



PROMOTION OF ACCESS TO INFORMATION (PAIA) MANUAL:

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

This manual applies to:
Boxer Superstores (Pty) Ltd

Registered Office Address: 41 The Boulevard, Westend Office Park, Spine Road, Westville, 3610

PUBLIC

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1. Introduction

Boxer Superstores (Pty) Ltd is committed to the observance of and compliance with the directives of the South African Constitution and national legislation which endorse the key principles of good corporate governance, transparency and accountability.

The Promotion of Access to Information Act No. 2 of 2000 (PAIA) gives effect to carry out section 32 of the South African Constitution, which focuses on the right to access information that is required for the exercise or protection of any rights or to give effect to that right subject to justifiable limitations, including, but not limited to, limitations aimed at the reasonable protection of privacy and commercial confidentiality.

This manual constitutes Boxer's PAIA manual. This manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 (POPIA). 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.

This PAIA 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 the Manual

This manual will be updated as required or when the relevant legislation changes. The latest copy of this manual is available on public facing Boxer websites, www.boxer.co.za. Alternatively, this manual can be requested from the [information officer](#)

3. Boxer Contact Details

All requests for access to records in terms of PAIA must be in writing and must be addressed to:

Boxer Information Officer

41 The Boulevard, Westend Office Park, Spine Road, Westville, 3610

Telephone: +27 31 275 7000

Website: www.boxer.co.za

Email: informationofficer@boxer.co.za

4. Guide of the South African Human Rights Commission

The South African Human Rights Commission (“SAHRC”) is mandated under PAIA to promote the right of access to information, monitor the implementation of PAIA, make recommendations to strengthen

PAIA and to report annually to Parliament. The SAHRC has compiled a guide that contains information which would be reasonably required of any person wishing to exercise any rights set out in the Act. The guide is available in all the countries’ official languages and can be viewed at www.sahrc.org.za.

Any enquiries regarding the above guide and its contents should be directed to:

The South African Human Rights Commission

PAIA Unit (the Research and Documentation Department)

Postal address: Private Bag 2700, Houghton, 2041

Telephone: +27 11 484-8300

Fax: +27 11 484-7146

Website: www.sahrc.org.za

Email: PAIA@sahrc.org.za

5. Information Regulator

Any queries where you believe Boxer has not adequately dealt with your request, or to lodge a complaint should be directed to:

The Information Regulator (South Africa)

33 Hoofd Street

Forum III, 3rd Floor Braampark

Braamfontein, Johannesburg

Website: www.justice.gov.za

Email: infoereg@justice.gov.za

6. Records Available in terms of any Other Legislation

Boxer keeps information and records in accordance with the following legislation, which includes, but is not limited to the following legislation:

1. The Constitution of the Republic of South Africa No.3 of 1994;
2. Companies Act No. 61 of 1973;
3. Competition Act No. 89 of 1998;
4. Insider Trading Act No. 135 of 1998;
5. Broad-Based Economic Empowerment Act No. 53 of 2003;
6. Consumer Affairs (Unfair Business Practices Act), 71 of 1988;
7. Consumer Protection Act No. 68 of 2008;
8. The Value-Added Tax Act No. 89 of 1991;
9. Income Tax Act No. 58 of 1962;
10. South African Revenue Services Act, 34 of 1997;
11. Basic Conditions of Employment Act No. 75 of 1997;
12. Employment Equity Act No. 55 of 1998;
13. Labour Relations Act No. 66 of 1995;
14. Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000;
15. The Occupational Health and Safety Act No. 85 of 1993;
16. Manpower Training Act No. 56 of 1981;
17. Skills Development Act No. 97 of 1998;
18. Skills Development Levies Act No. 9 of 1999;
19. Unemployment Insurance Contributions Act No. 4 of 2002;
20. Unemployment Insurance Fund Act No. 63 of 2001;
21. The Medical Schemes Act No. 131 of 1998;
22. The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993;
23. National Environment Management Act No. 107 of 1998;
24. The Atmospheric Pollution Prevention Act No. 45 of 1965;
25. The Health Act No. 63 of 1977;
26. Pension Funds Act No. 24 of 1956 Tax on Retirement Funds Act No. 38 of 1996;
27. Deeds Registries Act No. 47 of 1937;
28. Customs and Excise Amendment Act, 45 of 1995;
29. Copyright Act No. 98 of 1978
30. Trade Marks Act No. 194 of 1993;
31. Financial Intelligence Centre Act No. 38 of 2001;
32. Prevention of Combating of Corrupt Activities Act No. 12 of 2004;
33. Prevention of Organised Crime Act No. 121 of 1998;

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34. Protected Disclosures Act No. 26 of 2000;
35. Tobacco Products Control Act No. 83 of 1993;
36. Medicines and Related Substances Control Act No. 101 of 1965;
37. Hazardous Substances Act No. 15 of 1973;
38. Liquor Act No. 59 of 2003;
39. Liquor Products No. 60 of 1989;
40. Electronic Communications and Transactions Act No. 25 of 2002;
41. Regulation of Interception of Communications and Provision of Communications Related Information Act No. 70 of 2002.

