

Nutrpharm Manufacturing Industries Pty Ltd

(Registration Number: 2012-075886-07)

Manual in terms of section 51 of the Promotion of
Access to Information Act, 2 of 2000

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PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT)

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(Registration number: 2012-075886-07)

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PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT)

SECTION 51 MANUAL OF NUTRAPHARM MANUFACTURING INDUSTRIES PTY LTD

(REGISTRATION NUMBER: 2012-075886-07)

1. LIST OF ACRONYMS AND ABBREVIATION

1.1 PAIA	Promotion of Access to Information Act
1.2 POPIA	Protection of Personal Information Act
1.3 REGULATOR	Information Regulator

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to:

- 2.1 Check the categories of records held by the body which are available without a person having to submit a formal PAIA request;
- 2.2 Check the categories of records held by the body which are available without a person having to submit a formal PAIA request;
- 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. CONTACT PARTICULARS

Head of business:	Nicholas William Todd Arthur	Information officer:	Nicholas William Todd Arthur
Telephone Number:	0836363641	Telephone Number:	0836363641
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Postal Address:	P O Box 1238 Pinetown Durban 3600	Physical Address:	9-11 Coconut Grove Shaka's Industrial Park Ballito 4420
Telephone Number:	0836363641		
E-mail Address:	nick@nutrapharm.co.za		

4. INTRODUCTION

Insert a brief introduction to the business here...

5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

5.1. 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.

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

5.3. The aforesaid Guide contains the description of:

5.3.1. the objects of PAIA and POPIA;

5.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of:

5.3.2.1. the Information Officer of every public body, and

5.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;

5.3.3. the manner and form of a request for:

5.3.3.1. access to a record of a public body contemplated in section 11 ; and

5.3.3.2. access to a record of a private body contemplated in section 50 ;

5.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;

5.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;

5.3.6. 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:

5.3.6.1. an internal appeal;

5.3.6.2. a complaint to the Regulator; and

5.3.6.3. 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;

5.3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

5.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

5.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and

5.3.10. the regulations made in terms of section 92.

5.4. 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.

5.5. The Guide can also be obtained-

5.5.1. upon request to the Information Officer;

5.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).

5.6 A copy of the Guide is also available in Afrikaans and English, for public inspection during normal office hours at the offices of the private body.

6. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of The Act and section 11 of this manual. Copies of the prescribed forms to be completed for submitting a request, are available from the private body, upon request to the information officer.

7. INFORMATION AVAILABLE IN TERMS OF OTHER APPLICABLE LEGISLATION

- Basic Conditions of Employment Act 75 of 1997
- Broad-based Black Economic Empowerment Act 53 of 2003
- Businesses Act, 71 of 1991

- Companies Act 71 of 2008
- Consumer Protection Act 68 of 2008
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Criminal Procedure Act 51 of 1977
- Electronic Communications Act 36 of 2005
- Electronic Communications and Transactions Act, 25 of 2002
- Employment Equity Act 55 of 1998
- Employment Services Act 4 of 2014
- Employment Tax Incentive Act 26 of 2013
- Financial Intelligence Centre Act 38 of 2001
- Foodstuffs, Cosmetics, and Disinfectants Act 54 of 1972
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- National Payment System Act 78 of 1998
- National Credit Act 34 of 2005
- National Minimum Wage Act, 9 of 2018
- National Small Enterprise Act, 102 of 1996
- Occupational Health and Safety Act 85 of 1993
- Prescribed Rate of Interest Act 55 of 1975
- Prescription Act 68 of 1969
- Prevention of Organised Crime Act 121 of 1998
- Prevention and Combatting of Corrupt Activities Act 12 of 2004
- Promotion of Access to Information Act 2 of 2000
- Promotion of Administrative Justice Act of 3 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act of 4 of 2000
- Protection of Businesses Act 99 of 1978
- Protection of Constitutional Democracy against Terrorist and Related Activities Act 33 of 2004
- Protection of Personal Information Act 4 of 2013
- Skills Development Levies Act 9 of 1999
- Skills Development Act 97 of 1998
- Tax Administration Act 28 of 2011
- Unemployment Contributions Act 4 of 2002
- Unemployment Insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991

8. INFORMATION AUTOMATICALLY AVAILABLE

- Newsletters
- Pamphlets \ Brochures
- Posters
- Pricelists
- Reports
- Marketing and Promotional Material

9. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE BODY

Statutory Business Records

- Certificate of Incorporation
- Certificate to Commence Business
- Dividend Register
- Directors Attendance Register
- Index of Members
- Memorandum of Incorporation
- Minutes of Shareholders Meetings
- Minutes of Directors Meetings
- Other Minute Books
- Proxy Documents
- Register of Allotments
- Register of Debenture Holders and Mortgages
- Register of Directors and Officers
- Register of Directors Shareholding
- Resolutions
- Shareholders Agreements
- Members Register
- Founding Statements and Amendments
- Minute Books
- Resolutions Passed at Meetings

Accounting Records

- Annual financial statements and working papers
- General ledger
- Subsidiary ledgers (receivables, payables, etc.)
- Bank statements, cheque books, cheques
- Customer and supplier statements and invoices
- Cash books and petty cash books
- Fixed asset register
- Tax returns and assessments
- VAT returns
- Lease or instalment sale agreements
- Budgets and business plans
- Insurance records
- Investment records
- Auditor's reports
- Internal auditors' reports
- Inventory records

