



**MANUAL PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF
ACCESS TO INFORMATION ACT 2 of 2000 (as amended)**

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1. INTRODUCTION

This manual is prepared in compliance with section 51 of the Promotion of Access to Information Act 2 of 2000 (“PAIA”) as amend by the Protection of Personal Information Act 4 of 2013 (“POPIA”) (“the Act”).

Nestlé (South Africa) (Proprietary) Limited (“**Nestlé**”) is wholly owned by Nestlé S.A, the world’s largest food and beverage company. It is present in 187 countries around the world, and its 291,000 employees are committed to Nestlé’s purpose of unlocking the power of food to enhance quality for everyone, today and for generations to come.

This manual serves as a guide to accessing information held by Nestlé, providing insights into our procedures, policies, and obligations in accordance with the Act. It outlines the steps individuals should follow when seeking access to our information, the responsibilities of our Information Officer, and our commitment to protecting personal information in alignment with POPIA and other relevant legislation.

2. CONTACT DETAILS

- 2.1 Name of Private Body: *Nestlé (South Africa) (Proprietary) Limited*
- 2.2 Head of Private Body: *Nicole Roos*
- 2.3 Postal Address of Private Body: *PO Box 50616, Randburg, 2125*
- 2.4 Street Address of Private Body: *8 Anslow Crescent, Anslow Office Park, Bryanston, 2021*
- 2.5 Telephone Number of Private Body: *011 514 6000*
- 2.6 Fax number of Private body: *011 889 6000*
- 2.7 Person designated to deal with requests: *Tekani Mbhalati (“the Designated Head”)*
- 2.8 Electronic mail address of the designated head: Tekani.mbhalati@za.nestle.com

3. THE SECTION 10 GUIDE ON HOW TO USE THE ACT

The Information Regulator has, in terms of Section 10 of PAIA, compiled an official Guide designed to aid individuals seeking to exercise their right of access to information as stipulated by PAIA and POPIA. Copies of this updated Guide may be obtained directly from the Information Regulator, as per the prescribed procedure. Should you have any inquiries regarding the Guide, please direct them to:

Physical address: JD House
27 Stiemens Street
Braamfontein
Johannesburg
2001

Postal address: P. O Box 31533
Braamfontein
Johannesburg
2017

Telephone: +27 10 023 5200

Website: <https://info regulator.org.za>

E-mail: enquiries@info regulator.org.za

4. INFORMATION AVAILABLE IN TERMS OF POPIA

- 4.1 According to POPIA, personal information must be processed for a specific purpose. The purpose for which Nestlé processes personal data can be found on Nestlé's website <https://www.nestle-esar.com/info/privacy>.

5. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Records are available in accordance with the following legislation:

- 5.1 Income Tax Act 58 of 1962;
- 5.2 Unemployment Insurance Act 63 of 2001;
- 5.3 Unemployment Insurance Contributions Act 4 of 2002;
- 5.4 Value Added Tax Act 89 of 1991;
- 5.5 Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- 5.6 Occupational Health and Safety Act 85 of 1993;
- 5.7 Labour Relations Act 66 of 1995;
- 5.8 Basic Conditions of Employment Act 75 of 1997;
- 5.9 Employment Equity Act 55 of 1998;
- 5.10 Skills Development Levies Act 9 of 1999;
- 5.11 Pension Funds Act 24 of 1956;
- 5.12 Companies Act 71 of 2008;
- 5.13 Insolvency Act 24 of 1936;
- 5.14 Consumer Protection Act 68 of 2008;
- 5.15 Protection of Personal Information Act 4 of 2013;

6. ACCESS TO THE RECORDS HELD BY NESTLÉ

6.1 The following records are available without a person having to request access in terms of the Act:

6.1.1 General information pertaining to Nestlé available on the Nestlé website www.nestlé-esar.co.za.

6.1.2 Information pertaining to the Directors of Nestlé is available at the Companies and Intellectual Properties Commission.

6.2 The subjects on which Nestlé holds records and the categories on each subject in terms of section 51 of PAIA are listed below. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of the Act:

6.2.1 HUMAN RESOURCES DEPARTMENT

- 6.2.1.1 Nestlé administration policies and procedures;
- 6.2.1.2 List of contractors / sub-contractors;
- 6.2.1.3 Registrations with Department of Labour: UIF, COIDA and Skills Development Levies Act;
- 6.2.1.4 Address lists and internal telephone lists;
- 6.2.1.5 Personnel files;
- 6.2.1.6 Letters of appointment;
- 6.2.1.7 Fringe benefit breakdown;
- 6.2.1.8 Leave forms;
- 6.2.1.9 Employee contracts of employment;
- 6.2.1.10 List of employees;
- 6.2.1.11 Payroll records;
- 6.2.1.12 Recruitment records;
- 6.2.1.13 Training records, manuals, materials and reports;
- 6.2.1.14 UIF returns;
- 6.2.1.15 CCMA records;
- 6.2.1.16 Disciplinary hearings;
- 6.2.1.17 Salary packages;
- 6.2.1.18 Employment equity records and reports;