From time to time, Boxer may be required to comply with other legislation as a result of the products and services being provided to customers operating in different sectors.

7. Categories of Requestors

The capacity under which a Requestor makes a request for records defines the category in which the Requestor will fall into. There are four categories of Requestors:

- 7.1. A Data Subject who makes requests about themselves;
- 7.2. A Representative who makes a request on behalf of the Data Subject(s);
- 7.3. A Third Party who requests information about a Data Subject; or
- 7.4. A Public Body who requests information in the public interest.

8. Categories of Records held by Boxer

This manual sets out a description of the subjects on which Boxer holds records, and categories of records held on each subject (refer to Appendix B). These include operational records utilised in the day to day running and administration of the business. Access to the listed records /information per Appendix B does not guarantee access requests will be approved / granted.

9. Automatically available information

Information that is obtainable via the Boxer website about Boxer is automatically available and need not be formally requested in terms of this manual.

The following categories of records are automatically available for inspection, purchase or photocopying:

- 9.1. brochures
- 9.2. press releases
- 9.3. publication; and
- 9.4. various other marketing and promotional material.

10. Request Process

POPIA provides that a data subject may, upon proof of identity, request Boxer to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.

POPIA provides that a data subject may object, at any time, to the processing of personal information by Boxer, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing.

A data subject may also request Boxer to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that Boxer is no longer authorised to retain in terms of POPIA's retention and restriction of records provisions.

If a data subject that wishes to:

- object to the processing of their personal information must complete the form attached hereto as Appendix C and;
- request a correction or deletion of personal information or the destruction or deletion of a record of personal information must complete the form attached hereto as Appendix D and submit it to the Information Officer.

The purpose of this section is to provide directive and guidance on the process to follow when requesting information from Boxer.

- The Requestor should contact Boxer's [Information Officer](#) to obtain guidance on the process to follow when sending documentation containing personal information. This includes application forms and proof of identification documents.
- The prescribed form must be used and completed to make the request for access to a record. The form can be downloaded from the Department of Justice website (refer to Appendix A).
- Proof of identification of the Requestor (and related third parties acting on behalf of the Requestor) must be provided on submitting the request form.
- The requester must specify the right that they are seeking to protect or that they wish to exercise and provide an explanation as to why the requested records are required for the protection or exercise of that right.
- If the request is made on behalf of another person, then proof is required of the capacity in which the requester is making the request.

- Proof of identity must be provided in the form of a certified copy of the Requestor's and/or delegate's identity document or passport via secure methods provided by the [Information Officer](#) in the initial correspondence.
- An initial response to a request will take approximately 30 days. The [Information Officer](#) may extend the period by an additional 30 days depending on the complexity of the request requirements.
- Please note that an application for access to information can be refused in the event that the application does not comply with the requirements of PAIA.
- The successful completion and submission of the access request does not automatically allow the Requestor access to the requested records.
- If access to a record/information is granted, the Requestor will be notified, and the notification will include the following:
 - An indication of the access fee that should be paid upon gaining access (if any).
 - An indication of the form in which the access will be granted.
- If access to a record/information is denied, the Requestor will be notified, and will include the following:
 - Adequate reasons for the refusal.
 - Process to appeal the refusal.
- Should the requester not be satisfied with the decision of the [Information Officer](#), the Requester may apply to court for relief. In terms of PAIA, the said application must be made within 180 days after the decision has been made by the [Information Officer](#).

11. Prescribed Request Fees

Prescribed fees were published by the Minister of Justice and Constitutional Development in the Government Gazette No. 23119, General Notice No. 187 of 15 February 2002. Please refer to Appendix E for Boxer's fee structure.

12. Information available in terms of POPIA

In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by Boxer's will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected. Please also refer to the Boxer's Privacy Policy for further information.



