communications records**

- IT policies, access control records and user authentication records;
- website, online shop, enquiry and communication records;
- system, email, security and access logs;
- backup, disaster recovery and security incident records;

- records relating to IT service providers and operators.

## **8. Records available in terms of other legislation**

The Company may keep records in accordance with various South African laws, depending on the nature of the record and the Company's activities. These may include, among others:

- Basic Conditions of Employment Act, 75 of 1997;
- Companies Act, 71 of 2008;
- Compensation for Occupational Injuries and Diseases Act, 130 of 1993;
- Consumer Protection Act, 68 of 2008;
- Customs and Excise Act, 91 of 1964, where applicable;
- Electronic Communications and Transactions Act, 25 of 2002;
- Employment Equity Act, 55 of 1998;
- Foodstuffs, Cosmetics and Disinfectants Act, 54 of 1972, where applicable;
- Income Tax Act, 58 of 1962;
- Labour Relations Act, 66 of 1995;
- Occupational Health and Safety Act, 85 of 1993;
- Promotion of Access to Information Act, 2 of 2000;
- Protection of Personal Information Act, 4 of 2013;
- Skills Development Act, 97 of 1998;
- Unemployment Insurance Act, 63 of 2001;
- Value-Added Tax Act, 89 of 1991.

The inclusion of any legislation does not mean that a requester has an automatic right of access to records held in terms of that legislation. Access remains subject to PAIA and any applicable grounds for refusal.

## **9. How to request access to records under PAIA**

A requester who wishes to request access to a record held by the Company must follow the process below:

1. Complete the prescribed PAIA request form, known as Form 2: Request for Access to Record, or submit a request containing substantially the same information required by the prescribed form.
2. Submit the request to the Information Officer using the contact details set out in this manual.

3. Provide enough detail to enable the Company to identify the requester, the requested record and the form of access required.
4. If the request is made on behalf of another person, provide proof of the authority to act on behalf of that person.
5. For requests to a private body, identify the right that the requester seeks to exercise or protect and explain why the requested record is required for the exercise or protection of that right.
6. Pay any prescribed request fee or access fee, where such fee is lawfully payable and requested by the Company.

The Company will consider the request in accordance with PAIA and will notify the requester of the outcome. Access may be granted, refused or partially granted. If access is refused, the Company will provide reasons where required by PAIA.

## **10. Fees**

A requester may be required to pay the prescribed PAIA fees, including any request fee, access fee, reproduction fee, search and preparation fee or deposit, where applicable. The Company will notify the requester of any fees payable before providing access to the requested records, as required by PAIA and the applicable regulations.

## **11. Grounds for refusal of access to records**

Access to a record may be refused on any ground permitted by PAIA or other applicable law. These grounds may include, among others:

- protection of the privacy of a third party who is a natural person;
- protection of commercial information of a third party;
- protection of confidential information of third parties;
- protection of the safety of individuals or protection of property;
- protection of records privileged from production in legal proceedings;
- protection of the commercial activities, trade secrets, confidential business information or financial interests of the Company;
- protection of research, formulation, product development, recipes, specifications, manufacturing methods or proprietary know-how;
- records that cannot be found or do not exist after reasonable steps have been taken to locate them;
- records where access is prohibited by law.

## **12. Remedies available to a requester**

If a requester is dissatisfied with a decision by the Company, including a refusal of access, partial access, fees payable, the form of access granted or a deemed refusal, the requester may lodge a complaint with the Information Regulator using the applicable complaint procedure and prescribed form.

The Company encourages requesters and data subjects to first address concerns with the Information Officer so that the Company has an opportunity to consider and, where possible, resolve the matter.

## **13. Processing of personal information under POPIA**

The Company processes personal information lawfully and for legitimate business, operational, contractual, employment, compliance and security purposes.

### **13.1 Categories of data subjects**

- clients and prospective clients;
- customers and online users;
- suppliers, service providers and business partners;
- employees, job applicants and contractors;
- directors, shareholders, representatives and authorised persons;
- visitors to the Company's premises;
- persons who submit enquiries, complaints or requests to the Company.

