



# **PAIA 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. LIST OF ACRONYMS AND ABBREVIATIONS

- |     |                    |  |
|-----|--------------------|--|
| 1.1 | <b>“Minister”</b>  | Minister of Justice and Correctional Services;                     |
| 1.2 | <b>“PAIA”</b>      | Promotion of Access to Information Act No. 2 of 2000 (as Amended); |
| 1.3 | <b>“POPIA”</b>     | Protection of Personal Information Act No.4 of 2013;               |
| 1.4 | <b>“Regulator”</b> | Information Regulator; and   |
| 1.5 | <b>“Republic”</b>  | Republic of South Africa   |

## 2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;

- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

### **3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE SPAR GROUP LTD**

#### **3.1. Chief Information Officer (IO)**

Name: Kevin O'Brien  
Tel: 031 719 1900  
Email: [info.officer@spar.co.za](mailto:info.officer@spar.co.za)

#### **3.2. Deputy Information Officers**

Name: Thandwa Motlohi  
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Name: Claudia Michel

Tel: 021 690 0000

Email: [claudia.michel@spar.co.za](mailto:claudia.michel@spar.co.za)

Name: Jean-Paul Robert

Tel: 031 508 5000

Email: [jeanpaul.robert@spar.co.za](mailto:jeanpaul.robert@spar.co.za)

### 3.3 Access to information general contact

Email: [info.officer@spar.co.za](mailto:info.officer@spar.co.za)

### 3.4 National or Head Office

Postal Address: PO Box 1589, Pinetown, 3600

Physical Address: 22 Chancery Lane, Pinetown, 3620

Telephone: 031 719 1900

Email: info.officer@spar.co.za

Website: [www.spar.co.za](http://www.spar.co.za)

#### 4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

4.2. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>;

4.3.3. the manner and form of a request for-

4.3.3.1. access to a record of a public body contemplated in section 11<sup>3</sup>; and

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<sup>1</sup> Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

<sup>2</sup> Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

<sup>3</sup> Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 4.3.3.2. access to a record of a private body contemplated in section 50<sup>4</sup>;
- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
  - 4.3.6.1. an internal appeal;
  - 4.3.6.2. a complaint to the Regulator; and
  - 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 4.3.7. the provisions of sections 14<sup>5</sup> and 51<sup>6</sup> requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of sections 15<sup>7</sup> and 52<sup>8</sup> providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

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<sup>4</sup> Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a) that record is required for the exercise or protection of any rights;
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

<sup>5</sup> Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

<sup>6</sup> Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

<sup>7</sup> Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

<sup>8</sup> Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

- 4.3.9. the notices issued in terms of sections 22<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access; and
  - 4.3.10. the regulations made in terms of section 92<sup>11</sup>.
- 4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5. The Guide can also be obtained-
- 4.5.1. upon request to the Information Officer;
  - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).
- 4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
- 4.6.1 English
  - 4.6.2 isiZulu

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<sup>9</sup> Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>10</sup> Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>11</sup> Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”



**5. CATEGORIES OF RECORDS OF THE SPAR GROUP LTD WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

Category of records	Types of the Record	Available on website and upon informal request
Marketing Materials	Sales brochures	X
	Competition details	X
	Brand related information	X
	Newsletters and in-house magazines	X
Investor Relations	Reports and Financial Information	X
	SENS Announcements	X
	Share Price Data	X
	Corporate Information	X
Governance	Facts sheets	X
	Governance notices	X
	Integrated Annual Reports	X
	B-BEEE Certificate	X
Sustainability	Terms of Reference as per KING IV	X
	Board Charter	X
	Memorandum of Incorporation	X
	Environmental and Social Reports	X
Sustainability	Integrated Annual Reports	X
	CDP Disclosure Insight Action	X

**6. DESCRIPTION OF THE RECORDS OF THE SPAR GROUP LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

Applicable Legislation	Category of Records
Agricultural Products Standards Act 119 of 1990	All records required by the Act.