6.2.2 SECRETARIAL AND LEGAL

- 6.2.2.1 Company statutory records;
- 6.2.2.2 Share certificates;
- 6.2.2.3 Powers of attorney / proxies;
- 6.2.2.4 Central contracts register;
- 6.2.2.5 Record of major litigation / arbitration proceedings;
- 6.2.2.6 Insurance policies;
- 6.2.2.7 Title deeds;
- 6.2.2.8 Mortgage bonds;
- 6.2.2.9 Trade mark, copyright, patent, service mark certificates and registrations.

6.2.3 FINANCIAL ACCOUNTS

- 6.2.3.1 Audited financial statements;

- 6.2.3.2 Accounting records;
- 6.2.3.3 Debtors and creditors information;
- 6.2.3.4 Assets registers;
- 6.2.3.5 Public utility accounts.

6.2.4 TREASURY

- 6.2.4.1 Banking information and mandates;
- 6.2.4.2 VAT registration certificate;
- 6.2.4.3 Income tax records;
- 6.2.4.4 Tax records;
- 6.2.4.5 Monthly receipts from SARS;

6.2.5 SAFETY, HEALTH AND ENVIRONMENT

- 6.2.5.1 Complete Safety, Health and Environment Risk Assessment;
- 6.2.5.2 Environmental Managements Plans;
- 6.2.5.3 Inquiries, inspections, examinations by environmental authorities.

6.2.6 MARKETING DEPARTMENTS

- 6.2.6.1 Advertising and promotional material.

6.2.7 SALES DEPARTMENTS

- 6.2.7.1 Customer details;
- 6.2.7.2 Credit application information;
- 6.2.7.3 Information and records provided by a third party.

6.2.8 IT DEPARTMENT

- 6.2.8.1 Information technology systems and user manuals.

6.2.9 CORPORATE AFFAIRS

- 6.2.9.1 Records of all donations to education and society.

7. REQUEST PROCEDURES

7.1 Form of request:

- 7.1.1 The requester must use the prescribed form, attached to this manual as Annexure A, to make the request for access to a record. This request must be made to the address or electronic mail address of the designated head.
- 7.1.2 The requester must provide sufficient detail on the request form to enable the designated head to identify the record and the requester.
- 7.1.3 The requester should indicate which form of access is required.
- 7.1.4 The requester should indicate if any other manner is to be used to inform the requester of the outcome of the request and state the necessary particulars to be so informed.
- 7.1.5 The requester must identify the right that is sought to be exercised or to be protected and

provide an explanation of why the requested record is required for the exercise or protection of that right.

- 7.1.6 If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the designated head of Nestlé.
- 7.2 A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee.
- 7.3 Every other requester, who is not a personal requester, must pay the required request fee.
- 7.4 The designated head will notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- 7.5 The fees that the requester must pay to a private body are prescribed by the Minister of Justice and Constitutional development and are listed herein in Annexure B. The requester may lodge an application to the court against the tender or payment of the request fees.
- 7.6 If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

8. AVAILABILITY OF THE MANUAL

This manual is available:

- 8.1 for inspection at the office of Nestlé during business hours.
- 8.2 on Nestlé's Website at <https://www.nestle-esar.com/>.

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: _____
	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 <i>(Mark the applicable box with an "X")</i>	
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 <i>(Mark the applicable box with an "X")</i>	
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 <i>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.</i>	

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	
<p>a) <i>A request fee must be paid before the request will be considered.</i></p> <p>b) <i>You will be notified of the amount of the access fee to be paid.</i></p> <p>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></p> <p>d) <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i></p>	
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:	

<i>Access fees:</i>	
<i>Deposit (if any):</i>	

Signature of Information Officer

FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE
[Regulation 8]

1. *If your request is granted the—*
 - (a) *amount of the deposit, (if any), is payable before your request is processed; and*
 - (b) *requested record/portion of the record will only be released once proof of full payment is received.*
2. *Please use the reference number hereunder in all future correspondence.*

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information 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> is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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OR

2. You requested:

Printed copies of the information <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 information on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of information on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

3. To be submitted:

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>	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

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4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

Yes

No

Hours of search		Amount of deposit <i>(calculated on one third of total amount per request)</i>	
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The amount must be paid into the following Bank account:

Name of Bank: _____

Name of account holder: _____

Type of account: _____

Account number: _____

Branch Code: _____

Reference Nr: _____

Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

Information officer