

THE PROMOTION OF ACCESS TO INFORMATION ACT
NO. 2 OF 2000 (“THE ACT” OR “PAIA”)

PAIA PRIVATE BODY MANUAL

Woolworths Holdings Limited

DATE OF REVISION: 22 March 2022



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**MANUAL PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT NO. 2 OF 2000 (“the Manual”)**

1. Introduction

The Promotion of Access to Information Act (hereinafter referred as “the Act”) gives effect to section 32 of the Constitution of the Republic of South Africa 1996, which provides that everyone has the right of access to information. Section 51 of the Act requires that all private bodies to prepare and make available a Manual to the public regarding the procedure which the public must follow when submitting a request to access the private bodies’ records.

The Manual has been compiled Woolworths Holdings Limited and the following subsidiaries, and other juristic persons and joint ventures in which it has a direct or indirect interest: Woolworths (Pty) Ltd; E-Com Investments 16 (RF) (Pty) Ltd (**WSA**); Woolworths Developments (RF) (Pty) Ltd; Universal Product Networks (RF) (Pty) Ltd; Virtual Market Place (RF) (Pty) Ltd (**VMP**); Witchery Fashions SA (Pty) Ltd; Country Road Ventures (Pty) Ltd (incorporated in Australia); Woolworths Financial Services (Pty) Ltd (**WFS**); and NowNow Foods (Pty) Ltd (collectively referred to as the “**Woolworths Group**”).

2. Woolworths Holdings Limited

Woolworths Holdings Limited is a public listed company which carries on the business of an investment holding company focusing on the direct or indirect investment in retail operations throughout South Africa, Africa, Australia and New Zealand, through its various subsidiaries and other juristic persons mentioned above.

Head of Private Body	:	Roy Bagattini
Registration number	:	1929/001986/06
Registered Address	:	Woolworths House 93 Longmarket Street Cape Town 8001
Postal Address	:	P O Box 680 Cape Town 8000

3. Contact details for PAIA requests for all Woolworths Group companies

The Information Officer may appoint where it is deemed necessary Deputy Information Officers, as allowed in terms of section 17 of the Act as well as section 56 of PAIA. This is in order to render the Company as accessible as reasonable possible for requesters of its records and to ensure fulfilment of its obligations and responsibilities as prescribed in terms of section 55 of PAIA.

All requests made in terms of the Act relating to any Woolworths Group entities as identified in this Manual should be directed to the following Deputy Information Officers who have been appointed to deal with these requests:



Information Officers:

WSA Information Officer	Chantel Reddiar
WFS Information Officer	Sivi Pillay

Deputy Information Officers:


WSA Deputy Information Officer	Viren Jagarnath
WSA Deputy Information Officer	Gontse Seakamela
WFS Deputy Information Officer	Anina Potgieter
WFS Deputy Information Officer	Alistair Purvis


Access to Information General Contacts:

Physical Address	Woolworths House 93 Longmarket Street Cape Town 8001
Postal Address	PO box 680 Cape Town 8000
Telephone Number	+27 21 407 9111
Fax Number	+27 21 407 2191
Email	WSA: compliance@woolworths.co.za WFS: privacyrequest@wfs.co.za
Website	http://www.woolworthsholdings.co.za

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1 The 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.

4.2 The Guide is available in each of the official languages and in braille. 

- 4.3 The aforesaid Guide contains the description of-
- 4.3.1 the objects of PAIA and POPIA;
 - 4.3.2 the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.3.2.1 the Information Officer of every public body, and
 - 4.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA
 - 4.3.3 the manner and form of a request for-
 - 4.3.3.1 access to a record of a public body contemplated in section 11; and
 - 4.3.3.2 access to a record of a private body contemplated in section 50;
 - 4.3.4 the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 4.3.5 the assistance available from the Regulator in terms of PAIA and POPIA;
 - 4.3.6 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-
 - 4.3.6.1 an internal appeal;
 - 4.3.6.2 a complaint to the Regulator; and
 - 4.3.6.3 an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
 - 4.3.7 the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 4.3.8 the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 4.3.9 the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and 

- 4.3.10 the regulations made in terms of section 92.
- 4.4 Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5 The Guide can also be obtained-
 - 4.5.1 upon request to the Information Officer; or
 - 4.5.2 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 4.6 A copy of the Guide is also available in English and Xhosa, for public inspection during normal office hours.

