

MONDI SOUTH AFRICA (PTY) LTD
REGISTRATION NUMBER 1967/013038/07
("the Company")

MANUAL AS AT DECEMBER 2019 IN TERMS OF THE PROMOTION TO ACCESS
INFORMATION ACT 2 OF 2000
("the Act")

INTRODUCTION

On 9 March 2001, new legislation was enacted called the Promotion of Access to Information Act of 2000 (herein after referred to as PAIA”). The purpose of this legislation is to address Section 32 of the Constitution, which provides that any person has a right to gain access to any information held by a public or private body. If the record is requested from a private body the requester needs to prove that the record is required for the exercise or protection of a right.

One of the main requirements specified in the PAIA is the compilation of a manual that provides information on both the types and categories of records held by the public or private body. In terms of the PAIA, a private body includes any former or existing juristic person. Therefore, Mondi South Africa (Pty) Ltd is regarded as a “private body” and both the manual and the requirements regarding access must be in compliance with the provisions of PAIA relevant to private bodies.

In addition, once the Protection of Personal Information Act of 2013 (“POPI”) commences, additional POPI requirements must be incorporated in this manual. In anticipation of commencement of POPI, Mondi South Africa (Pty) Ltd have included those provisions in this manual.

This document serves as the Mondi South Africa (Pty) Ltd manual in terms of PAIA and POPI, to provide a reference as to the records held and the process that needs to be followed to request access to such records.

COMPANY OVERVIEW

Mondi South Africa (Pty) Ltd (herein referred to as “Mondi or “the Group”) was incorporated in South Africa in 1967. Mondi is an international paper and packaging company with production operations across 31 countries.

CONTACT DETAILS

Contact Person: Liza Gropp-Els

Postal Address: P.O Box 31024

Merebank

4059

Physical Address: Travancore Drive

Merebank

4052

Email Address: liza.gropp-els@mondigroup.com

GUIDE FOR THE REQUESTERS ON HOW TO USE THE ACT

The Act grants a requester access to records of the Company, if the record 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.

Request in terms of the Act shall be made in accordance with the prescribed procedures at the rates provided. The forms and tariff are dealt with in paragraph 6 and 7 of the manual below.

A Guide had been compiled in terms of Section 10 of the Act by the Human Rights Commission (“**The Guide**”). It contains information required by the person wishing to exercise right, contemplated by the Act. It is available in all if the official languages.

The Guide is available for inspection, inter alia, at the office of the Human Rights Commission at Braampark Forum 33 Hoofd Street, Braamfontein 200 and on its website at www.sahrc.org.za. The contact details of the commission are:

Telephone Number +27 (0) 11 877 3750

Fax Number +27(0)11 403 0668

Email info@sahrc.org.za

ACCESS AND AVAILABILITY OF RECORDS

At this stage no notice(s) in terms of section 51(1) and 52(2) of the Act has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

Legislation and Regulations provide that private bodies allow certain person access to certain specific records upon request. Below is the list of the legislation that may be consulted to determine whether a Requester has a right of access to a record rather than in terms of the procedure set out in the Act.

The list below may not be exhaustive and will be updated whenever it comes to our attention that new legislation or amendments to the existing Acts allows the Requester access to a record rather than in terms of the procedure set out in the Act.

APPLICABLE LEGISLATION

- The Protection of Personal Information Act No. 4 of 2013
- The Occupational Health and Safety Act No 85 of 1993
- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1977
- Unemployment Insurance Act 63 of 2001
- Unemployment Contribution Act 4 of 2002
- Skills and development Act 97 of 1998
- Skills and development levies Act 9 of 1999
- Electronic Communication and Transaction Act 2 of 2002
- Copyright Act 9 of 1978
- Trademarks Act 194 of 1993
- Occupational Health and Safety Act 85 of 1993
- Pension Fund Act 24 of 1956
- Regional services Councils Act 109 of 1985
- SA Reserve Bank Act 90 of 1989
- Usury Act 73 of 1968
- Competition Act 89 of 1998
- Consumer Protection Act of 68 of 2008
- Promotion of Access to Information Act 2 of 2000
- Companies Act 71 of 2008

Subjects and categories of records held by the Company as provided for in terms of Section 51(1) (e) of the Act.