Basic Conditions of Employment Act 75 of 1997	Each employee's name and occupation; Time worked by each employee; Remuneration paid to each employee; and all other records required by the Act.
Broad Based Black Economic Empowerment Act 53 of 2003	B-BEE Certificate and other records and codes.
Businesses Act 7 of 1991	License held in terms of the Act.
Companies Act 71 of 2008	Certificate of Incorporation; Certificate of Change of Name (if any); Certificate to Commence Business; Memorandum of Incorporation and/or Articles of Association; Minute books; General and special resolutions passed at any meeting of Shareholders of the Company or any class of Shareholders; Register of Members / Shareholders / Directors / Company Secretary / Public Officers; Branch registers; Annual Financial Statements; Books of Account required by the Act; and all other records required by the Act.
Compensation for Occupational Injuries and Diseases Act 130 of 1993	The register or other record of the earnings and other prescribed particulars of all employees, for example: wages paid, time worked, and payment made for piece-work and overtime.
Competition Act 89 of 1998	All records required by the Act.
Consumer Protection Act 68 of 2008	All records required by the Act.
Customs & Excise Act 91 of 1964	Bills of entry; Books of account required by the Act; Records of the person from whom imported goods were obtained and, if he is the importer or manufacturer or owner, as to the place where the duty due thereon was paid, the date of payment, the particulars of the entry for home consumption and the marks and numbers of cases, packages, bales and other articles concerned.
Designs Act 195 of 1993	All records required by the Act.

Electronic Communications and Transactions Act 25 of 2002	All records required by the Act.
Employment Equity Act 55 of 1998	All records required by the Act.
Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972	All records required by the Act.
Income Tax Act 58 of 1963	All ledgers, cash books, journals, cheque books, bank statements, deposit slips, pay cheques; Invoices, stock lists and all other books of account; Signed copy of Annual Financial Statements; Books of Account recording information required by the Companies Act; Invoices – issued and received; and all other records required by the Act.
Insolvency Act 24 of 1936	All records required by the Act.
Labour Relations Act 66 of 1995	All records required in compliance with any collective agreement, arbitration award or determination; All records of the prescribed details of any strike, lock-out or protest action involving employees; All disciplinary records; and all other records required by the Act.
Liquor Act 27 of 1989	All records of liquor licenses in respect of all stores.
Liquor Products Act 60 of 1989	Import certificate.
Merchandise Marks Act 17 of 1941	All records required by the Act.
National Credit Act 89 of 1991	All records which may be required by the Act.
Occupational Health and Safety Act 85 of 1993	A copy of the Act; An incident register; Certificate of compliance (in respect of all electrical installations); First Aid certificate (valid for 3 years); Refrigeration / Air-conditioning record book; and all other records required by the Act.
Patents Act 57 of 1978	All records required by the Act.
Promotion of Access to Information Act 2 of 2000	PAIA Manual and all other records required by the Act.

Protection of Personal Information Act 14 of 2013	All records required by the Act.
Regulation of Interception of Communications Act 70 of 2002	All records required by the Act.
Pension Funds Act 24 of 1956	All records required by the Act.
Skills Development Act 97 of 1998	Annual training reports and the annual training plan.
Unemployment Insurance Act 30 of 1966	Records detailing the contributions by contributors employed by the employer in respect of earnings paid, time worked, payments made for piece work and overtime.
Value Added Tax Act 89 of 1991	Books of account, documents recording the supply of goods to or by the vendor; Invoices, tax invoices, credit and debit notes, bank statements, deposit slips, stock lists and paid cheques; and all other records required by the Act.

**7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE SPAR GROUP LTD**

Subjects on which the body holds records	Categories of records
Company Records	Allotment sheets and return allotments; Annual return and supporting documents; Company register - Branch register, Index of members, Register of debenture holders, Register of director's attendance, Register of directors and officers, Register of directors' interest on contracts, Register of members and Register of pledges and mortgages; Contracts/sale agreements; Documents of incorporation - Certificate of change of name, Certificate of incorporation, Certificate to commence business and Founding statement

