

PIMMS GROUP (PTY) LIMITED
(Registration Number: 2005/009971/07)

THE PROMOTION OF ACCESS TO INFORMATION ACT
MANUAL

(“PAIA MANUAL”)

Prepared and published in terms of section 51 of
the Promotion of Access to Information Act 2 of 2000



Disclaimer: The contents of this document should only be used for and by PIMMS Group (“PIMMS”) and may not be distributed unlawfully. Older versions are not deemed official. Only the latest version is acceptable.

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1. INTRODUCTION

PIMMS Group (Pty) Limited (the “Company”) conducts business as a design, development, manufacturer and exporter of injection moulded products, whether customer moulded or its own brand products for onward sale to distributors and/or customers.

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”).

Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such a private body and stipulates the minimum requirements that the manual has to comply with.

In addition, this Manual 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 (“POPIA”).

This Manual has been compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 (“**POPIA**”), which gives effect to everyone’s Constitutional right to privacy. POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.

This Manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

2. AVAILABILITY OF THIS PAIA MANUAL

This Manual is published on the Company website at www.pimms.group as well as its various brand websites alternatively a copy can be requested from our offices (see contact details below).

3. AVAILABILITY OF GUIDES TO PAIA AND POPIA

Guides to the PAIA and POPI Acts can be obtained and queries directed to:

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PAIA Act	POPI Act
South African Human Rights Commission Promotion of Access to Information Act Unit Research and Documentation Department Private Bag 2700 Houghton Johannesburg 2041	Information Regulator
29 Princess of Wales Terrace Corner York and St Andrews Street Parktown Johannesburg 2193	
Telephone number: (011) 484 8300 Fax number: (011) 484 7146/7 Website : www.sahrc.org.za E-mail : PAIA@sahrc.org.za	

4. COMPANY CONTACT DETAILS

Company contact details in terms of PAIA section 51:

PIMMS Group (Pty) Limited
Postnet Suite 257,
Private Bag X18,
Northriding,
2162

1050 Liner Avenue
Laser Park,
Honeydew,
Gauteng
South Africa

Telephone number 011 7084755

Websites www.pimms.group
 www.safeload.biz
 www.7twenty.tech
 www.pallchem.co.za
 www.pimmsmanufacturing.co.za
 www.medena.co.za

Duly authorised Persons:

Information Officer
Veronique O.C Stanley E-mail: veronique@pimms.co.za

5. COMPANY RECORDS

Company Records availability:

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Departmental records	Subject
Human Resources and Health and Safety	<p>Employee personal records provided to us by our personnel</p> <p>Any records a third party has provided to us about any of their personnel</p> <p>Employment Contracts</p> <p>Employment Policies, procedures and guidelines</p> <p>Internal evaluation, performance management and disciplinary records</p> <p>Employee Provident Fund Records</p> <p>Training records</p> <p>Employment Equity Committee meeting records</p> <p>Payroll Records</p> <p>Health and Safety Records (Employees, Contractors)</p>
Finance Division	<p>Audited Financial Statements</p> <p>Tax records (Company and Employees)</p> <p>Asset Register</p> <p>Supplier Records</p> <p>Management Accounts</p> <p>Fleet Insurance Records</p>

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<p>Legal Services and Compliance Division</p>	<p>General Contract Documentation</p> <p>Manufacturing and Distribution Agreements</p> <p>NDA's</p> <p>Product warranties</p> <p>Company Guidelines, Policies and Procedures</p> <p>Terms and Conditions, Privacy Policies and Legal Notices</p> <p>Intellectual Property Records</p> <p>Legal Dispute information</p> <p>Employee, customer and supplier information</p> <p>Movable Property Records</p>
<p>Sales and Marketing Division</p>	<p>Product Brochures</p> <p>Product Datasheets</p> <p>Installation Guidelines</p> <p>Product Sales Records</p> <p>SWOT Analysis</p> <p>Marketing and Future Product Strategies</p> <p>Minutes of Meetings</p> <p>Customer Information and Database</p> <p>Distributor Agreements and Documents</p> <p>Brand Records (Brands, Customers)</p> <p>Research information belonging to PIMMS Group or carried out by a third party</p>
<p>Production/Manufacturing Division</p>	<p>Production Records</p> <p>Product Specifications</p> <p>Engineering Records</p> <p>Quality Records and QMS records</p> <p>Customer Records</p>

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	Costing Records Processing, testing and development records
Design Division	Product Design Information Briefs and product specifications
Moulding Division	Mould Design Information Customer Information
General – own affairs	Company documentation in terms of CIPC Operational records Statutory Records Minutes of Meetings

6. PROCESSING OF PERSONAL INFORMATION

PIMMS Group takes the privacy and protection of personal information very seriously and will only process personal information in accordance with the current South African privacy regulations. Accordingly, the relevant personal information privacy principles relating to the processing thereof (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion) will be applied to any personal information processed by PIMMS Group.

