

PAIA AND POPIA MANUAL

This Manual is compiled in terms of sections 14 and 51 of the Promotion of Access to Information Act, 2 of 2000 ("PAIA") and to address the requirements of the Protection of Personal Information Act, 4 of 2013 ("POPIA")

This Manual applies to:

CIPLA MEDPRO SOUTH AFRICA (PTY) LTD
Registration Number: 2002/018027 /07

Date of compilation: January 2019

Document Control Section	
Document Title:	PAIA & POPIA Manual
Document Number:	ISP#
Security Classification	
Location:	

Authorization		
Document Owner	Reviewed By	Approved By
Information Officer	Cipla, Legal	Information Officer

Review/ Amendment Log				
Version	Modification Date (DD-MM-YYYY)	Section	A/M/D	Brief Description of Change/ Review (performed by – details)
01	25-01-2019	NIL	NIL	Initial Version
02	01-06-2021	All sections	A/M	The Manual was reviewed for POPIA readiness and in compliance to changes in law

CONTENTS

1. Introduction	4
2. Purpose of this Manual	5
3. Availability of this Manual.....	5
4. Scope of this Manual.....	5
5. Company Overview	6
6. Cipla Group Structure	6
7. Contact Details of Cipla (Section 51(l)(a)) of PAIA.....	6
8. Who may Request Access to Information	7
9. Information Officer and Deputy Information Officer	7
10. Information Officer	8
11. Deputy Information Officer	8
12. Guide for Requesters : (Section 51 (l)(b) of PAIA.....	8
13. Section 52(2) of PAIA: Notice	9
14. Automatically Available Information.....	9
15. Records Available in terms of other Legislation	10
16. Information or Records not Found.....	10
17. Cipla Privacy Practices	11
18. Personal Information that is Processed by Cipla.....	11
19. Processing of Personal Information	12
19.2. Personal Information may be received from or provided to:	12
19.3. Categories of Data Subjects.....	13
19.4. Categories of Personal Information.....	13
19.5. Planned Trans-Border Information Flows	13
19.6. Employee Personal Information may be received from or provided to:	14
19.7. Our Security Practices	14
19.8. Our Organisational Measures	14
19.9. Our Technical Measures	14
20. Access, Correction, Deletion or Restriction of Personal Information	15
22. Prescribed Fees.....	16
23. Decision	16
24. Grounds for Refusal of Access to Records.....	17
25. External Remedies Available to the Requester	18
26. Update of this Manual	18

1. INTRODUCTION

- 1.1 The Promotion of Access to Information Act, No. 2 of 2000 ("PAIA") came into operation in November 2001. PAIA seeks to, amongst others, give effect to the constitutional right of access to any information held by the state, or by any other person, where such information is required for the exercise or protection of any right. When a request is made in terms of PAIA, there is an obligation to release the information, except in circumstances where PAIA expressly provides that, the information must not be released, or may be withheld. PAIA makes provision for a procedure to be followed in order to process any request for information.
- 1.2 PAIA establishes voluntary and mandatory procedures to give effect to the constitutional right of access to information in a manner which enables persons to obtain records of public and private bodies as swiftly, inexpensively, and effortlessly, as reasonably possible and generally to promote transparency, accountability and effective governance of all public and private bodies.
- 1.3 Section 14 of the Constitution provides that, everyone has the right to privacy. This right includes a right to protection against the unlawful collection, retention, dissemination and use of Personal Information.
- 1.4 The Protection of Personal Information Act, No.4 of 2013 ("POPIA"), provides for amongst others, the promotion of protection of Personal Information processed by public and private bodies, places certain conditions so as to establish minimum requirements for processing of Personal Information and the establishment of an Information Regulator to exercise certain powers and to perform certain duties and functions in terms of PAIA and POPIA.
- 1.5 POPIA gives individuals and organizations the right to, in the prescribed manner, to request to correct, delete Personal Information in its position or under its control that is inaccurate, irrelevant, excessive, outdated, incomplete, misleading, or obtained unlawfully, or to destroy, delete any Personal Information that an organization is no longer authorized to retain or access.
- 1.6 In terms of section 51 of PAIA, all private bodies are required to compile an information manual ("Manual"). This document serves as Cipla's PAIA and POPIA Manual.
- 1.7 This Manual is not exhaustive, nor does it comprehensively deal with every procedure provided for in PAIA and POPIA. Requesters are therefore advised to familiarise themselves with the provisions of both PAIA and POPIA.
- 1.8 Should you have any difficulty in using this Manual, do not hesitate to contact the Information Officer identified in paragraph 10 of this Manual.

