

**PROMOTION OF ACCESS TO INFORMATION MANUAL OF MUNDIPHARMA
(PROPRIETARY) LIMITED ("MUNDIPHARMA") - IN TERMS OF SECTION 51 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 ("PAIA")**

DATE OF COMPILATION: [09 May 2022]

1. Introduction

This manual has been compiled in accordance with section 51 of the Promotion of Access to Information Act, 2000 ("**PAIA**"). The PAIA establishes certain statutory rights of requesters to any record of a private body if:

- that record is required for the exercise of any the requestor's legal rights;
- that requester complies with all the procedural requirements; and
- access is not refused in terms of any ground referred to in PAIA.

This manual explains how requesters can submit requests for access to information to Mundipharma in terms of PAIA.

2. About Mundipharma

2.1 Mundipharma is a private company which primarily conducts its business in the pharmaceutical industry and is a global leader in pain and supportive care with specific focus on the following therapeutic areas (i) anti-infectives; (ii) biosimilars; (iii) central nervous system; (iv) diabetes; (v) oncology; (vi) ophthalmology; and (vii) respiratory.

2.2 Samantha Du Plooy has been duly appointed as the Information Officer for Mundipharma by the head of Mundipharma and is the person to whom requests for access to information must be made in terms of PAIA and in terms of the Protection of Personal Information Act 4 of 2013 ("**POPIA**").

3. Mundipharma's Contact details

Details	General Manager	Information Officer
Name	Elliot Haddock	Samantha Du Plooy
Postal Address	Mundipharma (Pty) Limited, Block D, Grosvenor Square, Park Lane, Century City, Cape Town, South Africa	Mundipharma (Pty) Limited, Block D, Grosvenor Square, Park Lane, Century City, Cape Town, South Africa

Physical Address	Mundipharma (Pty) Limited, Block D, Grosvenor Square, Park Lane, Century City, Cape Town, South Africa	Mundipharma (Pty) Limited, Block D, Grosvenor Square, Park Lane, Century City, Cape Town, South Africa
Telephone	021-6715251	021-6715251
Telefax	N/A	N/A
Email	info@mundipharma.co.za	info@mundipharma.co.za

4. The Section 10 Guide on how to use PAIA

- 4.1 The Information Regulator has published a guide as prescribed by Section 10 of PAIA. This guide sets out the information required from requesters to be able to exercise their right to access information, as contemplated by PAIA and POPIA. This guide is available at the offices of the Information Regulator and on its website as prescribed by Section 10 of PAIA and in accordance with the POPIA. Please direct any queries regarding this guide to:

Information Regulator:

JD House, 27 Stiemans Street, Braamfontein, Johannesburg, 2001

P.O. Box 31533, Braamfontein, Johannesburg, 2017

Website: <https://www.inforegulator.org.za/>

email (POPIA complaints): POPIAComplaints@inforegulator.org.za

email (PAIA complaints): PAIAComplaints@inforegulator.org.za

email (general enquiries): enquiries@inforegulator.org.za

5. Records that are available by Mundipharma in terms of other legislation

A requester may request information which is available in terms of legislation include the following, provided that the requester complies with the requirements set out in such legislation, this manual and PAIA:

- 5.1 Basic Conditions of Employment Act, 1997;
- 5.2 Broad-Based Black Economic Empowerment Act, 2003;
- 5.3 Companies Act, 2008;

- 5.4 Compensation for Occupational Injuries and Diseases Act, 1993;
- 5.5 Employment Equity Act, 1998;
- 5.6 Income Tax Act, 1962;
- 5.7 Labour Relations Act, 1995;
- 5.8 Medicines and Related Substances Act, 1965
- 5.9 Occupational Health and Safety Act, 1993;
- 5.10 Pharmacy Act, 1974 (and the Rules relating to Good Pharmacy Practice, as well as the Rules relating to Code of Conduct)
- 5.11 Promotion of Access to Information Act, 2000;
- 5.12 Protection of Personal Information Act, 2013;
- 5.13 Skills Development Levies Act, 1999;
- 5.14 Unemployment Insurance Act, 2001;
- 5.15 Value Added Tax Act, 1991;
- 5.16 National Health Act, 2003;
- 5.17 Health Care Professions Act 56, 1974; and
- 5.18 the South African Code of Marketing Practice for Health Products Guideline, version 13, 23rd July 2020.