6.1 The purpose of processing of personal information by PIMMS Group

We process personal information for a variety of purposes, including but not limited to the following:

- to provide or manage any information, products and/or services requested by data subjects;
- to help us identify data subjects when they contact PIMMS Group;
- to maintain customer records;
- for recruitment purposes;
- for employment purposes, verification of applicant employees' information during recruitment process
- For general matters relating to employees such as retirement, payroll, disciplinary action, Training and any other reasonably required purpose
- relating to the employment or possible employment relationship.
- for apprenticeship purposes;
- for travel purposes;
- for general administration, financial and tax purposes;
- for legal or contractual purposes;
- for health and safety purposes;

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- to monitor access, secure and manage our premises and facilities;
- to transact with our customers, suppliers and business partners;
- to help us improve the quality of our products and services;
- to help us detect and prevent fraud and money laundering;
- to help us recover debts;
- Performing duties in terms of Recovering any debt which customers or consumers may owe the PIMMS Group
- Make, or assist in making credit decisions about customers and consumers
- Operate and manage customer and consumers' accounts and manage any application, agreement or correspondence customers or consumers may have with the PIMMS Group
- Communicating (including direct marketing) with distributors, customers and consumers by email, SMS, letter, telephone or in any other way about PIMMS Group's products and services, unless customers, distributors or consumers indicate otherwise
- To form a view of consumers as individuals and to identify, develop or improve products, that may be of interest to consumers
- Carrying out market research, business and statistical analysis
- Performing other administrative and operational purposes including the testing of systems
- to carry out analysis and customer profiling; and
- to identify other products and services which might be of interest to data subjects and to inform them about our products and services.
- For prospective customers, verifying and updating information, pre-scoring, direct marketing, and any other reasonably required purpose relating to the processing of a prospect's personal information reasonably related to the PIMMS Group's business.
- For vendors, suppliers, and contractors, verifying information and performing checks;
- Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties;
- Payment of invoices.

6.2 Categories of data subjects and personal information processed by PIMMS Group

Categories of data subjects and personal information processed by PIMMS GROUP include the following:

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<p>Employees:</p> <ul style="list-style-type: none"> • Name and contact details • Identity number and identity documents including passports • Employment history and references • Employee number • Banking and financial details • Details of payments to third parties (deductions from salary) • Employment contracts • Employment equity plans • Pension fund records • Remuneration/salary records • Performance appraisals • Disciplinary records • Leave records • Training records • Qualifications • Parental status • Biometrics • Medical records • Marital status • Disability status • Criminal records 	<p>Customers, Distributors, Consumers and prospective consumers</p> <ul style="list-style-type: none"> • Name and contact details • Identity and Company information and/or directors information • Postal and/or street address • Individual title and name • Contact numbers and/or e-mail addresses • Ethnic group • Employment history • Age • Gender • Marital status • Nationality • Language • Financial information • Identity or passport number • Banking and financial information • Browsing habits • Click patterns on PIMMS Group websites
<p>Vendors/suppliers/other businesses:</p> <ul style="list-style-type: none"> • Name and contact details • Identity and/or company information and directors' information • Banking and financial information • Information about products or services • Other information not specified, reasonably required to be processed for business operations. 	

6.3 Recipients or categories of recipients with whom personal information is shared

We may share the personal information of our data subjects for any of the purposes outlined in Section 6.1, with: the following:

- our other PIMMS Group companies in South Africa or other countries;
- our carefully selected business partners who provide products and services under one of our brands; and
- our service providers and agents who perform services on our behalf.

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- any firm, organisation or person that the PIMMS Group uses to collect payments and recover debts or to provide a service on its behalf;
- any firm, organisation or person that/who provides the PIMMS Group with products or services;
- Any person who the PIMMS Group has reason to believe to be a data subject's/consumer's parent, carer or helper where he/she is unable to handle his/her own affairs because of mental incapacity or other similar issues;
- Any payment system the PIMMS Group uses;
- Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where the PIMMS Group has a duty to share information;
- Credit bureaux;
- Third parties to whom payments are made on behalf of employees;
- Financial institutions from whom payments are received on behalf of data subjects;
- Any other operator not specified;
- Employees, contractors and temporary staff; and
- Agents.

We do not share the personal information of our data subjects with any third parties, except if:

- we are obliged to provide such information for legal or regulatory purposes;
- we are required to do so for purposes of existing or future legal proceedings,
- we are selling one or more of our businesses to someone to whom we may transfer our rights under any customer agreement we have with you;
- we are involved in the prevention of fraud, loss, bribery or corruption;
- they perform services and process personal information on our behalf;
- this is required to provide or manage any information, products and/or services to data subjects; or
- needed to help us improve the quality of our products and services.

We will send our data subjects notifications or communications if we are obliged by law, or in terms of our contractual relationship with them.

We will only disclose personal information to government authorities if we are required to do so by law.

Our employees, our agencies and our suppliers, are required to adhere to data privacy and confidentiality principles and to attend data privacy training.

6.4 Information security measures to protect personal information

Reasonable technical and organisational measures have been implemented for the protection of personal information processed by PIMMS Group and its operators. In terms of POPIA, operators are third parties that process personal information on behalf of PIMMS Group.