2. PURPOSE OF THIS MANUAL

- 2.1. This Manual is required by section 51 of PAIA and is intended to ensure that Cipla complies with the law and foster a culture of transparency and accountability, and to promote effective governance of private bodies, by giving effect to the right to access to information that is required for the exercise or protection of any right and to actively promote a society in which South Africans have effective access to information to enable them to fully exercise and protect their rights.
- 2.2. Section 9 of PAIA, however, recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:
- limitations aimed at the reasonable protection of privacy;
 - commercial confidentiality; and
 - effective, efficient, and good governance, in a manner which balances that right with any other rights, including such rights contained in the bill of rights in the Constitution.
- 2.3. For purposes of POPIA, this Manual explains how to access, or object to, Personal Information held by Cipla, request for correction of the Personal Information, in terms of sections 23 and 24 of POPIA. The relevant forms are annexed to this Manual as **Appendix B**.

3. AVAILABILITY OF THIS MANUAL

- 3.1. This Manual is published in accordance with the requirements of section 51 of PAIA to facilitate access to records held by Cipla. A copy of this Manual is available to any member of the public in a PDF ("Portable Document Format") version on the website of Cipla at www.cipla.co.za or on request from the Information Officer or Deputy Information Officer referred to in this Manual.
- 3.2. This Manual is further available at the offices of SAHRC and Cipla's offices for inspection during working hours. Copies of this Manual can be obtained from Cipla's Information Officer or Deputy Information Office. A fee will be levied for copies of this Manual in accordance with **Appendix D**.

4. SCOPE OF THIS MANUAL

This Manual has been prepared for and applies to Cipla, which includes related entities and/or wholly owned subsidiaries of Cipla. In this Manual, any reference to "Cipla" refers to Cipla Medpro South Africa (Pty) Ltd and all its subsidiaries incorporated in South Africa. For a list of Cipla subsidiaries please see **Appendix C**.

5. COMPANY OVERVIEW

- 5.1. Cipla Medpro South Africa (Pty) Ltd ("Cipla") is a private company incorporated in terms of the company laws of the Republic of South Africa with registration number: 2002/018027/07. Its shares are 100% held by Cipla Limited incorporated in India.
- 5.2. Established in 1935, Cipla Limited is a global pharmaceutical company focused on agile and sustainable growth, complex generics, and deepening portfolio in our home markets of India, South Africa, North America, and key regulated and emerging markets. Our strengths in the respiratory, anti-retroviral, urology, cardiology and CNS segments are well-known. Our 44 manufacturing sites around the world produce 50+ dosage forms and 1,500+ products using cutting-edge technology platforms to cater to our 80+ markets. Cipla is ranked 3rd largest in pharma in India, 3rd largest in the pharma private market in South Africa and is among the most dispensed generic players in the US. For over eight decades, making a difference to patients has inspired every aspect of Cipla's work. Our paradigm-changing offer of a triple anti-retroviral therapy in HIV/AIDS at less than a dollar a day in Africa in 2001 is widely acknowledged as having contributed to bringing inclusiveness, accessibility and affordability to the center of the movement. As a responsible corporate citizen, Cipla's humanitarian approach to healthcare in pursuit of its purpose of 'Caring for Life' and deep-rooted community links wherever it is present make it a partner of choice to global health bodies, peers and all stakeholders. For more, please visit www.cipla.co.za or click on Twitter, Facebook, LinkedIn.
- 5.3. Cipla is the third largest pharmaceutical manufacturer in South Africa. Through Cipla's ethos of 'Caring for Life'. Cipla produces world-class medicines at affordable prices for the public and private sectors, advancing healthcare for all South Africans. For more information, visit www.cipla.co.za.

6. CIPLA GROUP STRUCTURE

In this Manual, any reference to "Cipla" refers to Cipla Medpro South Africa (Pty) Ltd and all its subsidiaries incorporated in South Africa.

