

ModibodiZA (Pty) Ltd

Registration number: 2021/002313/07

PAIA MANUAL

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

12 March 2024

First publication date: 12 March 2024

Contents

1. INTRODUCTION TO THE ACT AND THIS MANUAL	3
2. INFORMATION ABOUT THE COMPANY	3
3. APPLICABLE LAWS.....	4
4. SCHEDULE OF RECORDS	4
5. FORM OF REQUEST.....	7
6. PRESCRIBED FEES.....	7

1. INTRODUCTION TO THE ACT AND THIS MANUAL

ModibodiZA (Pty) Ltd (defined as “the Company” or “us”) is a private South African company that provides period and incontinence apparel for the Hygiene sector. “You” means the person reading or intending to use this document.

This Promotion of Access to Information Manual (defined as the “Manual”) provides an outline of the type of records and the personal information that the Company 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 (referred to as the “PAIA Act”).

It also explains how to ask for access, or object to, personal information held by the Company, and how to ask us to correct any of your personal information that we hold, in terms of paragraphs 23 and 24 of the Protection of Personal Information Act 4 of 2013 (referred to as the “POPI Act”).

The PAIA Act and the POPI Act give effect to everyone's constitutional right of access to information held by private sector or public bodies, if the record or personal information 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.

You can obtain more information about PAIA and the requirement to have a Manual by reviewing the Guide which has been produced in terms of section 10 of PAIA which has been compiled by the South African Human Rights Commission (“SAHRC”), which will contain information for the purposes of exercising your constitutional Rights.

The contact details of the SAHRC are:

Postal address:
Private Bag 2700
Houghton
2041
Tel: 011 877 3600

Requests for access to or copies of your personal information must be made as set out in part 6 of this Manual.

If you are accessing this Manual on our website, you can also get a copy from our Information Officer by writing to the address in part 2 or emailing info@modibodi.co.za

2. INFORMATION ABOUT THE COMPANY

Physical address:

Modibodi South Africa, George Avenue, Rivonia, 2128

Email address:

info@modibodi.co.za

Name of the Company's Information Officer:

Charlene McQuinn and Natasha Gericke

Email address of Information Officer:

charlene@modibodi.co.za; natasha@modibodi.co.za

Telephone number of Information Officer:

084 777 0787; 082 829 9987

Directors of the Company:

Charlene McQuinn – Executive

Natasha Gericke – Executive

3. APPLICABLE LAWS

A number of national laws apply to the Company including the Companies Act, 2008; the Employment Equity Act, 1998; the Labour Relations Act, 1995; the Basic Conditions of Employment Act, 1997; PAIA and POPIA.

The Company may be required to collect, process and store information in terms of these and other laws. Some of this information will be "personal information" as this is defined in POPIA. The Company will only process personal information as required by POPIA.

4. SCHEDULE OF RECORDS

The Company holds information, also known as "records" that may be accessed according to their classification. The classification is derived from the PAIA and is the type of access that may be granted to a person making a request under this Act.

Some information is freely available, some is available on request, other information may be subject to another person granting consent, and some information cannot be provided at all. The reason why it may not be provided at all is that it may be confidential to the Company or confidential to someone else; or its disclosure may be prejudicial to the Company or to someone else.

The classification is the following:

	Type of access	Classification in PAIA by section number in the Act
1	May be disclosed	This is a document available for public access
2	May not be disclosed	You may only receive this by request after criminal proceedings begin (section 7)
3	May be disclosed	This information is subject to copyright
4	Limited disclosure	This information is the personal information of natural persons that belongs to the requester of that information, or personal information of juristic persons represented by the requester of that information (section 61)
5	May not be disclosed	This would constitute unreasonable disclosure of personal information (section 63(1) or Juristic Person (POPIA))
6	May not be disclosed	Disclosure is likely to harm the commercial or financial interests of third party (section 64(a)(b))
7	May not be disclosed	Disclosure is likely to harm the Company or third party in contract or other negotiations (section 64(c))
8	May not be disclosed	Disclosure would breach a duty of confidence owed to a third party in terms of an Agreement (section 65)
9	May not be disclosed	This information is likely to compromise the safety of individuals or protection of property (section 66)
10	May not be disclosed	This is a legally privileged document (section 67)
11	Must be disclosed	This information has to do with environmental testing / investigation which reveals public safety / environmental risks (section 64(2); section 68(2))
12	May not be disclosed	This information is the commercial information of a private body (section 68)
13	May not be disclosed	Disclosure is likely to prejudice research and development information of the Company or a third party (section 69)
14	Must be disclosed	Disclosure will be in the public interest (section 70)

The records held by the Company are set out in the categories in column 1 of the table below, with a relevant classification in column 3 (refer to the table above for the meaning of the classification):

Records/Information/Documents	Subject	Classification
Communications/public affairs	Current product information	1, 4
	Public corporate records	1
	Launches/event records	4, 5
HR	Health and safety records (employees and contractors, including access and password records)	4, 5, 9
	Employee records (attendance, disciplinary records)	4, 5, 9
	Employment contracts	4, 5
	Policies and procedures/guidelines	12
	Employee medical records	4, 5, 8
	Employee disability insurance	4, 5
	Pension and provident fund records	4, 5
	Payroll records	4, 5
	Recruitment records and information	4, 5
	BEE records	
Finance	Audited financial statements	12
	Tax records (company and employees)	4, 12
	Asset register	12
	Supplier records	4, 5
	Management accounts	12
	Stock records	12
Legal and compliance	Contract documentation (suppliers, dealers, partners, IT support, telecommunications providers etc)	6, 12
	Intellectual property records	3
	Bid templates and bid documents	12
	Statutory records including CIPC	12
	Distributor and supplier agreements	6, 12
	Lease	6, 12

	Software licences	6, 8, 12
Sales and marketing	Product brochures	1
	Operating manuals	1
	Performance targets and records	12
	Product sales records	7, 12
	Marketing materials	3
	Future product and business strategies	12
	Customer information and database	4, 5, 12
	After sales records	4, 5
IT	Engineering records	12, 13
	Customer interaction records	4, 5
	Warranty claims records	4, 5
	Testing and development records	4, 5
	Vendor records including correspondence	4, 8, 12
Other	Complaints and disputes	4, 5, 8, 10
	Warehouse records	12

5. FORM OF REQUEST

So that we can address your request, please do the following:

- i. Use the prescribed form for section 51 requests (see www.sahrc.org.za or [download it](#));
- ii. Address your request to the Information Officer (see part 2 above);
- iii. Provide us with sufficient details to identify:
 - (a) the record you want;
 - (b) who you are (if you are an agent, please provide proof);
 - (c) the form of access to the record that you want i.e. flash disk, email, hard copy;
 - (d) your contact details;
 - (e) the right that you are seeking to exercise or protect and an explanation of why you need the record to do

6. PRESCRIBED FEES

You will have to pay the prescribed fee before we process your request. It is currently R50.00. In case the SAHRC has changed the prescribed fee, you can ask us what it is or contact the SAHRC directly. However, if the record you ask for takes more than 6 hours to prepare, you will also have to pay an additional fee.

You always have a right to approach a court for access.