6. **Subjects and categories of information held by Mundipharma**

The subjects and categories of records held by Mundipharma include the following:

Subject	Category
Company records	Constitutional documents (including incorporation documents, the memorandum of incorporation and the shareholders agreement) Share registers, share certificates, registers and details concerning shareholder meetings and resolutions

	<p>Details concerning the identity of directors, directors' meetings, director resolutions</p> <p>Statutory registers and minute books</p>
Financial records	<p>Budget reports</p> <p>Bank records</p> <p>Financial statements</p> <p>Management accounts</p> <p>Audit reports</p> <p>Insurance records</p> <p>Tax records</p>
Strategic and operational information	<p>Business plan</p> <p>Budget reports</p> <p>Minutes of management meetings</p> <p>Minutes of board meetings</p> <p>Annual reports</p>
Assets	<p>Asset register</p> <p>Share certificates</p> <p>Trade marks schedule</p> <p>Debtors' information</p> <p>Bank account reconciliation</p>
Liabilities	<p>Loan agreements</p> <p>General ledger</p>
Information technology	<p>Asset register</p>

	<p>Repair and maintenance records</p> <p>Software programmes</p> <p>Software licences</p> <p>IT policies and procedures</p> <p>Software records</p>
Compliance	<p>B-BBEE compliance records</p> <p>The Wholesale and Retail Sector Education and Training Authority Registration</p> <p>Reports and Plans</p> <p>Proof of membership with industry bodies</p> <p>General policies and procedures</p>
Human resources	<p>Staff records</p> <p>Contracts of employment</p> <p>Statutory records</p> <p>Training and skills development records</p> <p>Employment equity records</p> <p>Leave records</p> <p>Beneficiary records</p> <p>HR policies and procedures</p> <p>Disciplinary procedures</p> <p>Training programmes and materials</p> <p>Salary information</p> <p>Pension fund information</p> <p>Medical aid information</p>

Contractual relationships	Leases Contracts with customers Wholesaler agreements Distribution agreements Service provider agreements Medical information queries
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7. Description of personal information processing in terms of POPIA

Mundipharma processes personal information as follows:

Subject	Category
Purpose of the processing	Sale of medicines and/or healthcare solutions To market medicines and/or healthcare solutions to customers, including but not limited to, healthcare providers and pharmacies To comply with statutory obligations Employment payroll purposes Customer relations purposes To conduct market research surveys Security, administrative and legal purposes To fulfil contractual obligations that we have with customers or third parties To advance medical education and awareness.

<p>Data subject categories and their personal information</p>	<p>Employees: record of employee life cycle</p> <p>Patients: medical information</p> <p>Health Care Professionals: medical information</p> <p>General public: general enquiries and viewing the company website</p> <p>Advisory Boards: information relating to medical meetings.</p> <p>Industry bodies: membership records</p> <p>Media: records of media interactions</p> <p>Service providers: record of service provider life cycle</p>
<p>Recipients of personal information</p>	<p>Employee pension funds</p> <p>The Wholesale and Retail Sector Education and Training Authority</p> <p>Financial institutions</p> <p>Industry bodies</p> <p>Law enforcement</p> <p>Medical aid schemes</p> <p>Operators (service providers)</p> <p>Statutory authorities</p> <p>The Department of Employment and Labour</p>
<p>Expected transnational transfer of personal information</p>	<p>Transfer of personal information to operators, including data servers hosted outside of South Africa</p> <p>Transfer of personal information to other</p>

	members in the Mundipharma network of companies
Security measures to protect personal information	<p>Physical security measures</p> <ul style="list-style-type: none"> • Access control measures • Internal security measures <p>Cyber security measures</p> <ul style="list-style-type: none"> • Anti-spam measures • Anti-virus measures • Installing security firewalls • Password control <p>Training programs on information security</p> <p>Information security audits</p> <p>IT-related company policies</p>

For more information on how we process personal information, please refer to our privacy statement available at <https://www.mundipharma.com/privacy-policy>

8. The request procedure

8.1 Prescribed form

8.1.1 A request for information must be made in the prescribed form, a copy of which is attached as Annexe A, must be addressed to the Information Officer and must be submitted with the prescribed fee (see paragraph 8.3).