7. CONTACT DETAILS OF CIPLA (SECTION 51(l)(a)) OF PAIA

Company Name	Cipla Medpro South Africa (Pty) Ltd
Registration Number	2002/01 8027/07
Postal Address	1474 South Coast Road, Mobeni, Durban 4052
Street Address	Cipla Head Office, Pare du Cap, Building 9, Mispel Street, Bellville, Cape Town, 7530, South Africa
Telephone	080 222 6662
E-mail	info.sa@cipla.com
Website	www.cipla.co.za

8. WHO MAY REQUEST ACCESS TO INFORMATION

- 8.1. PAIA provides that a Requester is only entitled to access to a record if the record is required for the exercise or protection of a right. Only requests for access to a record, where the Requester has satisfied the Information Officer that the record is required to exercise or protect a right, will be considered.
- 8.2. A Requester may act in different capacities in making a request for a record. This will influence the amount to be charged when a request has been lodged.
- 8.3. Requesters may make a request as:
- A personal requester who requests a record about him/herself.
 - An agent requester who requests a record on behalf of someone else with that person's consent and where it is required for the protection of that person's legal right.
 - A third-party requester who requests a record about someone else with that person's consent and where it is required for the protection of that person's legal right.
- 8.4. A public body who may request a record if:
- It fulfills the requirements of procedural compliance.
 - The record is required for the exercise or protection of a right.
 - No grounds for refusal exist.

9. INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER

- 9.1. The Chief Executive Officer of Cipla is in terms of PAIA, the Information Officer, responsible to assess requests of access to information. The Chief Executive Officer, has designated and delegated his responsibilities as Information Officer in writing to Information Officer and Deputy Information Officer referred to in paragraph 11 and 12 below, this is to ensure to ensure that Cipla is accessible as reasonably possible for requesters and that the requirements of PAIA are administered in a fair, objective, transparent, unbiased and efficient manner within Cipla.
- 9.2. The Information Officer appointed in terms of PAIA is also an Information Officer as referred to in POPIA. The Information Officer oversees the functions and responsibilities as required for in terms of both PAIA and POPIA after registering with the Information Regulator.
- 9.3. All requests pursuant to the PAIA and POPIA should be directed as follows:

10. **INFORMATION OFFICER**

Full Name	Genevieve Mannel
Telephone	+27 21 943 4200
E-mail	Genevieve.Mannel@Cipla.com
Physical Address	Cipla Head Office, Pare du Cap, Building 9, Mispel Street, Bellville, Cape Town, 7530, South Africa
Postal Address	Same as above

11. **DEPUTY INFORMATION OFFICER**

Full Name	Mr Oscar Manuga
Telephone	+27 21 943 4200
E-mail	Oscar.Manuga@Cipla.com
Physical Address	Cipla Head Office, Pare du Cap, Building 9, Mispel Street, Bellville, Cape Town, 7530, South Africa
Postal Address	Same as above

12. **GUIDE FOR REQUESTERS: SECTION 51 (l)(b) OF PAIA**

12.1. The Information Regulator is required in terms of section 10 of PAIA to make available the existing guide that has been compiled by the South African Human Rights Commission ("SAHRC") that contains information required by a person wishing to exercise any right, contemplated by PAIA and POPIA. It can be made available in all the official languages of the Republic of South Africa.

12.2. The guide is available for inspection from the SAHRC website at www.sahrc.org.za/home/21/files/Reports/PAIA20%GUIDE%english.pdf. Commission. You may also request any additional information to assist you in making a request from the SAHRC.

12.3. Please direct any queries to:

The South African Human Rights Commission	PAIA Unit The Research and Documentation Department
Physical Address	Braampark Forum 3 33 Hoofd Street, Braamfontein, Johannesburg South Africa
Postal Address	Private Bag X2700 Houghton 2041
Telephone	+27 11 887-3600
Fax	+27 11 403 0625
E-mail Address	PAIA@sahrc.co.za
Website	www.sahrc.org.za

12.4. Alternatively, the **Information Regulator** (South Africa)

The Information Regulator	Ms Mmamorake Mphelo
Physical Address	SALU Building, 316 Thabo Sehume Street, Pretoria
Telephone	+27 406 4818
Fax	086 500 4818
E-mail Address	info@justice.gov.za
Website	www.justice.gov.za

13. **SECTION 52(2) OF PAIA: NOTICE**

At date of signature of this Manual no notices relevant to Cipla has been published by the Minister of Justice and Constitutional Development under section 52(2) of PAIA.

