ISABELLA GARCIA
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Isabella Garcia International (PTY) LTD

Registration number: 2008/002757/07

Manual in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000 AND THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013.

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1. **Introduction**:

1.1. Isabella Garcia International Proprietary Limited, with registration number 2008/002757/07 (the Company), is a cosmetics company that specialises in the marketing, selling and distribution of its products to clients anywhere in South Africa.

1.2. The Promotion of Access to Information Act 2 of 2000 (PAIA) and the Protection of Personal Information Act 4 of 2013 (POPIA) relate.

1.3. This manual is published pursuant to sections 14 and 51 of the Promotion of Access to Information Act 2 of 2000 (PAIA) which was promulgated in order to nurture an ethos which promotes transparency, accountability and effective governance of all private and public bodies. PAIA gives effect to section 32 of the Constitution of the Republic of South Africa, 1996, which provides for the right of access to information in a manner that affords persons a means/platform to obtain the records of private and public bodies as promptly and as efficiently as reasonably possible to endorse, including but not limited to, mechanisms and procedures that empower and educate all persons.

1.4. PAIA requires organisations to compile a manual as a guide to requesters of information. The Manual also serves to indicate the types of records held by the Company and the availability of such records from the Company.

1.5. In addition, the manual explains how to access, or object to, or request correction or deletion of, personal information held by the Company, in terms of sections 23, 24 and 25 of the Protection of Personal Information Act 4 of 2013 ("POPIA"), and the Regulations Relating to the Protection of Personal Information, 2017 ("POPIA Regulations").

1.6. This manual is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in PAIA. Requestors are advised to familiarise themselves with the provisions of PAIA and POPIA before making any requests to the Company in terms of these Acts. However, in terms of section 19 of PAIA, and Regulations 2 and 3 of the POPIA, the Company will provide such assistance as is required in completing the necessary forms, by parties applying for access to information or personal information.

1.7. The Company makes no representation and gives no undertaking or warranty that the information in this manual or any information provided by it to a requestor is complete or accurate, or that such information is fit for any purpose. All users of any such information use such information entirely at their own risk, and the Company will not be liable for any loss, expense, liability or claims, howsoever arising, resulting from the use of this manual or of any information provided by the Company or from any error therein.

1.8. If there is any person who wishes to request any information from the Company in order to protect and exercise a right, that person may do so by contacting the Information Officer.

2. Company Contact details (Section 51 (1) (a)):

2.1. Head of business (CEO):

2.1.1. Zanta Du Plessis

2.1.2. 010 140 7141

2.2. Information Officer:

2.2.1. Elismari Hamman

2.2.2. 072 204 3988

2.2.3. Elismari.hamman@isabella-garcia.com

2.3. Company postal address:

2.3.1. PO Box 1152
Saxonwold
2196

2.4. Company physical address:

2.4.1. 29 Westbrooke Drive
Strathavon
2196

2.5. Company contact details:

2.5.1. Telephone: 010 140 7141

2.5.2. Email: info@isabella-garcia.com

3. Guide in terms of Section 10 of PAIA (Section 51 (1) (b)):

3.1. As of 1 July 2021, the Information Regulator will assume the functions of the South African Human Rights Commission ("SAHRC") and will be responsible for PAIA and POPIA queries.

3.2. As part of its functions, the Information Regulator has developed a guide on how to use PAIA in fulfilment of its obligation under section 10 of PAIA, which requires the Information Regulator to update and make available the existing guide that has been compiled by the South African Human Rights Commission.

3.3. The guide has been designed to be a guiding, user-friendly and accessible tool for any person who wishes to exercise any right contemplated in PAIA and POPIA. The guide is available in all of the official languages at https://www.justice.gov.za/inforeg/docs.html.

3.4. 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.

3.5. Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of PAIA.

3.6. 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 for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

3.7. The contact details of the Information Regulator are:

3.7.1. Address: JD House, 27 Stiemens Road, Braamfontein, Johannesburg, 2001

3.7.2. Telephone number: (012) 406 4818

3.7.3. Fax number: (086) 500 3351

3.7.4. Website: www.justice.gov.za/inforeg

3.7.5. Email: inforeg@justice.gov.za

4. The types of records held by the Company that may be requested:

4.1. The Company processes records relating to identification and contact information, financial information, telephone recordings, special personal information and other marketing information.

4.2. Requesting a category or subject matter of information in this manual does not imply that a request for access to such records would be granted. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.

4.3. Below is a description of the types of records / subjects on which the Company holds and the categories of records held on each subject:

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4.3.1. Identification and contact information, and information that will assist the Company to provide products and services to the Individual:
- 4.3.1.1. Name.
- 4.3.1.2. Physical and postal address.
- 4.3.1.3. Email address.
- 4.3.1.4. Telephone or other contact details.
- 4.3.1.5. Gender.
- 4.3.1.6. Marital status.
- 4.3.1.7. Date of birth.
- 4.3.1.8. Educational background.
- 4.3.1.9. Employment history.
- 4.3.1.10. Identification number.

4.3.2. Financial information and account details:
- 4.3.2.1. Bank account number and account details.
- 4.3.2.2. Credit history.
- 4.3.2.3. Credit score.
- 4.3.2.4. Income.