8.1.2 The prescribed request form is available from the Information Officer the Information Regulator, whose contact details are set out in paragraph 4 above.

8.2 **Manner of request**

- 8.2.1 The request must be made to the address, facsimile number or email address of the Information Officer set out in paragraph 3 above.
- 8.2.2 The requester must provide enough detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form (mode/method) of access is required. The requester should indicate if it requires notice of the decision of the Information Officer in any manner, other than in writing.
- 8.2.3 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.
- 8.2.4 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

8.3 **Fees**

- 8.3.1 A requester who seeks access to a record containing personal information must pay the required request fee.
- 8.3.2 The Information Office must by notice, require the requester to pay the prescribed fee, if any, before further processing the request.
- 8.3.3 The requester may lodge an application to the high court relating to the payment of the request fee.
- 8.3.4 After the Information Officer has decided on the request, the requester must be notified in the required form.
- 8.3.5 If the request is granted, a further access fee must be paid for the search, reproduction, preparation and for any time, in excess of the prescribed hours, required to search and prepare for the record disclosure.
- 8.3.6 The prescribed fees are available from the Information Officer and from the Information Regulator, whose contact details are set out in paragraph 3 and 4 above.

9. **Availability of this manual**

This manual is available for inspection at:

- 9.1 Mundipharma's website, <http://www.mundipharma.co.za/> ; and
- 9.2 Mundipharma's principal place of business set out in paragraph 3 above, during normal business hours.

Issued by



(Samantha Du Plooy – Information Officer)



(Elliot Haddock - General Manager)

Request for access to record

1. Particulars of Mundipharma

Name of the company: Mundipharma (Proprietary) Limited
 Registration number 2009/020626/07

The Head: **Elliot Haddock**

Physical Address: Block D, Grosvenor Square, Park Lane, Century
 City, Cape Town, South Africa

Postal Address: Block D, Grosvenor Square, Park Lane, Century
 City, Cape Town, South Africa

Telephone: 021-6715251

Telefacsimile: n/a

E-mail: info@mundipharma.co.Particulars of person
 requesting access to the record

- | | |
|-----|---|
| 1.1 | The full particulars of the person who requests access to the record must be given below. |
| 1.2 | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| 1.3 | Proof of the capacity in which the request is made, if applicable, must be attached. |

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:** _____

2. 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: _____

3. Particulars of record

3.1 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.

3.2 If the 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: _____

4. Fees

4.1 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.

4.2 You will be notified of the amount required to be paid as the request fee.

4.3 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.

4.4 If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

5. Form of access to record

If you are prevented by an impediment or 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: <hr/> <hr/> <hr/>		Form in which record is required: <hr/> <hr/> <hr/>	
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Mark the appropriate box with an "X":

NOTES:

- 5.1 Compliance with your request in the specified form may depend on the form in which the record is available.
- 5.2 Access in the form requested may be refused in certain circumstances. In such case, you will be informed if access will be granted in another form.
- 5.3 The fee payable for access to 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:			
	Copy of record*		Inspection of record
2. If the record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
	View the images		Copy of the images*
			Transcription of the images*
3. If the record consists of recorded words or information which can be reproduced in sound:			
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack (written or printed document)*
4. If the record is held on computer or in an electronic or machine-readable form:			
	Printed copy of record*		Printed copy of information derived from the record*
			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?			YES NO
Postage is payable.			

6. Particulars of the 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.**

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:

7. Notice of decision regarding request for access

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?

Signed at _____ this _____ day of _____ 20__.

SIGNATURE OF REQUESTER/PERSON ON
WHOSE BEHALF REQUEST IS MADE