14. **INFORMATION AUTOMATICALLY AVAILABLE**

14.1. The following records are automatically available to all employees of Cipla and need not be requested in accordance with the procedure stated in this Manual –

- personnel records are available to the employee whose file it is.
- records of disciplinary hearings and related matters are available to the employee concerned.
- the company's policies and procedures manuals.

14.2. The following records are automatically available to the general public and all employees of Cipla and need not be requested in accordance with the procedure stated in this Manual-

- the employment equity plan.
- the skills development plan.
- Press releases.
- all records that are automatically available to the public such as records lodged in terms of government requirements with various statutory bodies, including the Companies and Intellectual Property Commission (CIPC), the Registrar of Deeds and all records in booklets, brochures and pamphlets, published by Cipla for distribution to the public including all records on Cipla's website: www.cipla.co.za.

15. **RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION**

15.1. Where applicable, Cipla retains information and documents in terms of legislation listed below (please note that this is not an exhaustive list). The information retained in terms of legislation will only be made available to the persons or entities specified in the legislation:

Act or Regulation	Reference
Basic Conditions of Employment Act	No.75 of 1997
Broad Based Black Economic Empowerment Act	No.53 of 2003
Companies Act	No.71 of 2008
Compensation for Occupational Injuries and Diseases Act	No. 130 of 1993
Competition Act	No 71 of 2008
Consumer Protection Act	No. 68 of 2008
Copyright Act	No.98 of 1978
Electronic Communications Act	No.36 of 2005
Electronic Communications and Transactions Act	No.25 of 2002
Labour Relations Act	No. 66 of 1995
Medicines and Related Substances Act	No. 101 of 1965
National Environmental Management Act	No. 107 of 1998
Pharmacy Act	No. 53 of 1974
Patents Act	No. 57 of 1978
Prevention of Organized Crime Act	No.121 of 1998
Promotion of Access to Information Act	No. 2 of 2000
Protection of Personal Information Act	No 4 of 2013
Regulations Relating to the Protection of Personal Information	2018
Skills Development Act	No.97 of 1998
Occupational Health and Safety Act	No. 29 of 1996
Trademarks Act	No. 194 of 1993
Value-Added Tax Act	No. 107 of 1998

16. **INFORMATION OR RECORDS NOT FOUND**

If the Cipla cannot find the records that the Requester is looking for despite reasonable and diligent search and it believes either that the records are lost or that the records are in its possession but unattainable, the Requester will receive a notice in this regard from the Information Officer by way of an affidavit or affirmation.

17. **CIPLA PRIVACY PRACTICES**

17.1. Cipla collects personal and other information to:

- meet our responsibilities to customers and other natural or juristic persons.
- inform you of new services.
- make sure our business suits your needs.

18. **PERSONAL INFORMATION THAT IS PROCESSED BY CIPLA**

18.1. Chapter 3 of POPIA provides for the minimum Conditions for Lawful Processing of Personal Information by a Responsible Party. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.

18.2. Cipla needs Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions. The manner in which this information is Processed and the purpose for which it is Processed is determined by Cipla. In this regard Cipla is accordingly a 'Responsible Party' for purposes of POPIA and will ensure that the Personal Information of a Data Subject:

- is processed lawfully, fairly, and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by the Cipla, in the form of privacy or data collection notices. Cipla must also have a legal basis (for example, consent) to process Personal Information.
- is processed only for the purposes for which it was collected.
- ensure that Personal Information will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
- is adequate, relevant and not excessive for the purposes for which it was collected
- Processing is accurate and kept up to date.
- is collected will not be kept for longer than necessary.
- is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used, and communicated by Cipla, in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage.
- is processed in accordance with the rights of Data Subjects, where applicable. Data Subjects

have the right to:

- (a) be notified that their Personal Information is being collected by Cipla. The Data Subject also has the right to be notified in the event of a data breach;
- (b) know whether Cipla holds Personal Information about them, and to access that information. **Any request for information must be handled in accordance with the provisions of this Manual;**
- (c) request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained Personal Information;
- (d) object to Cipla's use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to Cipla's record keeping requirements);
- (e) object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and
- (f) **complain to the Information Regulator** regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its personal information.

18.3. Purpose of the Processing of Personal Information by Cipla, as outlined above, Personal Information may only be Processed for a specific purpose.