Records	Subject	Availability
Secretarial Services	<ul style="list-style-type: none"> • Statutory records • Share registers 	
	<ul style="list-style-type: none"> • Minutes of Meetings 	Confidential
	<ul style="list-style-type: none"> • Resolutions Passed 	Confidential
Public Corporate Records	<ul style="list-style-type: none"> • Memorandum of Incorporation 	
	<ul style="list-style-type: none"> • Records relating to the appointment of directors, officers and secretary 	
Financial	<ul style="list-style-type: none"> • Annual Reports • Tax Records (Company a& employees) • Accounting records • Banking records and statements • Invoices • Manager Accounts 	
Human Resources	<ul style="list-style-type: none"> • Career development record • Personnel information • Equipment equity • General Terms of employment • UIF Records and Retirement Benefits • Employment Contract • Leave records 	

Legal	<ul style="list-style-type: none"> • General Legal Correspondence • Patent Records • Property Records • Trademarks • Litigation and Dispute Records 	
Corporate Communications	<ul style="list-style-type: none"> • New Releases Statements • Media Releases • Brochures 	
Operations	<ul style="list-style-type: none"> • Customer Agreements • Standard trading terms and conditions of supply of services and goods • Transport and vehicle records • Divisional Accounting and tax records 	

ACCESS REQUEST PROCEDURE

The following applies to a request (other than personal request):

A requester is required to pay the prescribed fees (R50.00) before a request will be processed.

If the preparation of the record requested requires more than the prescribes hours (six) a deposit shall be paid (of not more than a third of the access fee which would be payable if the request were granted).

A requester may lodge an application with the court against the tender/payment of the request fee and /or deposit.

Records may be withheld until the fees have been paid.

The fee structure is available on the website of the South African Human Rights Commission at <http://www.sahrc.org.za/home/21/files/FEES.pdf>.

FORM REQUEST

To facilitate the processing of your request kindly:

Use the prescribed form (Form C) available on the website of the South African Human Rights Commission at www.sahrc.org.za or Department of Justice and Constitutional Development (under regulations) at www.doj.gov.za Annexure is attached hereto.

Requests can be submitted either via conventional mail, e-mail and should be addressed to the relevant contact person as indicated below:

Contact Person: Liza Gropp-Els

Postal Address: P.O Box 31024

Merebank

4059

Phone: +27 31 451 2111

Email: liza.gropp-els@mondigroup.com

DETAILS REQUIRED TO ENABLE THE COMPANY TO IDENTIFY

- (a) The record(s);
- (b) The requester (and if an agent is lodging the request, proof of capacity to the reasonable satisfaction of the Company);
- (c) The form of access required;
- (d) The postal address or email address of the Requester in the Republic;
- (e) If the Requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
- (f) The right which the Requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right;

Remedies available to the Requesters if the request for information has been refused are contained in Regulation Gazette No.7054 Section 6 and 7. Full details are available on the website of the South African Human Right Commission at <http://www.sahrc.org.za/home/21/files/FEES.pdf>

Grounds for Refusal

Mondi may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which Mondri may refuse access include:

- Protecting personal information that Mondri holds about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;
- Protecting commercial information that Mondri holds about a third party or Mondri (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of the organisation or the third party);
- If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement;
- If disclosure of the record would endanger the life or physical safety of an individual;
- If disclosure of the record would prejudice or impair the security of property or means of transport;
- If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- If disclosure of the record would prejudice or impair the protection of the safety of the public;
- The record is privileged from production in legal proceedings, unless the legal privilege has been waived;
- Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of Mondri;
- Disclosure of the record would put Mondri at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- The record is a computer programme; and
- The record contains information about research being carried out or about to be carried out on behalf of a third party or Mondri.

Records that cannot be found or do not exist

If Mondi has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.