5. Records held in terms of applicable legislation (Section 51(1)(d)) of the Act

All of the Woolworths Group entities are required by law to keep certain records. These records are enumerated in various Acts of Parliament. The Woolworths Group holds the records in terms of the acts as set out in Annexure “I”.

6. Records held as a matter of standard practice (Section 51(1)(e)) of the Act

The Woolworths Group keeps certain records in the conduct of day to day business and as a matter of standard practice and good governance. The subjects and categories of the records held by the Woolworths Group identified above are set out in Annexure “II”.

7. Records which are automatically available without having to make a request in the prescribed form

- 7.1 Woolworths in-house brochures, newspapers and newsletters;
- 7.2 Annual Report; and
- 7.3 All information contained on the Woolworths Holdings Limited website.

8. Making a request in terms of the Act

- 8.1 The first step in the process is to obtain “Request Form 2”.
- 8.2 You are also be able to get the form together with a list of applicable fees from the Head Office of Woolworths Group, indicated in the street address, or via the email address provided above. These fees must be paid before access to a record will be allowed. You will be informed of the amount of your fees once you have submitted your request. The Minister may exempt certain persons from having to pay the fees referred to in the Act. To date, no such exemptions have been published. If the request is made orally as a result of illiteracy or a disability of a requester, the Information Officer will assist you to complete the prescribed form.



- 8.3 Once you have filled in the form you need to submit it to the Information Officer at the postal address, fax number listed above or electronic mail: compliance@woolworths.co.za / privacyrequest@wfs.co.za
- 8.4 If the record you have requested exists and allowing access to it does not affect a third party your request will be processed within 30 days.
- 8.5 This period may be extended once for a further 30 days if:
- 8.5.1 the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the Woolworths Group;
 - 8.5.2 the request requires a search for records in, or collection thereof from, an office of the Woolworths Group not situated in the same town or city as the office of the Information Officer and this search cannot reasonably be completed within the original 30 days;
 - 8.5.3 consultation among divisions of the Woolworths Group or with another private body is necessary or desirable to decide upon the request and this consultation cannot reasonably be completed within the original period;
 - 8.5.4 more than one of the circumstances contemplated in the prior paragraphs exist in respect of the request making compliance with the original period not reasonably possible; or
 - 8.5.5 you, as the requester, consent in writing to such extension.

9. Grounds for Refusal

- 9.1 There are various grounds upon which your request for access to a record may be refused. They are:
- 9.1.1 the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
 - 9.1.2 the protection of commercial information of a third party (for example trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
 - 9.1.3 refusing access to a record if disclosure would result in the breach of a duty of confidence owed to a third party;
 - 9.1.4 refusing access to a record if it would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
 - 9.1.5 refusing access to a record that was produced during legal proceedings, unless that legal privilege has been waived;



- 9.1.6 refusing access to a record containing trade secrets, financial or sensitive information or any information that would put the Woolworths Group at a disadvantage in negotiations or prejudice it in commercial competition;
- 9.1.7 refusing access to a record containing information about research being carried out or about to be carried out on behalf of a third party or by the Woolworths Group;
- 9.1.8 Section 70 of the Act contains an overriding provision. Disclosure is compulsory if it would reveal a substantial contravention of, or failure to comply with the law, or imminent and serious public safety or environmental risk and the public interest in the disclosure of the record clearly outweighs the harm contemplated by its disclosure; and
- 9.1.9 if your request does affect a third party then we will first need to inform the third party within 21 days of us receiving your request. By this we mean that if the record you request affects any third party in any way, that third party will have to be informed that you are requesting access to the above record. The third party then has 21 days to make representations and/or submissions regarding the granting of access to the record.

10. The Information Officer's Decision and Requester's Recourse


- 10.1 Once the Information Officer of the Woolworths Group has heard all the submissions, he or she will make a decision as to whether or not access to the record will be granted. If the request is granted, you will then be granted access to the record within 30 days of being informed of the decision.
- 10.2 If the Information Officer does decide to grant you access to the record but the request affects a third party, the third party that has been affected has 30 days in which to appeal the decision, also in the High Court. If no appeal is lodged within 30 days, you must be granted access to the record.
- 10.3 If the Information Officer does not grant you access to the record you are entitled to appeal the decision and will need to lodge your appeal in the High Court. You will receive reasons as to why the request was refused.