19. **PROCESSING OF PERSONAL INFORMATION**

19.1. **Cipla collects Personal Information or other Data for a variety of reasons, including but not limited to:**

- meet our responsibilities to customers, employees and other natural or juristic persons.
- inform you of new services.
- make sure our business suits your needs.

19.2. **Personal Information may be received from or provided to:**

- any regulatory authorities such as, South Africa Health Products Regulatory Authority ("SAHPRA"), The South African National Accreditation Systems ("SANAS"), the South African Bureau of Standards ("SABS") and Medicines Pricing Committee, as well as the National Department of Health.

- Cipla parent company and other Cipla subsidiaries or group companies.
- comply with any regulation passed under the relevant legislation, or any legal process.
- protect and defend Cipla's rights and property (including Cipla's intellectual property).
- third party service providers in order to uphold contractual obligations or service customers.

19.3. **Categories of Data Subjects**

- Cipla personnel/ employees
- Third Party business Partners
- Consultants
- Suppliers
- Customers
- Patients
- Contractors
- Services providers

The above list is not exhaustive.

19.4. **Categories of Personal Information**

- In respect of natural persons: Name, ID numbers, date of birth, citizenship, age, race, marital status, telephone number, email addresses, physical and postal addresses, income tax number, banking details, disability information, employment history, background checks, CVs, fingerprints, academic history, remuneration and benefit information.
- In respect of juristic persons: name, registration number, tax information, contact details, physical and postal address, FICA documentation, BEE certificates, payment details (bank details), invoices and contractual agreements.

The above list is not exhaustive.

19.5. **Planned Trans-Border Information Flows**

- Cipla 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 the provisions of POPIA.

- Cipla 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 the POPIA.
- We will take steps to ensure that operators that process personal information in jurisdictions outside of South Africa, apply adequate safeguards as outlined in POPIA.

19.6. **Employee Personal Information may be received from or provided to:**

- Pension/ provident funds and/or their trustees
- Medical aid funds
- Recruitment companies
- Credit bureau

19.7. **Our Security Practices**

Cipla is committed to protecting the integrity and confidentiality of Personal Information in its possession or under its control and has taken appropriate technical and organisational measures to prevent, loss of, damage to or unauthorised destruction of Personal Information and unlawful access to or processing of Personal Information.

19.8. **Organisational Measures**

- Cipla has created and implemented various policies, procedures, and guidelines to protect Personal Information in its possession.
- Where third parties are required to process any Personal Information in relation to the purposes set out in this Manual and for other legal requirements, we ensure that they are contractually bound to apply the appropriate security practices.

19.9. **Technical Measures**

- Cipla has implemented the following technical measure to safeguard Personal Information:
 - Firewalls
 - Virus protection software and update protocols
 - Physical access control
 - Wireless access control
 - Secure configuration of hardware and software
- Cipla also engages outsourced service providers, who process Personal Information on behalf of Cipla, contracted to implement the necessary security controls and to process certain Personal Information on behalf of Cipla.

- IT Security User awareness training workshops and programmes.
- All use of our website and transactions through it are protected by encryption (secret codes) in line with international standards.

20. ACCESS, CORRECTION, DELETION OR RESTRICTION OF PERSONAL INFORMATION

- 20.1. Cipla has established and implemented various policies and procedures to comply with, and to give effect to conditions for lawful processing of Personal Information under Chapter 3 of the POPIA.
- 20.2. A Data Subject may at any time contact Cipla Information Officer or Deputy Information Officer, in the details provided in this Manual, and may in accordance with the various policies and procedures request access, object to processing of their Personal Information or request to his/her/its Personal Information to be corrected or deleted.

21. REQUEST PROCEDURE

- 21.1. A Requester must comply with all the procedural requirements contained in section 53 of PAIA relating to the request for access to a record.
- 21.2. A Requester must complete the prescribed Request for Access Form C attached to this Manual as **Appendix A**.
- 21.3. A Requester must:
- complete the **Request for Access Form C**: attached as **Appendix A** to this Manual and submit same as well as payment of a request fee and a deposit (if applicable) to the Information Officer or Deputy Information Officer at the postal or physical address, fax number or email address stated in paragraph 10 above.
 - **Request for Access Form C: Appendix A** must be filled in with sufficient information to enable the Information Officer to identify, the record requested; and identity of the Requester.
 - indicate the postal address, email or fax number in the Republic of South Africa.
 - state that he/she require the information in order to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. The Requester must clearly specify why the record is necessary to exercise or protect such right (section 53(2)(d) of PAIA).
- 21.4. Cipla will process the request within 30 (thirty) days, unless the requester has stated special reasons to the satisfaction of the Information Officer that circumstances dictated that the above periods not be complied with.
- 21.5. The Requester shall be advised whether access is granted or denied in writing. If, in addition, the

requester requires the reasons for the decision in any other manner, the requester will be obliged to state which manner and particulars required.