Subjects on which the body holds records	Categories of records
	(including amendments); Investment records; Leases; Minutes of meetings - Board meetings, Committee meetings, General meetings and Minutes books; Notices of general and class meetings proxy forms; Pension fund account records; Special and general resolutions - Class meetings, CM25 and CM26.
Financial Records	Annual financial statements; Books of account; Costing records; Creditor's invoices and statements; Dividend and interest payment list; Fixed asset register; Ledgers, schedules and journals; Petty cash books; Stock records and supporting schedules; All applicable tax records; Import and export records; Invoices, receipts and cash register tapes (readings); The accounting instruction manuals and the system and programme documentation; Bank statements, deposit slips and instructions; Accounting charts, access codes, program documentation & system instruction manuals; Paid cheques and cheque books; Stock sheets and control lists; Rail and shipping documents; Year-end working papers; Contracts and agreements for debts; Employee payrolls with wage and salary details; Salary wage register; Tax returns of employees; Investment records - schedules and documents from date of investment sold; Transfer of marketable securities.
Labour Records	Accident books and records; Address Lists; Disciplinary Code and Records; Employee benefits arrangements rules and records; Employment Contracts; Employment Equity Plan Forms and Applications; Grievance Procedures; Leave Records; Medical Aid Records; Payroll reports/ Wage register; Pension Fund Records;

Subjects on which the body holds records	Categories of records
	Safety, Health and Environmental records; Salary Records; SETA records; Standard letters and notices; Training Manuals; Training Records; Workplace and Union agreements and records.
Risk Management and Audit	Audit reports; Risk management frameworks; and Risk management plans.
Safety, Health and Environment	Complete Safety, Health and Environment Risk Assessment; Environmental Managements Plans; Inquiries, inspections, examinations by environmental authorities
IT Department	Computer / mobile device usage policy documentation; Disaster recovery plans; Hardware asset registers; Information security policies/standards/procedures; Information technology systems and user manuals; Information usage policy documentation; Project implementation plans; Software licensing; and System documentation and manuals.

## 8. PROCESSING OF PERSONAL INFORMATION

### 8.1 Purpose of Processing Personal Information

The company processes information for various purposes, including but not limited to:

- employee administration,
- sales and marketing initiatives,
- customer care processes; and
- communicating with customers directly.

**8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto**

<b>Categories of Data Subjects</b>	<b>Personal Information that may be processed</b>
Employees	Personal information associated with the lifecycle of an employee.
Retailers	Personal information of retailers including business particulars.
Suppliers	Personal information of suppliers including business particulars.
Consumers	Personal information of customers which are used for SPAR Rewards and other marketing initiatives.
General public	Tracking general enquiries and web site visits.
Investors	Records as maintained by the Company Secretary.
Media	Records of media interactions.

**8.3 The recipients or categories of recipients to whom the personal information may be supplied**

<b>Recipients or Categories of Recipients to whom the personal information may be supplied</b>	<b>Category of personal information</b>
South African Police Services	Identity number and names, for criminal checks
South African Qualifications Authority	Qualifications, for qualification verifications.
Credit Bureaus	Credit and payment history, for various credit related functions.
Banks	Financial information related to business practices and credit procedures, in connection with banking services received.
Medical Schemes	Particulars of members for administration of medical aid schemes and related products.

Recipients or Categories of Recipients to whom the personal information may be supplied	Category of personal information
Educational Institutions	Particulars of students where these students are employees of SPAR and recipients of company funding.
General public	As required.

#### 8.4 Planned transborder flows of personal information

- Flows to service providers/operators in Namibia, Botswana, Mozambique, Eswatini, Seychelles.
- Flows to subsidiaries and affiliates in Europe and Sri Lanka.
- Flows through the use of social media.

#### 8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

SPAR understands the value of information and will take all reasonable steps to protect the information from loss, misuse, or unauthorised access.

SPAR's responsibility is to:

- protect and manage information that its holds about its stakeholders;
- make use of electronic and computer safeguards, such as firewalls and data encryption, to secure stakeholders' information;
- have physical and electronic access control to its premises; and
- only authorise access to information to those employees who require it to fulfil their designated responsibilities.

SPAR is committed to use appropriate technical and other security measures in line with acceptable industry standards, to safeguard stakeholders' information.

## 9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-



9.1.1 on [www.spar.co.za](http://www.spar.co.za);

9.1.2 at the Head Office of the SPAR Group Ltd for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

## 10. UPDATING OF THE MANUAL

The **Information Officer** of the SPAR Group Ltd will on a regular basis update this manual.

***Issued by***

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***Kevin O'Brien***

***Company Secretary and Information Officer***