11. Other information

The schedule below outlines the time-periods, which are applicable to the Act. This will enable you to understand the process whereby requests for access to records are considered and the time periods involved.



Act Section	Description of Activity	Time Period
10	The Guide published by the South African Human Rights Commission to assist in the use of this Act must be published.	Available from the SAHRC website since 2014
51	Preparation of Company Manual	Available after 28 February 2003
56	Information Officer to decide whether to grant request for access to record that does not relate to a third party and notify requestor	Within 30 days after the request has been received
57	Information Officer to notify third party of an extension of the 30 day time period with reasons for the extension	Within 30 days of receiving the request (this may only be done <u>once</u> and only for the reasons in this section)
71	Information Officer to notify third party of request for access to information that relates to him/her	Within 21 days of request for access to record affecting the third party has been received
71	Third party to give written consent or written/oral submissions to Information Officer	Within 21 days of being informed by the Information Officer of the request for access to the record
73	Information Officer to make a decision about the granting of access to a record which relates to a third party and notify third party and requestor	30 days after every third party has been informed of the request
73	Information Officer to give requestor access to the record if a decision has been made to grant access	Within 30 days of notifying requestor of the decision to allow access
74	If access to a record is denied, the requestor has 30 days in which to lodge an application at court to appeal against the refusal	30 days from date of notification by Information Officer of decision
74	If access to a record which affects a third party is granted, third party may lodge an application to court to appeal decision of Information Officer within 30 days	Within 30 days of notification by the Information Officer of the decision
71	If no appeals lodged by third party, Information Officer must give access to the record	Within 30 days of notification by Information Officer of third party



The Woolworths Group strives to be a leader in its industry in all fields, including its practical subscription to the guiding principles in our Constitution such as transparency and the free flow of information. Should you have any queries regarding the use of this Manual, please do not hesitate to contact the Deputy Information Officers or myself.

Issued by:



Mr Roy Enzo Bagattini | Group Chief Executive Officer

PRESCRIBED FEES

The requester is required to pay an access fee as prescribed by the Minister for Justice and Constitutional Development to enable the company to recover the cost of processing a request and giving access to records in terms of PAIA. Other fees apply depending on the request.

Payment details can be obtained from the Information Officer. A request shall not be processed until the prescribed fees have been paid and where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

Section 51(1)(f) of the Act

When the request is received by the Information Officer he/she shall by notice require the requester to pay the prescribed request fee of R140,00, before further processing of the request. The access and reproduction fees payable by a requester are as of date hereof as follows:

- For every photocopy of an A4 size page or part R2,00
 - For every printed copy of an A4 size page or part thereof held on a computer
 or in electronic or machine readable form R2,00
 - For a copy in a computer readable form on:
 - compact disc R40,00
 - For a transcription of visual images, for an A4 size page or part thereof TBC
 - For a copy of visual images TBC
- Services to be outsourced and depend on quotation from service provider.*
- For a transcription of an audio record, for an A4 size page or part thereof R24,00
 - For a copy of an audio record on:
 - Flash drive (proved by the requestor) R40,00
 - Compact disc
 - If provided by the requestor R40,00
 - If provided to the requestor R60,00



To search for and prepare the record for disclosure, R145,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation which may not exceed R435,00.

If a search for the record has been made and the preparation of the record for disclosure, including arrangements to make it available in the requested form, requires more than the six hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed one third portion of the access fee, which would be payable if the request is granted.

The actual postage is payable when a copy of a record must be posted to a requester.



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: <input type="text"/>
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable):</i>			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS
(Mark the applicable box with an "X")

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
(Mark the applicable box with an "X")

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

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.