- 21.6. If a request is made on behalf of another person, then the Requester must submit proof of the capacity in which the Requester is making the request to the reasonable satisfaction to the Information Officer (section 53(2)(t)) of PAIA.
- 21.7. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally. The Information Officer must then complete the prescribed form on behalf of the requester and provide a copy to the Requester.
- 21.8. The Requester must pay the prescribed fee, before any further processing can take place.
- 21.9. All information as listed in paragraph 21.3 should be provided failing which, the process will be delayed until the required information is provided. The prescribed time periods will not commence until the Requester has furnished all the required information. The Information Officer shall sever a record, if possible, and grant only access to that portion requested and which is not prohibited from being disclosed.
- 21.10. If, in addition to a written reply to the request for the record, the Requester wants to be informed of the decision in any other manner, e.g., telephonically, the requester must indicate it in the request.
- 21.11. If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer must repay the deposit to the Requester.

22. **PRESCRIBED FEES**

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

- A Requestor is required to pay the prescribed fees 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 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 fee structure is available on the website of the SAHRC at www.sahrc.org.za.

23. **DECISION**

23.1. Cipla will, within 30 (thirty) days of request of the request decide whether to grant or decline the

request and give reasons (if required) to its decision.

23.2. The 30 (thirty) days period within which Cipla has to decide whether or not to grant the request, may be extended for a further period of not more than 30 (thirty) days if the request is for large number of information or the request requires a search for information held at another office of Cipla and the information cannot reasonably be obtained within the initial 30 (thirty) day period.

23.3. Cipla will notify the Requester in writing should an extension be necessary.

24. **GROUNDINGS FOR REFUSAL OF ACCESS TO RECORDS**

24.1. Cipla may refuse a request for information on the following basis:

- mandatory protection of the privacy of a third party, if that third party is a natural person or a deceased person, which would involve the unreasonable disclosure of Personal Information of that natural person.
- mandatory protection of Personal Information and for disclosure of any personal information to, in addition to any other legislative, regulatory, or contractual agreements, comply with the provisions of POPIA.
- protection of commercial information of a third party as defined by PAIA, if the record contains:
 - trade secrets of that third party;
 - financial, commercial, scientific or technical information other than trade secrets of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party;
 - information disclosed in confidence to Cipla by a third party, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or would prejudice that third party in commercial competition;
 - information disclosed in confidence by a third party to Cipla, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
 - protection of confidential information if the disclosure would constitute a breach of a duty or confidence to a third party in terms of an agreement;
 - protection of safety of individuals and protection of property; and
 - protection of records which would be regarded as privileged in any legal proceedings, unless the person so entitled to privilege, waived the privilege.
- Protection of commercial activities of the Cipla, which includes:
 - trade secrets of Cipla;
 - financial, commercial, scientific or technical information, disclosure of which could cause harm to the financial or commercial interests of Cipla;
 - information which, if disclosed, could put Cipla at a disadvantage in negotiations or commercial competition;

- a computer programme owned by Cipla, and which is protected by copyright; and
- the research information of Cipla or a third party on behalf of the Cipla if the disclosure would expose the third party, Cipla, the researcher or the subject matter of the research to serious disadvantage.

25. **EXTERNAL REMEDIES AVAILABLE TO THE REQUESTER**

25.1. Cipla does not have any internal appeal procedure. As such, the decision made by the Information Officer is final, and Requestors shall exercise any external remedies at their disposal if the request for information is refused, or when the Requester is not satisfied with the answer supplied by the Information Officer.

25.2. A Requestor that is not satisfied with the Information Officer's refusal to disclose information shall within thirty (30) days of notification of the decision, apply to a Court for relief, or to the Information Regulator.

