



DIAGEO SOUTH AFRICA (PTY) LIMITED

(Registration Number: 1964/003344/07)

(the "Company")

MANUAL

Published in terms of section 51 of the

Promotion of Access to Information Act 2 of 2000

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INTRODUCTION

- 1.1 The Company is the country's leading premium spirits company and is wholly owned by Diageo plc, the world's leading premium drinks business, with an outstanding collection of beverage alcohol brands across spirits, beer, and wine. The Company is both a producer and manufacture of spirits which includes world-famous names like Johnnie Walker, Tanqueray, and Smirnoff 1818 and Captain Morgan.
- 1.2 This Promotion of Access to Information Manual ("Manual") provides an outline of the type of records and the personal information it holds and explains how to submit requests for access to these records in terms of the Promotion of Access to Information Act 2 of 2000 ("PAIA"). In addition, it explains how to access, or object to, personal information held by the Company, or request correction of the personal information, in terms of section 23 and 24 of the Protection of Personal Information Act 4 of 2013 ("POPIA").
- 1.3 Availability of this PAIA Manual
 - 1.3.1 A copy of this Manual is available –
 - 1.3.1.1 Company's reception desk at its Head office at **Building 3, Maxwell Office Park, Magwa Crescent, Waterfall City, Midrand 2090**;
 - 1.3.1.2 On request from our Information Officer; and
 - 1.3.1.3 On our website: www.diageo.co.za.
- 1.4 This Manual will be updated from time to time, as and when required.

PAIA AND SECTION 10 GUIDE

- 2.1 The PAIA grants a requester access to records of a private body if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 2.2 Requests in terms of the PAIA shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariffs are dealt with in paragraphs 6 and 7 of the PAIA.
- 2.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information to exercise Constitutional Rights. The Guide is available from the SAHRC. SAHRC's details are included below:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone Number:	+27-11-877 3600
Fax Number:	+27-11-403 0625
Website:	www.sahrc.org.za

COMPANY CONTACT DETAILS

3.1 Company contact details in terms of PAIA section 51:

Building 3, Maxwell Office Park, Magwa Crescent, Waterfall City, 2090
Telephone number: 010 033 8100 (Switchboard)
Website: www.diageo.co.za

3.2 Duly authorised persons:

Company's Information Officer
Name and Surname: Viwe Soga
Designation in practice: Legal and Security Director and Information Officer
Contact number: 0824986386
E-mail: viwe.soga@diageo.com

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION SECTION 51 (1)(D)

4.1 Information is available in terms of the following legislation, if and where applicable.

- 4.1.1 The Constitution of the Republic of South Africa No.3 of 1994
- 4.1.2 Companies Act No. 71 of 2008
- 4.1.3 Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- 4.1.4 Competition Act No. 89 of 1998
- 4.1.5 Consumer Protection Act No.68 of 2008
- 4.1.6 Copyright Act No. 98 of 1978
- 4.1.7 Basic Conditions of Employment No. 75 of 1997
- 4.1.8 Employment Equity Act No. 55 of 1998
- 4.1.9 Electronic Communications and Transactions Act 25 of 2002
- 4.1.10 Financial Intelligence Centre Act No. 38 of 2001
- 4.1.11 Labour Relations Act 66 of 1995
- 4.1.12 Liquor Act No. 59 of 2003;
- 4.1.13 Liquor Products No. 60 of 1989;
- 4.1.14 Occupational Health and Safety Act No. 85 of 1993
- 4.1.15 Prevention of Combating of Corrupt Activities Act No. 12 of 2004
- 4.1.16 Prevention of Organised Crime Act No. 121 of 1998
- 4.1.17 Protected Disclosures Act No. 26 of 2000
- 4.1.18 Promotion of Access to Information Act No. 2 of 2000
- 4.1.19 Protection of Personal Information Act 4 of 2013
- 4.1.20 Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000
- 4.1.21 Regulation of Interception of Communications and Provision of Communications Related Information Act No. 70 of 2002
- 4.1.22 Skills Development Levies Act No. 9 of 1999