### **13.2 Categories of personal information processed**

- names, identity or registration details and contact details;
- employment, payroll, tax and HR-related information;
- client, supplier, order, delivery, payment and transaction information;
- banking and financial information required for lawful business purposes;
- correspondence, enquiry, complaint and support records;
- website, online order, device, technical and access information where applicable;
- security, visitor and access-control information where applicable.

### **13.3 Purposes for processing personal information**

- to communicate with clients, suppliers, employees and other stakeholders;
- to provide products, services, quotations, orders, deliveries and support;
- to manage contracts, accounts, invoices, payments and collections;
- to perform HR, payroll, employment and workplace administration;
- to comply with legal, tax, accounting, regulatory and reporting obligations;
- to manage quality control, complaints, disputes, claims and litigation;
- to operate and secure the Company's IT systems, premises and business processes;
- to conduct marketing and business communication, where permitted by law;
- to prevent fraud, unauthorised access, misuse and security incidents.

### **13.4 Recipients of personal information**

The Company may share personal information with recipients where lawful and necessary, including:

- employees and authorised representatives of the Company;
- clients, suppliers, couriers, logistics providers and service providers;
- accountants, auditors, banks, insurers, attorneys and professional advisers;
- IT, hosting, website, email, software and security service providers;
- regulators, public bodies, law enforcement agencies and courts where required by law;
- other parties where disclosure is necessary for a legitimate business purpose or required by law.

### **13.5 Cross-border transfers**

The Company may transfer personal information outside South Africa where necessary for lawful business purposes, including where service providers, cloud systems, email systems, hosting providers or other operators are located outside South Africa. Where the Company transfers personal information outside South Africa, it will take reasonable steps to ensure that the transfer is lawful and that appropriate safeguards are in place as required by POPIA.

## **13.6 Special personal information and children's information**

The Company does not intentionally process special personal information or personal information of children unless there is a lawful basis to do so, such as employment administration, legal compliance, occupational health and safety, consent, or where the processing is otherwise permitted by POPIA.

## **14. Data subject rights under POPIA**

Data subjects have rights under POPIA, including the right to:

- request confirmation of whether the Company holds personal information about them;
- request access to their personal information;
- request correction or deletion of personal information that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained;
- object to processing on reasonable grounds where permitted by POPIA;
- object to direct marketing by means of unsolicited electronic communications;
- submit a complaint to the Information Regulator.

## **15. Procedure for exercising POPIA rights**

Requests to exercise rights under POPIA may be submitted to the Information Officer using the contact details in this manual. The request must contain enough information to identify the data subject, the personal information concerned and the specific right being exercised.

Requests to object to processing, or to request correction or deletion of personal information, will be processed free of charge unless a fee is expressly permitted by applicable law. The Company will respond to requests within the timeframes prescribed by applicable law or within a reasonable period where no specific timeframe applies.

## **16. Security safeguards**

The Company takes reasonable and appropriate technical and organisational measures to protect personal information against loss, damage, unauthorised access, unauthorised disclosure and unlawful processing.

These measures may include:

- access control and user authentication;
- secure passwords and restricted user permissions;
- antivirus, firewall and endpoint protection measures;
- secure backups and disaster recovery measures;
- confidentiality undertakings and non-disclosure obligations;
- operator and service provider controls where appropriate;
- staff awareness and internal policies;
- incident response and breach-management processes.

## **17. Confidential business information, trade secrets and product information**

Because the Company operates in the food-processing, spice, brine, commodity, equipment and related sectors, certain records may include confidential commercial information, trade secrets, formulations, recipes, manufacturing methods, product specifications, supplier arrangements, pricing structures, customer information, batch information, quality-control documentation and proprietary know-how.

Nothing in this manual should be interpreted as requiring the Company to disclose confidential business information, proprietary know-how, trade secrets, product formulations, recipes or third-party confidential information, except where disclosure is legally required and no lawful ground for refusal applies.

## **18. Availability of this Manual**

This manual is available:

- on the Company's website at [www.kerrypiper.co.za](http://www.kerrypiper.co.za);
- for inspection at the Company's offices during normal business hours;
- on request from the Information Officer;
- to the Information Regulator where required by law or requested.

## **19. Updates to this Manual**

The Company will review and update this manual when necessary, including where there are material changes to the law, the Company's operations, the categories of records held by the Company or the Company's personal information processing activities.