26. **UPDATE OF THIS MANUAL**

Cipla will update this Manual at such intervals as it may be necessary or as maybe directed by the Information Regulator.

THIS MANUAL OF CIPLA IS APPROVED AND SIGNED BY THE INFORMATION OFFICER ON 01 JULY 2021

Genevieve Mannel
Information Officer
Cipla Medpro South Africa

APPENDIX A
PRESCRIBED FORM C

REQUEST FOR ACCESS TO A RECORD OF CIPLA
(Section 53(1) of the promotion of Access to Information Act, Act No. 2 of 2000)
(Regulation 10)

A. PARTICULARS OF THE INFORMATION OFFICER

Cipla, Chief Digital Officer
Genevieve Mannel, Cipla Head
Office Pare du Cap, Building 9
Mispel Street, Bellville Cape
Town
South Africa

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

Full names and surname:
Identity number:
Postal address:
Fax number:
Telephone number:
E-mail address:
Capacity in which request is made, when made on behalf of another person:

C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:
Identity number:

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.*

Description of record or relevant part of the record:
Reference number, if available:
Any further particulars of record:

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:

--

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 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
Mark the appropriate box with an X	
NOTES:	
(a) Compliance with your request 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 for 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"/>		<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"/>		<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.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO				
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					
In which language would you prefer the record? ----					

G. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

Requesters 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.

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?

--

H. 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.

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

Signed at..... This..... day of20.....

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

APPENDIX B

REQUEST FOR AMENDMENT, CORRECTION OR ERASURE OF PERSONAL DATA

Section 24 of POPIA and regulation 3 of the POPIA Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted as held by us. As a general rule, your request will be handled free of charge. However, if we are to find your request to be manifestly unfounded, excessive, or repetitive, we may charge a reasonable fee based on the administrative cost of providing the information.

Please fill out the details below and we will get back to you 30 calendar days upon receipt of a fully completed form, proof of identity and other required documents, if applicable. The aforementioned documentation should be sent to the following address: **Information Officer, Genevieve Mannel, Cipla Head Office Pare du Cap, Building 9 Mispel Street, Bellville Cape Town, South Africa**

DETAILS OF THE PERSON REQUESTING AMENDMENT, CORRECTION OR ERASURE	
Full Name	
Address	
Date of Birth	
E-mail	
Contact Details	
YOUR ROLE	
<input type="checkbox"/>	I am the Data Subject
<input type="checkbox"/>	I am not the Data Subject, though I am acting on behalf of the Data Subject by virtue of a power of attorney.
<input type="checkbox"/>	I am not the Data Subject, but I am acting on behalf of a Data Subject as a parent or legal guardian.
PROOF OF IDENTITY AND AUTHORITY SUBMITTED	
<input type="checkbox"/>	Identity Document
<input type="checkbox"/>	Passport
<input type="checkbox"/>	Driving License
<input type="checkbox"/>	Power of Attorney
AMENDMENT	
<input type="checkbox"/>	I wish to amend my personal data (proof of identity must be provided).

<input type="text"/>	I wish to amend personal data concerning a Data Subject that I am acting on behalf of (proof of identity of the representative, a power of attorneys and proof of identity of the Data Subject must be provided).
<input type="text"/>	I wish to amend personal data concerning a Data Subject that I am a parent/legal guardian (proof of identity or evidence of parent or legal guardian must be provided).
<input type="text"/>	I wish to amend personal data concerning a Data Subject to whom I am acting on behalf of (proof of identity of the representative, power of attorney and proof of identity of the Data Subject must be provided).
Type of personal data your wish to amend:	
Describe the amendment:	
CORRECTION	
<input type="text"/>	I wish to correct my personal data (proof must be provided).
<input type="text"/>	I wish to correct personal data concerning a data subject that I am acting on behalf of (proof of identity of the representative, a power of attorney and proof of identity of the data subject must be provided).
<input type="text"/>	I wish to correct personal data concerning a data subject to whom I am a parent or legal guardian (proof of identity and evidence of parental responsibility or legal guardianship must be provided).
Type of personal data your wish to correct:	
Describe the correction:	
ERASURE	
<input type="text"/>	I wish to erase my personal data (proof of identity must be provided).
<input type="text"/>	I wish to erase personal data concerning a data subject that I am acting on behalf of (proof of identity of the representative, a power of attorney and proof of identity of the data subject must be provided).
<input type="text"/>	I wish to erase personal data concerning a data subject to whom I am a parent or legal guardian (proof of identity and evidence of parental responsibility or legal guardianship must be provided).
Describe the type of personal data you wish to erase:	

By signing this form, you certify that the information you have provided is correct to the best of your knowledge and that you are the person to whom it relates or that you are legally entitled to act on behalf of such person. You understand that it may be necessary to obtain further information in order to comply with this request.