4.3.3. Medical condition and health information:
- 4.3.3.1. Current physical, mental or medical condition.
- 4.3.3.2. Past physical, mental or medical condition.
- 4.3.3.3. Injury or disability information.

4.3.4. Personal information relating to
- 4.3.4.1. Physical attributes including race.
- 4.3.4.2. Photos.
- 4.3.4.3. Skincare routines.
- 4.3.4.4. Health habits.
- 4.3.4.5. Allergies.

4.3.5. Other sensitive information:
- 4.3.5.1. Other sensitive information voluntarily provided by the individual.

5. Documents available in accordance with other applicable legislation (Section 51 (1) (c)):

5.1. The Company keeps documents in accordance with the following legislation. The list below is not exhaustive.
- 5.1.1. Basic Conditions of Employment Act 75 of 1997.
- 5.1.2. Labour Relations Act 66 of 1995.
- 5.1.3. Employment Equity Act 55 of 1998.
- 5.1.4. Companies Act 61 of 1973.
- 5.1.5. Skills Development Levies Act 66 of 1995.
- 5.1.6. Value Added Tax 89 of 1991.
- 5.1.7. Unemployment Insurance Act 63 of 2001.
- 5.1.8. Compensation for Occupational Injuries and Diseases Act 130 of 1993.
- 5.1.9. Competition Act 89 of 1998.
- 5.1.10. Electronic Communications Act 36 of 2005.
- 5.1.11. Employment Tax Incentive Act 26 of 2013.
- 5.1.12. Income Tax Act 58 of 1962.

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5.1.13. National Minimum Wage Act, 9 of 2018.
5.1.14. Occupational Health and Safety Act 85 of 1993.
5.1.15. Patents Act 57 of 1978.
5.1.16. Promotion of Access to Information Act 2 of 2000.
5.1.17. Protection of Personal Information Act 4 of 2013.
5.1.18. South African Revenue Services Act 34 of 1997.

6. Schedule of records (Section 51 (1) (d)):

6.1. At this stage no notices have been published by the Information Regulator on the categories of records automatically available without a person having to request access thereto in terms of PAIA.
6.2. Records held by the Company may be accessed by a Requester once the prerequisite requirements for access have been met. The Act provides that a Requester must be given access to any record of the Company if:
6.2.1. That record is required for the exercise or protection of any rights.
6.2.2. That person complies with the procedural requirements in PAIA relating to a request for access to that record.
6.2.3. Access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of PAIA.
6.3. In addition to the requirements referred to above, when a public body requests access to a record of a private body for the exercise or protection of any rights, other than its rights, it must be acting in the public interest.
6.4. A request contemplated above includes a request for access to a record containing personal information about the Requester or the person on whose behalf the request is made.

7. Processing of personal information:

7.1. POPIA:
7.1.1. Chapter 3 of POPIA provides for the minimum conditions for lawful processing of Personal Information. These conditions may not be derogated from unless specific exclusions apply as outlined in POPIA.
7.1.2. The Company processes personal information in accordance with POPIA. In terms of our privacy policy, the Company will ensure that all processing conditions of POPIA are complied with at the time of processing of personal information. The Company processes personal information of both living and juristic persons.
7.2. Purpose for processing personal information:
7.2.1. As stated in our privacy policy, the Company processes personal information for the following purposes:
7.2.1.1. The administration of the Company.
7.2.1.2. To communicate with the Individual regarding orders, product information, billing and queries.
7.2.1.3. To provide the Individual with appropriate product advice and recommendations.
7.2.1.4. To send the Individual information regarding changes to services, products or prices and other terms and conditions.
7.2.1.5. Testimonials.
7.2.1.6. To manage any disputes.

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7.2.1.7. To process payments and manage accounts.
7.2.1.8. To personalise and tailor product or service offerings to the individual.
7.2.1.9. To analyse and manage other commercial risks.
7.2.1.10. To conduct market research.
7.2.1.11. To provide the Individual with marketing information (including information about other products and services in the interest of the Individual's overall well-being, offered by Group Affiliates and in so doing enhance the holistic service to the Individual.
7.2.1.12. To comply with internal policies and procedures such as:
7.2.1.12.1. Audit reports.
7.2.1.12.2. Finance and accounting.
7.2.1.12.3. Billing and collections.
7.2.1.12.4. IT systems.
7.2.1.12.5. Data and website management.
7.2.1.12.6. Records management.
7.2.1.13. To respond to queries or resolve complaints.
7.2.1.14. To handle requests for the correction, updating, access or deletion of the Individuals personal information.
7.2.1.15. To comply with applicable laws and regulatory obligations.

7.3. Categories of data subjects:
7.3.1. The Company processes personal information relating to the following categories of data subjects:
7.3.1.1. Clients.
7.3.1.2. Shareholders.
7.3.1.3. Directors.
7.3.1.4. Employees and job applicants.
7.3.1.5. Juristic entities (service providers, contractors, etc.).
7.3.1.6. Complainants and enquirers.
7.3.1.7. Visitors to the premises and individuals captured by CCTV images.
7.3.1.8. Individuals who have an interest in the products and services of the Company.
7.3.1.9. Individual who visit the website of the Company.