- 4.1.23 Skills Development Act No. 97 of 1998
- 4.1.24 Trade Marks Act No. 194 of 1993
- 4.1.25 Unemployment Contributions Act No. 4 of 2002
- 4.1.26 Unemployment Insurance Act No. 63 of 2001
- 4.1.27 Value Added Tax Act No. 89 of 1991

COMPANY RECORDS

5.1 The Company holds records in the categories listed below. The fact that a record is listed below does not necessarily mean that it will be disclosed such records, and all access thereto is subject to the evaluation processes conducted by the Company in accordance with the requirements of the PAIA:

- 5.1.1 **Commercial Department:** *Activity planning*; schedules, calendars, templates, reports, communications, *Customers*; annual plans, communications, development, performance reviews, profiles, *Pricing*; schedules, trackers, communications, *Promotional & pouring agreements*; agreements copies, correspondence, *Suppliers, and agencies*; Annual plans, briefs, responses, communications, performance reviews, design and production records.
- 5.1.2 **Supply Department:** *Customer orders & issues*; Correspondence, background information, complaints, satisfaction surveys, strategy plans, growth plans, contingency plans, *Insurance*; claims, *Distilling process*; Blend recipes, blend reports, blending programmes, quarterly procurement reports, *Plant maintenance, and repair*; asset management maintenance and repair, deliveries of hazardous substances, *Accident and incident reports*; incident plans, crisis management plans, *Customs*; customs records for imported material and merchandise.
- 5.1.3 **Marketing Department:** proposals, presentations, communications, Briefs, responses, scripts, designs, communications, reviews, proposals, designs, research, financial analysis, reports, GAME plans, media plans, launch plans advertisements, point-of-sale, and promotional items.
- 5.1.4 **Legal Services and Compliance Department:** general contract documentation, company guidelines, policies and procedures, intellectual property records, employee, customer, and supplier information, immovable property records, statutory records, and market information.
- 5.1.5 **Communications/Public Affairs Department:** drafts, communications, final versions of brochures, reports, newsletters, websites, annual reports, fundraising & charitable giving records,

company charitable foundations records, Media releases & presentations, and reviews.

- 5.1.6 **Human Resources Department:** employee records, employment contracts, personnel guidelines, policies and procedures, employee medical records, employee disability insurance records, employee pension, and provident fund records, payroll records, recruitment records, and in-and-ex-patriates' records.
- 5.1.7 **Financial Department:** monthly quarterly & annual closes, credit control records, customer files, balance sheets, profit & loss accounts, capital expenditure, fixed assets, general ledger, invoices, payments, receipts, journals, reconciliations, bank statements, trial balances, travel expenses, statutory controls back-up records, tax calculations, audited financial statements, tax records (company & employees), value-added, sales, beverage taxes, excise, and customs duty.
- 5.1.8 **IT Department:** *Information systems*; risk analysis, incident records, audit reports, communications, pre-read & minutes, final approved & issued documents, system governance.

PROCESSING OF PERSONAL INFORMATION UNDER POPIA

- 6.1 In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by the Company 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 Diageo data privacy policy <https://diageo.sharepoint.com/sites/ce/psg/Policies/ci/Data%20privacy/Global%20Data%20Privacy%20Policy.pdf?csf=1&cid=03beeb0e-9794-455e-934b-1b126c6fe427> for further information.
- 6.2 The Company processes personal information for a variety of purposes, including but not limited to the following:
 - 6.2.1 to provide you with the information, products and services you have requested;
 - 6.2.2 to administer our websites;
 - 6.2.3 to ensure the functionality of our apps;
 - 6.2.4 to provide customer support;
 - 6.2.5 to tailor any marketing or advertising so that it is more relevant to you;
 - 6.2.6 to notify you of any changes to our products or services;
 - 6.2.7 to conduct marketing analysis to allow us to assess trends and the effectiveness of our advertising and marketing campaigns;
 - 6.2.8 to detect and prevent fraud;
 - 6.2.9 to comply with applicable laws and regulations;
 - 6.2.10 for recruitment and employment purposes;
 - 6.2.11 for general administration, financial, and tax purposes;