- Systems documentation
- Management reviews
- Capital expenditure
- Credit agreements

Distribution and Transportation

- Permits and licenses

Environment, Health and Safety

- Emergency response plans
- Employee medical surveillance records in respect of hazardous chemicals and substances
- Employee public health emergency action plans
- Permits, licenses, approvals and registrations for operations of sites and business
- Records of waste water discharges
- Records of waste water storage and disposal
- Waste water assessment and monitoring records
- Safety management systems, data and audits
- Water quality monitoring programme records

Fixed Property

- Leases

Information Technology

- Agreements
- Audits
- Capacity and utilisation of current systems
- Client database
- Development or investment plans
- Disaster recovery
- Hardware
- Internet
- Intranet
- Licenses
- Systems support, programming and development
- LAN Installations
- Operating systems
- Software packages
- Telephone exchange equipment
- Telephone lines, leased lines and data lines

Insurance

- Claim records
- Details of coverage, limits and insurers
- Insurance policies

Legal, Agreements and Contracts

- Acquisition or disposal documentation
- Agreements with contractors, suppliers and clients
- Agreements with customers
- Agreements with governmental agencies
- Agreements with shareholders, officers or directors
- Complaints, pleadings, briefs and other documents pertaining to actual, pending or threatened litigation, arbitration or investigation
- Distributor, dealer or agency agreements
- Joint venture agreements, partnership agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements
- Material agreements relating to provision of services or materials
- Material licenses, permits and authorisations
- Contracts, including lease agreements and finance agreements
- Restraint agreements
- Sale agreements
- Settlement agreements

Personnel Records

- Arbitration awards
- Attendance register
- Collective agreements
- Disciplinary records
- Employee evaluation and performance records
- Employee information records
- Employee loans
- Employee share purchase plan
- Employment applications
- Employment contracts
- Employment equity plan
- Expense accounts
- Funeral insurance scheme
- Health and safety records
- Incentive schemes
- Industrial training records
- IRP 5 and IT 3 certificates
- Letters of appointment
- Leave applications
- Maternity leave policy
- Medical aid records
- Organisational design
- Payroll
- Pension fund information
- Personnel File
- Policies and procedures
- Provident fund information

- Records of foreign employees
- Records of strikes, lockouts or protest action
- Recruitment and appointments
- Relocation policy
- Salary and wage registers
- Salary slips and wage cards
- Staff records after employment
- Time records
- Training and development
- UIF, PAYE and SDL returns
- Workmen's Compensation Documents

Sales and Marketing

- Brochures, newsletters and marketing material
- Customers
- Domestic and export orders
- Media releases
- Products
- Public relations policies and procedures
- Sales
- Service and product information

10. REQUESTING PROCEDURE

A person who wants access to the records must complete the necessary request forms that is available at the offices of The private body, or can be accessed on www.justice.gov.za/inforeg. The completed request form must be sent to the address or fax number provided in this manual and marked for the attention of the Information Officer.

Please provide sufficient details to enable the body to identify

- a. The record(s) requested
- b. The requester (and if an agent is lodging the request, proof of capacity)
- c. The form of access required
- d. The postal address or fax number of the requester in the Republic
- e. If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof
- f. The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

11. PROTECTION OF PERSONAL INFORMATION PROCESSED

Nutrpharm Manufacturing Industries Pty Ltd The body is committed to protecting the privacy of personal information of our data subjects. The information you share with us as a data subject allows us to provide you with the best experience with our products and services, or as a stakeholder.

Nutraceutical Manufacturing Industries Pty Ltd The body has dedicated policies and procedures in place to protect all personal information collected and processed by us. Please read below for more information on how we collect, process, use and disclose personal information.

11.1 The purpose of processing of personal information

We process personal information for various reasons, including but not limited to the following:

- To manage information, products and/or services requested by data subjects
- To help us identify data subjects when they contact us
- Manage customers
- To maintain customer records
- Recruitment purposes
- Employment purposes
- Apprenticeship purposes
- Training purposes
- Travel purposes
- General administration
- Financial and tax purposes
- Legal or contractual purposes
- Health and safety purposes
- To monitor access, secure and manage our premises and facilities
- To transact with our suppliers
- To improve the quality of our products and services
- To help us detect and prevent fraud and money laundering under FICA
- To help us recover debts
- Marketing purposes
- Engaging with the public

11.2 Data subject categories and personal information processed

11.3 Recipients with whom personal information is shared

In processing your personal information, we may share it within the group of companies or with other third parties. These include but are not limited to:

- Statutory authorities
- Law enforcement agencies
- Tax authorities
- Medical schemes
- Employee pension and provident funds
- Industry bodies

12. AVAILABILITY OF THE MANUAL

12.1 A copy of the Manual is available-

12.1.1 on our website, if any;

12.1.2 head office of the body for public inspection during normal business hours;

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

12.1.4 to the Information Regulator upon request.

12.2 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.

13. UPDATING OF THE MANUAL

The head of the private body will on a regular basis update this manual.