7.4. Disclosure of personal information:
7.4.1. The Company may disclose personal information to third parties who are involved in the delivery of products and services to clients such as trusted service providers (sub-contractors).
7.4.2. Where the Company discloses personal information to any third party, the latter will be obliged to use that personal information for the reasons and purposes it was disclosed for. To this end, the Company has agreements in place with these third parties to ensure this and to ensure an adequate level of security and confidentiality for personal information.
7.4.3. The Company may be obliged to disclose personal information where there is a duty to disclose in terms of law or where it is believed to be necessary to protect our rights.

7.5. Trans-border/cross border flows of personal information:
7.5.1. Section 72 of POPIA provides that personal information may only be transferred out of the Republic of South Africa if certain conditions are satisfied. The Company will comply

with the conditions set out in section 72 of POPIA in respect of all cross border transfers of personal information.

7.6. General description of information security measures:

7.6.1. The Company takes reasonable and appropriate technical and organisational measures to ensure that personal information is kept secure and is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration disclosure or access. The Company contractually requires that service providers who handle personal information on its behalf, do the same.

7.6.2. The Company, on a regular basis, reviews the security controls and related processes to ensure that personal information is secure.

8. Prescribed form of request (Section 51 (1) (e)):

8.1. A request for the access to any record of the Company must be made in the prescribed form to the address or e-mail address that has been provided for above.

8.2. Please see PAIA_Form 2 which provides for the request for access to records held by a private body.

8.3. Further to the above, requesters must:

8.3.1. Provide sufficient particulars to enable the Information Officer of the Company to identify the requester as well as the record/s being requested.

8.3.2. Indicate which form of access is required.

8.3.3. Specify a postal address or e-mail address of the requester in the Republic.

8.3.4. Identify the right that the requester is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.

8.3.5. If the requester wishes to be informed of the decision on the request in any other manner, to state such manner and the necessary particulars to be so informed.

8.3.6. If the request is made on behalf of a person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of Information Officer.

9. Prescribed fees:

9.1. PAIA provides for two types of fees, namely:

9.1.1. A request fee, which will be a standard non-refundable administration fee, payable prior to the request being considered.

9.1.2. An access fee, payable when access is granted which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

9.2. Subsequent to a request being made, the Information Officer, shall by notice require the requester to pay the prescribed request fee (if any), before further processing of the request.

9.3. If the search and preparation for disclosure of the record, including arrangements to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Company will request the requester to pay, as a deposit, the prescribed portion of the access fee which would be payable if the request is granted.

9.4. The Company may withhold a record until the requester has paid the fees as indicated in PAIA_Form 3.

9.5. A requester whose request has been granted must pay the applicable access fee for reproduction, search, preparation and for any time reasonably required in excess of the prescribed hours to

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search for and prepare the record for disclosure including making arrangements to make it available in the requested form.

9.6. A request for a refund of the deposit may be made if the request for access is refused.

10. Consideration of requests:

10.1. The Company will have deemed to have received your request once all the requirements in respect of PAIA have been fulfilled.

10.2. The Company will process the request within 30 days and decide whether to grant or decline the request and give notice with reasons (if required) to that effect. This is subject to any extensions of time in terms of PAIA and any special reasons provided by the requester to extend the time period.

10.3. The Information Officer's failure to respond to the requester within the thirty day period constitutes a deemed refusal of the request.

10.4. Section 59 of PAIA provides that the Information Officer may sever a record and grant access only to that portion which the law does not prohibit access to.

10.5. The main grounds of refusal for the Company to refuse a request for information relates to, amongst others:

10.5.1. Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person.

10.5.2. Mandatory protection of the commercial information of a third party, if the record contains:

10.5.2.1. Trade secrets of that third party.

10.5.2.2. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party.

10.5.2.3. Information disclosed in confidence by a third party to the Company, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.

10.5.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.

10.5.4. Mandatory protection of the safety of individuals and the protection of property.

10.5.5. Mandatory protection of records which would be regarded as privileged in legal proceedings.

10.5.6. The commercial activities of the Company, which may include:

10.5.6.1. Trade secrets of the Company.

10.5.6.2. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the Company.

10.5.6.3. Information which, if disclosed could put the Company at a disadvantage in negotiations or commercial competition.

10.5.6.4. A computer program which is owned by the Company, and which is protected by copyright.

10.5.7. The research information of the Company or a third party, if its disclosure would disclose the identity of the Company, the researcher or the subject matter of the research and would place the research at a serious disadvantage.

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11. Additional information (Section 51 (1) (f)):

11.1. The Company does not have internal appeal procedures. As such, the decision made by the Company is final and requesters will have to exercise external remedies at their disposal to obtain appropriate relief.

11.2. This manual is available for inspection, free of charge, at the offices of the Company and on the Company Website.

11.3. Prescribed forms to request information are available free of charge, at the offices of the Company and on the Company Website.

11.4. Related documents:

11.4.1. The Company privacy policy.

11.5. This manual was last modified on: 2023/10/31.