We continuously implement and monitor technical and organisational security measures to protect the personal information we hold, against unauthorised access, as well as accidental or wilful manipulation, loss or destruction. We will take steps to ensure that operators that process personal information on behalf of PIMMS Group apply adequate safeguards as outlined above.

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6.5 Trans-border flows of personal information

- Storing information electronically; and
- Making use of third party service providers to fulfil a business function on behalf of the PIMMS Group.

We will only transfer personal information across South African borders if the relevant business transactions or situation requires trans-border processing, and will do so only in accordance with South African legislative requirements; or if the data subject consents to transfer of their personal information to third parties in foreign countries.

We will take steps to ensure that operators are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information, in terms of POPIA. We will take steps to ensure that operators that process personal information in jurisdictions outside of South Africa, apply adequate safeguards.

6.6 Personal information received from third parties

When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have written consent from the data subject that they are aware of the contents of this Manual and the PIMMS Group Privacy Policy, and do not have any objection to our processing their information in accordance with this policy.

7 REQUEST PROCEDURE

7.1 Form of request

To facilitate the processing of your request, kindly:

- Address your request to the Head of Legal.
- Provide sufficient detail to enable the Company to identify:
 - a. The record(s) requested.
 - b. The requestor (and, if an agent is lodging the request, proof of capacity).
 - c. The South African postal address, email address or fax number of the requestor.
 - d. The form of access required.
 - e. If the requestor wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof.
 - g. The right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7.2 Prescribed Fees

The following applies to requests (other than personal requests):

- A requestor is required to pay the prescribed fees (R140.00) before a request will be processed.

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- The access fee: This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs.
- Section 54 of PAIA entitles PIMMS Group to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Annexure B of Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA Regulations.
- When a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- Records may be withheld until the fees have been paid.
- The detailed Fee Structure can be made available.

7.3 Proof of identity

Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

7.4 Access to prescribed forms and fees

Prescribed forms and fees can be requested from the Head of Legal (see contact details above).

7.5 Timelines for consideration of a request for access

- Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.
- The Information Officer will inform the requester of the decision, and the fees payable (if applicable) on a form that corresponds substantially with Form 3 of Annexure A to Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA Regulations.
- Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

7.6 Grounds for refusal of access and protection of information

7.6.1 There are various grounds upon which a request for access to a record may be refused. These grounds include:

- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;

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- 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);
- if disclosure would result in the breach of a duty of confidence owed to a third party;
- if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- if the record was produced during legal proceedings, unless that legal privilege has been waived;
- if the record contains trade secrets, financial or sensitive information or any information that would put PIMMS Group at a disadvantage in negotiations or prejudice it in commercial competition; and/or
- if the record contains information about research being carried out or about to be carried out on behalf of a third party or by PIMMS Group.

7.6.2 Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

7.6.3 If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty one) days of receipt of the request. The third party would then have a further 21 (twenty one) days to make representations and/or submissions regarding the granting of access to the record.

8 REMEDIES

The company does not have internal appeal procedures regarding PAIA and POPI Act requests. As such, the decision made by the duly authorised persons in section 2, is final. If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator (once established), for relief.

9 INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Administration of Estates Act 66 of 1965
Basic Conditions of Employment Act 75 of 1997
Broad-Based Black Economic Empowerment Act 53 of 2003
Close Corporations Act 69 of 1984
Companies Act 61 of 1973
Compensation for Occupational Injuries and Health Diseases Act 130 of 1993

Competition Act 89 of 1998
Consumer Protection Act 68 of 2008
Copyright Act 98 of 1978
Customs and Excise Act 91 of 1964
Customs Duty Act 30 of 2014
Debt Collectors Act 114 of 1998

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Electronic Communications and Transactions Act 25 of 2002
Electronic Communications Act, 36 of 2005
Employment Equity Act 55 of 1998
Financial Advisory and Intermediary Services Act 37 of 2002
Financial Intelligence Centre Act 38 of 2001
Income Tax Act 58 of 1962
Insolvency Act No. 24 of 1936
Labour Relations Act 66 of 1995
Merchandise Marks Act 17 of 1941
National Credit Act 34 of 2005
Occupational Health & Safety Act 85 of 1993
Pension Funds Act 24 of 1956
Prevention of Organised Crime Act 121 of 1998
Prevention and Combating of Corrupt Activities Act 12 of 2004
Protection of Personal Information Act 4 of 2013
Promotion of Access to Information Act 2 of 2000
Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 Protected Disclosures Act 26 of 2000
Skills Development Act 97 of 1998
Skills Development Levies Act 9 of 1999
Stamp Duties Act 77 of 1968
Stock Exchanges Control Act 1 of 1985 (and the rules and listing requirements of the JSE Securities Exchange authorised in terms thereof)
Unemployment Contributions Act 4 of 2002
Unemployment Insurance Act 30 of 1966
Value Added Tax Act 89 of 1991
Such other legislation as may from time to time be applicable

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