Signature: _____

Date: _____

APPENDIX C

FORM TO OBJECT TO THE PROCESSING OF PERSONAL

**Objection to the Processing of Personal Information in terms of Section 11(3) of The Protection of Personal Information Act, 2013 (Act No. 4 Of 2013)
Regulations Relating to the Protection of Personal Information, 2017, Regulation 2(1)**

Please fill out the details below and we will get back to you. Affidavits or other documentary affidavit to support the objection needs to be attached to this from. The aforementioned documentation should be sent to the following address: Information Officer, Genevieve Mannel, Cipla Head Office Pare du Cap, Building 9 Mispel Street, Bellville Cape Town, South Africa

DETAILS OF DATA SUBJECT	
Full Name	
Address	
Date of Birth	
E-mail	
Contact Details	
DETAILS OF RESPONSIBLE PERSON	
Name and Surname of Responsible Person, Private or Public Body	
Address	
Phone number	
Fax Number	
E-mail	
Reasons for Objection (Please provide full details)	

By signing this form, you certify that the information you have provided is correct to the best of your knowledge and that you are the person to whom it relates or that you are legally entitled to act on behalf of such person. You understand that it may be necessary to obtain further information in order to comply with this request.

Signature: _____
Date: _____

APPENDIX D

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for copies of the record held by Cipla, is R0.60 for every photocopy of an A4-size page or part thereof. (Regulation 5(c))

Note: This Manual will be available at the offices of the Information Officer and on the Cipla website

2. The **request fee** payable by every requester other than a personal requester is **R50.00**. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.
3. If the request is granted by the information officer a further access fee is payable by a requester for the search, preparation and reproduction of a record as follows:

Item No.	Reproduction of Information Fees	Fees to be Charged
(a)	Photocopy per A4 page or part thereof.	R1.10
(b)	Printing per A4 page or part thereof.	R0.75
(c)	Copy on a CD.	R7.50
(d)	Transcription of visual images per A4 page or part thereof.	R40.00
(e)	Copy of a visual image.	R60.00
(f)	Transcription of an audio recording per A4 page or part thereof.	R20.00
(g)	Copy of an audio recording.	R30.00
(h)	Search and preparation of the record for disclosure.	R30.00 Per hour of part thereof, excluding the first hour, reasonably required for the search and preparation.
(i)	Postage fees have to be paid by the requester for the delivery of their records in the case of private bodies.	

4. A **deposit** is payable if, in the opinion of the information officer, the search and preparation of a record would require more than the hours prescribed for this purpose. The following applies:
 - 4.1. Six hours as the hours to be exceeded before a deposit is payable; and
 - 4.2. One third of the access fee is payable as a deposit by the requester.
 - 4.3. The **actual postage** is payable when a copy of a record must be posted to a requester.
5. The fees for reproduction payable for access to the categories of records of Cipla that are automatically available without a person having to request access in terms of the Act, are as follows:

(a)	For every photocopy of an A4-size page or part thereof	RI.10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
(c)	For a copy in a computer-readable form on - (i) stiffer disc (ii) compact disc	R7.50 R70.00
(d)	(i) For a transcription of a visual images, for an A4-size page or part thereof (ii) For a copy of visual images	R40.00 R60.00
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof. (ii) For a copy of an audio record.	R20,00 R30.00

APPENDIX E

List of Cipla Subsidiaries

- Cipla Dibcare Pty Ltd
- Cipla Medpro Holdings Pty Ltd
- Inyanga Trading 386 Pty Ltd
- Cipla- Medpro Distribution Centre Pty Ltd
- Cipla-Medpro Pty Ltd
- Medpro Pharmaceutica Pty Ltd
- Cipla Life Sciences Pty Ltd
- Cipla Medpro Botswana Pty Ltd
- Mirren Pty Ltd
- Cipla Select Pty Ltd
- Cipla Kenya Ltd