Categories of personal information collected by Boxer

Boxer may collect information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to-

- information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- information relating to the education or the medical, financial, criminal or employment history of the person;
- any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- the biometric information of the person;
- the personal opinions, views or preferences of the person;
- correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- the views or opinions of another individual about the person; and
- the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

The purpose of processing personal information

In terms of POPIA, data must be processed for a specified purpose. The purpose for which data is processed by Boxer will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected.

In general, personal information is processed for purposes of on-boarding Customers and suppliers, service or product delivery, records management, security, employment and related matters. Please refer to the Boxer Privacy Policy for further details.

Categories of data subjects

Boxer holds information and records on the following categories of data subjects:

- customers of Boxer;
- employees / personnel of Boxer;
- Independent contractors of Boxer;

- suppliers of Boxer; and
- any third party with whom Boxer conducts business.

Categories of recipients to whom personal information may be supplied

Depending on the nature of the personal information, Boxer may supply information or records to the following categories of recipients:

- statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data;
- any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or discovery in terms of the applicable rules;
- South African Revenue Services, or another similar authority; and
- anyone making a successful application for access in terms of PAIA or POPIA.

Transborder flows of personal information

Boxer may need to transfer a data subject's information to service providers in countries outside South Africa, these countries may not have data-protection laws which are similar to those of South Africa.

Where this is done, Boxer do so in accordance with applicable laws.

13. Appendices

Appendix A: Request Form

The application form can be obtained from:

http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf

Appendix B: POPIA Form 1

FORM 1 OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION - SECTION 11(3)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2]

Note:

Affidavits or other documentary evidence as applicable in support of the objection may be attached.

If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

Complete as is applicable.

A	DETAILS OF DATA SUBJECT
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number / E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	

Fax number/ E-mail address:	
C	REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i>

Signed at this day of20.....

.....
Signature of data subject/designated person

Appendix C: POPIA Form 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

Affidavits or other documentary evidence as applicable in support of the request may be attached.

If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

Complete as is applicable.

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/E-mail address:	
B	DETAILS OF RESPONSIBLE PARTY
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code ()
Contact number(s):	
Fax number/ E-mail address:	
C	INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED

D	<p>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or</p> <p>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at this day of20.....

.....

Signature of data subject/ designated person

Appendix D: Fees Payable

Request fees:

- Where a Requestor submits a request for access to information held by Boxer relating to a person other than the Requestor, a request fee in the amount of R50.00 is payable up-front. Upon receipt of payment, Boxer will further process the received request.
- If access to a record/s is granted by Boxer, the Requestor may be required to pay an access fee for the search for, the preparation and for the re-production of the record/s. The access fees which apply are set out below.
- An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of Section 54 (8). This includes the following:
 - A single person whose annual income does not exceed R14,712.00; or
 - Married persons or a person and his/her life partner whose annual income does not exceed R27,192.00
- Boxer, as a registered Private Body, will add VAT to all aforementioned fees in terms of the Value Added Tax (VAT) Act.
- A Requestor may lodge a complaint with a court of law against the payment of the request fee.
- All payments shall be made in the form of an Electronic Funds Transfer (EFT) to the Boxer bank account. Banking details to be obtained from Boxer's [Information Officer](#).

Boxer is entitled to withhold a record until the required access fees have been paid. The applicable access fees which will be payable are:

Access Fees for Reproduction	
Each photocopy of A4 sized part or a part thereof	R1.10
Each photocopy of A4 sized page or part thereof held on a computer or in electronic or machine-readable form	R0.75
Copy of a computer readable memory stick	R7.50
Copy of a computer readable compact disc	R70.00
Transcript copy of visual images of an A4 sized page or part thereof	R40.00
Copy of visual images	R60.00
Transcription of an audio record on an A4 sized page or part thereof	R20.00
Copy of the audio record	R30.00
Times reasonably spent to locate a record and preparation for the disclosure or part thereof	R30.00 per hour

Request Fees	
Access to a record containing personal information of the Requestor	Free
Any other access to a record as a public body made by a Requestor and another person other than the Requestor	R50.00
Postal Fees	
Postage of a record to the Requestor	R9.75
Courier of a record to the Requestor	R99.00

Deposits:

- Where Boxer receives a request for access to information held on a person other than the Requestor himself/herself and the [Information Officer](#) upon receipt of the request is of the opinion that the preparation of the required record/s of disclosure will take more than 6 (six) hours, a deposit is payable by the Requestor.
- The Requestor may make an application to Court to be exempted from the requirement to pay this deposit.
- If a deposit is made and access to the record/s requested is subsequently refused, the deposit will be repaid to the Requestor. The amount of the deposit is equal to a 1/3 (one third) of the amount of the applicable access fee.