- 6.2.12 for legal or contractual purposes;
- 6.2.13 for health and safety purposes;
- 6.2.14 to monitor access, secure, and manage our premises and facilities;
- 6.2.15 to transact with customers and business partners;
- 6.2.16 detect and prevent fraud and money laundering;
- 6.2.17 recover debts;
- 6.2.18 to carry out analysis and customer profiling; and
- 6.2.19 to identify other products and services which might be of interest to data subjects and to inform them about our products and services.

6.3 Categories of data subjects and personal information processed by the Company

- 6.3.1 Categories of data subjects and personal information processed by the Company include the following:

- 6.3.1.1 Customers and potential customers
- 6.3.1.2 Consumers and potential consumers
- 6.3.1.3 Suppliers
- 6.3.1.4 Employees
- 6.3.1.5 Job applicants
- 6.3.1.6 Visitors

6.4 The Company may share the personal information of its data subjects for any of the purposes outlined above, with the following:

- 6.4.1 other Diageo group companies;
- 6.4.2 carefully selected business partners who provide products and services under one of our brands;
- 6.4.3 service providers and agents who perform services on our behalf.

6.5 The Company does not share the personal information of its data subjects with any third parties, except if:

- 6.5.1 it's obliged to provide such information for legal or regulatory purposes;
- 6.5.2 it's required to do so for purposes of existing or future legal proceedings;
- 6.5.3 its selling one or more of its businesses to a third-party;
- 6.5.4 it's involved in the prevention of fraud, loss, bribery, or corruption;
- 6.5.5 they perform services and process personal information on our behalf;
- 6.5.6 this is required to provide or manage any information, products, and/or services to data subjects; or

6.6 The Company will notify its data subjects if it is obliged to do so by law, or in terms of its contractual relationship with them. The Company will only disclose personal information to government authorities if it is required to do so by law.

6.7 Our employees, our agencies, and our suppliers are required to adhere to data privacy and confidentiality principles and to attend data privacy training.

6.8 Information security measures to protect personal information

6.8.1 Reasonable technical and organisational measures have been implemented for the protection of personal information processed by the Company and its operators. In terms of the POPIA, operators are third parties that process personal information on behalf of the Company. The Company continuously implements and monitors technical and organisational security measures to protect the personal information it holds, against unauthorised access, as well as accidental or wilful manipulation, loss or destruction. The Company will take steps to ensure that operators that process personal information on its behalf apply adequate safeguards as outlined above.

6.9 Trans-border flows of personal information

The Company will only transfer personal information across South African borders if the relevant business transactions or situation requires trans-border processing, and will do so only per South African legislative requirements; or if the data subject consents to transfer of their personal information to third parties in foreign countries. The Company will take steps to ensure that operators are bound by laws, binding corporate rules, or binding agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information, in terms of the POPIA. We will take steps to ensure that operators that process personal information in jurisdictions outside of South Africa, apply adequate safeguards as outlined in the POPIA.

6.10 Personal information received from third parties

When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA manual and the Company's Privacy Policy, and do not have any objection to our processing their information in accordance with Company's Privacy Policy.

6.11 Prescribed request forms and fees

6.11.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed

6.11.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one-third of the access fee which would be payable if the request were granted)

6.11.3 A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit

6.11.4 Records may be withheld until the fees have been paid.

6.11.5 The fee structure and forms are available on the website of the Department of Justice at https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf

6.12 Request Procedure

6.12.1 Use the prescribed form found on the Justice.gov.za website, link listed above.

6.12.2 Email a fully completed form(s) to the Company's Information's Officer's using this email address Viwe.Soga@diageo.com.

REMEDIES

The Company does not have internal appeal procedures regarding PAIA and POPIA requests. As such, the decision made by the Information Officer is final. If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator, under the POPIA, for relief.