



MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000



Manual Owner	L Gropp-Els
Approver	Caroline Davie (CFO)
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PAIA MANUAL STATEMENT

- This manual forms part of the manual owner's internal business processes and procedures.
- Any reference to the "organisation" shall be interpreted to include the "manual owner".
- The organisation's governing body, its employees, contractors, customers, suppliers and any other persons acting on behalf of the organisation are required to familiarise themselves with the manual's requirements and undertake to comply with the stated processes and procedures.
- Risk owners and control owners are responsible for overseeing and maintaining control procedures and activities.

MANUAL SIGN-OFF

By signing this document, I authorise the manual owner's adoption of the processes and procedures outlined herein.

Name	L Gropp-Else	C Davie
Capacity	Chief Legal Counsel	Chief Financial Officer
Signature		
Date	6 April 2021	9 April 2021

Contents

1	INTRODUCTION	3
2	COMPANY OVERVIEW	3
3	CONTACT DETAILS OF CHIEF LEGAL COUNSEL IN TERMS OF SEC 51(1)(A) PAIA	3
4	GUIDE FOR THE REQUESTERS ON HOW TO USE THE ACT	3
5	ACCESS AND AVAILABILITY OF RECORDS	4
6	ACCESS REQUEST PROCEDURE	5
7	FORM REQUEST	5
8	DETAILS REQUIRED TO ENABLE THE COMPANY TO IDENTIFY	5
9	GROUNDINGS FOR REFUSAL	6
10	RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST	6
	ANNEXURE A	7

1 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.

This Promotion of Access to Information Manual (“Manual”) provides an outline of the type of records and the personal information it holds, and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000 (“PAIA Act”). In addition, it explains how to access, or object to, personal information held by the Company, or request correction of the personal information, in terms of paragraphs 23 and 24 of the Protection of Personal Information Act 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.

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.

2 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.

3 CONTACT DETAILS OF CHIEF LEGAL COUNSEL IN TERMS OF SEC 51(1)(A) PAIA

The Chief Executive Officer of Mondi has delegated powers for the administration and compliance with the Act to the Chief Legal Counsel for Mondi.

Chief Legal Counsel	Liza Gropp-Els
Postal Address	P.O Box 31024 Merebank 4059
Physical Address	Travancore Drive Merebank 4052
Phone	+27 31 451 2111
Email Address	liza.gropp-els@mondigroup.com

4 GUIDE FOR THE REQUESTERS ON HOW TO USE THE ACT

The ACT 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, the public body must be acting in the public interest.

Requests 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 paragraphs 6 and 7 of the Act.

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 rights, contemplated by the Act.

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

5 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

Companies Act 71 of 2008	Copyright Act 9 of 1978
Competition Act 89 of 1998	Consumer Protection Act of 68 of 2008
Basic Conditions of Employment Act 75 of 1977	Employment Equity Act 55 of 1998
Electronic Communications Act, 36 of 2005	Electronic Communication and Transaction Act 2 of 2002
Income Tax Act No 95 of 1967	Intellectual Property Laws Amendments Act 38 of 1997
Labour Relations Act 66 of 1995	Occupational Health and Safety Act 85 of 1993
Protection of Personal Information Act No. 4 of 2013	Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
Promotion of Access to Information Act 2 of 2000	Pension Fund Act 24 of 1956
Regional services Councils Act 109 of 1985	SA Reserve Bank Act 90 of 1989
Skills and development Act 97 of 1998	Skills and development levies Act 9 of 1999
Trademarks Act 194 of 1993	Unemployment Insurance Act 63 of 2001
Unemployment Contribution Act 4 of 2002	Value Added Tax Act No 89 of 1991

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 	Confidential
	<ul style="list-style-type: none"> Minutes of Meetings Resolutions Passed 	
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 	
	<ul style="list-style-type: none"> Tax Records (Company a& employees) 	
	<ul style="list-style-type: none"> Accounting records 	
	<ul style="list-style-type: none"> Banking records and statements 	
	<ul style="list-style-type: none"> Invoices 	
Human Resources	<ul style="list-style-type: none"> Manager Accounts 	
	<ul style="list-style-type: none"> Career development record 	

	<ul style="list-style-type: none"> • 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 	

6 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 prescribed 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 <https://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>

7 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 or refer to **Annexure A**.

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

8 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 Rights Commission at <https://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>

9 GROUNDS FOR REFUSAL

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

- Protecting personal information that Mondi holds about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;
- Protecting commercial information that Mondi holds about a third party or Mondi (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 Mondi;
- Disclosure of the record would put Mondi 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 Mondi.

10 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.

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

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2. Reference number, if available:

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3. Any further particulars of record:

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E. Fees

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

Reason for exemption from payment of fees:

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FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability: <input style="width: 90%;" type="text"/>	Form in which record is required: <input style="width: 90%;" type="text"/>
Mark the appropriate box with an X.	
NOTES:	
(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.	
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.	
(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.	

1. If the record is in written or printed form:				
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record	
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):				
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input type="checkbox"/>
			transcription of the images*	
3. If record consists of recorded words or information which can be reproduced in sound:				
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)	
4. If record is held on computer or in an electronic or machine-readable form:				
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>
			copy in computer readable form* (stiffy or compact disc)	

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
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G. Particulars of right to be exercised or protected

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

1. Indicate which right is to be exercised or protected:

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

FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

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Signed at this day of year

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