Indicate which right is to be exercised or protected	

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

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <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

RECORDS KEPT IN TERMS OF APPLICABLE LEGISLATION

Section 51(1)(d) of the Act

Where applicable and insofar as the requester complies with the requirements set out in the relevant act, the requester may request information from the Woolworths Group companies which is available in terms of the following legislation, as amended:

- Companies Act No 71 of 2008
- Employment Equity Act No. 55 of 1998
- Basic Conditions of Employment Act No. 75 of 1997
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Broad Based Black Economic Empowerment Act No. 53 of 2003
- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- Unemployment Insurance Act No. 30 of 1966
- Pension Funds Act No. 24 of 1956
- Income Tax Act No. 58 of 1962
- Value Added Tax Act No. 89 of 1991
- National Credit Act No. 34 of 2005
- Electronic Communications and Transactions Act No. 25 of 2002
- Competition Act No. 89 of 1998
- General Notice 2219, 31 October 1980 – Export Incentive Scheme
- The Liquor Products Act No. 60 of 1989
- Regulation of Interception of Communications and Provision of Communication Related Information Amendment Act No. 48 of 2008
- The Liquor Act No. 27 of 1989
- Legal Metrology Act No. 9 of 2014
- Standards Act No. 29 of 1993
- Merchandise Marks Act No. 17 of 1941
- Agricultural Products Standards Act No. 119 of 1990
- Foodstuffs, Cosmetics and Disinfectants Act No. 54 of 1972
- Businesses Act No. 71 of 1991
- Patents Act No. 57 of 1978
- Trademarks Act No. 194 of 1993
- Designs Act No. 195 of 1993
- Consumer Protection Act No. 68 of 2008



**RECORDS KEPT AS A MATTER OF GENERAL PRACTICE
Section 51(1)(e) of the Act**

The subjects and categories of official and/or confidential information on which the private body holds records are as follows:

1. Company documents and Legal Records

- Company policies
- Company directives
- Records of all local subsidiaries and other juristic persons in which it has a direct or indirect interest
- Names of Directors
- Operational records
- Trademarks and patents
- Registered designs, including all visual presentations and store designs
- Legal records
- Domain name registration
- Insurance policies

2. Employment Records / Human Resources

- Recruitment records
- Employment contracts
- Service Agreements
- Employment Conditions and Policies
- Confidentiality Agreements
- Restraints of Trade Agreements
- Commission Agreements
- Casual employee records
- Employee records – employment history, health records, third party records provided to the company on its personnel, internal evaluation records
- Disciplinary records
- CCMA records
- Pension Fund records
- Retirement records
- Remuneration and benefits records
- Medical Aid records
- Agreements with Trade Unions
- Training schedules and material

3. Share Registration Documents

- Allotment letters
- Share Register
- Share Certificates
- Redemption / conversion / discharge forms or endorsed certificates
- Share / stock transfer forms
- Scrip, certificate, warrant or like instrument representing any share, stock of debenture
- Dividend and Interest payment list

4. Property Records

- Title deeds
- Lease Agreements



- Contracts in respect of properties
- 5. Customer Records and Credit Services**
 - Customer records
 - Transaction records
 - Sales records
 - Suretyship Agreements
 - Terms and conditions of purchase
 - Debtors information
 - Debtors with ITC/Lawyers for collection
 - Records which customers have provided to a third party acting for and on behalf of the company
- 6. Supplier Records**
 - Contracts with suppliers
 - Purchase order information
 - Records pertaining to all distribution centres
 - Records generated by or within the company pertaining to suppliers including transactional record
- 7. Product Records**
 - Fabric test reports
 - Garment data sheet
 - Red Seal and Black seal reports
 - Product specification records in respect of all food products, including recipes, approved ingredients, final products and standards
 - Reports of chemical and micro testing of all food products
 - General product testing results
 - Records of the costs of goods acquired for resale and the selling price of such goods
- 8. Franchise Records**
 - All franchise records pertaining to local and foreign franchises
- 9. Communication**
 - Internal correspondence and memorandums
 - Correspondence to persons outside of the company
 - Minutes of meetings
- 10. Financial and Accounting Records**
 - Financial records and reports
 - Accounting records
 - Audit records and reports
 - Sundry debtors records
 - Company risk and controls profile
 - Legal records
 - Banking details
 - Treasury related records
 - Shipping records
 - Fraud information
- 11. Marketing**
 - Marketing and advertising records
- 12. Information Technology**
 - Business and data information
 - IT Technology capabilities
 - Systems and User manuals

