

**PROMOTION OF ACCESS TO INFORMATION ACT
SECTION 51 MANUAL OF HENRY SCHEIN DENTAL WAREHOUSE (PTY) LTD**

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("the Act") and the Protection of Personal Information Act, 2013 (Act no 4 of 2013). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and/or held by a private person or entity where such information is required to protect a requester's rights.

LIST OF ACRONYMS AND ABBREVIATIONS

"GUIDE"	A guide updated and published by the Information Regulator from time to time containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in this act.
"PAIA"	Promotion of Access to Information Act 02 of 2000
"POPI"	Protection of Personal Information Act 04 of 2013
"Republic"	Republic of South Africa

OVERVIEW

Company / Practice is a distributor of high-quality dental consumables and equipment and provides services to dental professionals in private practice and state health facilities throughout South Africa. The Company established in terms of the provisions of the Companies Act, 2008 / by partnership / by association agreement / is a solus practice.

This manual serves to inform members of the public of:

- the subjects on which we hold records and the categories of records held on each subject and the description of the categories of data subjects and of the information or categories of information relating thereto;
- the categories of information we hold, that are available without having to submit a PAIA request
- How to request access to records we hold, and which may, subject to the grounds of refusal authorised in the Act, be disclosed after evaluation of an request for access application being made in terms of the Act
- Records we hold which are available in terms of any other legislation
- Contact details of our Information Office
- the Guide and how to access it and how to use PAIA.
- Whether we will process personal information and our purpose of processing such personal information
- The recipients or categories of recipients to whom the personal information may be supplied
- Whether or not we planned transfer of personal information outside the Republic
- The description of the security measures we have in place to secure the personal information we process.

AVAILABILITY OF THIS MANUAL

A copy of this manual is available to the Information Regulator and to any person upon request and payment of the reasonable prescribed fee per A4-size photocopy made in terms of Annexure B-

- A copy of this manual is available -
At our reception desk at our office
106 16th Rd,
Halfway House Estate,
Midrand,
1686
- On request from our Information Officer, details below.
- On our website: www.henryschein.co.za

UPDATING OF THE MANUAL

This Manual will be updated from time to time, as and when required, and as legislation changes.

OUR INFORMATION OFFICER

Our Information Officer is:

Leigh Spamer, Managing Director, 011 719 9111, leigh.spamer@henryschein.co.za

Our Deputy-Information Officer is: Charles Mandienga, Business Systems and Information Officer, 011 719 9111, Charles.Mandienga@henryschein.co.za

Our National or Head Office:

Postal Address: 106 16th Road, Halfway House Estate, Midrand 1686
Physical Address: 106 16th Road, Halfway House Estate, Midrand 1686 Telephone: 011 719 9111
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HOW TO REQUEST ACCESS TO RECORDS HELD BY HENRY SCHEIN DENTAL WAREHOUSE ("THE COMPANY")

Requests for access to records held by the Company must be made on the request form that are attached to this Manual or available from *our website or offices*, or from Charles.Mandienga@henryschein.co.za; also attached hereto as **Annexure A, ("Request Form")**.

When a record is requested, the following will apply:

- Fees may be payable as prescribed by the PAIA Regulations.
- The Request Form must be completed by the Requester.
- **On the Request Form all details must be completed, including the right the requester wants to protect by requesting the information and WHY access to the information is required.**
- If the requester is acting on behalf of someone else, the signature of the other person as the one who has authorised the request, must be provided. In order to verify this, the Company may require further proof such as an identify document or may call the person whose information it is to verify that s/he has given permission for the other person to access the information on his/her behalf.
- The requester must state in which format (inspection of copy, paper copy, electronic copy, transcript, etc) s/he wants to access the information.
- If the record is part of another record, the requester will only be able to access the part(s) that pertains to the information s/he wants or is entitled to, and not the rest of the record.
- The Request will be acknowledged.
- An answer will be provided within 30 days, and if not granted, state the reasons for the denial with reference to the specific provisions in the Act.
- If the Requester is not satisfied, s/he may approach the courts within 30 days after the full or partial denial of access to the records.

THE GUIDE ISSUED BY THE INFORMATION REGULATOR: HOW THE PROMOTION OF ACCESS TO INFORMATION ACT WORKS

Section 50 of the Act provides that a requester may be provided 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, to 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.

Requests under the Act must be made in terms of the procedures prescribed by the Act, at the fee prescribed by the Act.

For further information on the Act and how it works the Information Regulator a Guide amended, updated and made available from time to time by the Information Regulator will be published by the Information Regulator in each official language and braille from time to time. The Guide can be:

- requested from the Information Officer and is available for inspection or copying during normal office hours in the languages it publishes it I;
- obtained from the website of the Information Regulator on <https://www.justice.gov.za/inforeg/> or inspected and/or copied during normal working hours.

The Guide contains a description of, among others:

- the objects of PAIA and POPIA;
- the postal and street address, phone and fax number and, if available, electronic mail address of-
 - the Information Officer of every public body, and
 - every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
- the assistance available from the Regulator in terms of PAIA and POPIA;
- 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-
 - a complaint to the Regulator; and
 - 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;
- the regulations made in terms of section 92, which provide that the Minister may by Gazette make certain regulations, including matters related to fees.

VOLUNTARY DISCLOSURE

The following information is made known automatically and persons do not have to fill out a form to request such information:

- POPI Policy – available on website and upon request
- This Manual – available on website and upon request
- Product Information and price lists – available upon request
- Information about the company, its operations, objectives and the likes - available upon request
- Company Address and Contact Information – available on website and upon request
- Designation and numbers of key designations for business purposes - available upon request

RECORDS AVAILABLE IN TERMS OF LEGISLATION

Information is available in terms of the following legislation, subject to conditions set by such laws. As legislation changes from time to time, and new laws may stipulate new matters and extend the scope of access by persons specified in such entities, this list should be read as not being a final and complete list.

Category of Records	Applicable Legislation
Memorandum of incorporation, shareholders agreement, share offers and sale agreements, minute books, etc.	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Financial and staff records	Income Tax Act 58 of 1962
VAT invoices	Value Added Tax Act 89 of 1991
Information that must be disclosed to employees under the LRA	Labour Relations Act 66 of 1995
Leave, overtime,	Basic Conditions of Employment Act 75 of 1997
All employment policies and practices and its analyses,	Employment Equity Act 55 of 1998

Training plans and records	Skills Development- and Skills Development Levies Act 9 of 1999
Submissions and reports	Unemployment Insurance Act 63 of 2001
Claims and reports to the Compensation Fund	Compensation for Occupational Injuries and Disease Act 130 of 1993
Occupational Health and Safety committee records, Health and Safety Officer records.	Occupational Health and Safety Act of 85 of 1993
Electronic records (emails, agreements, financial records)	Electronic Communications and Transactions Act 25 of 2002
All records pertaining to direct consumer interactions or directed to the public as potential consumers	Consumer Protection Act 68 of 2008
Records as required under the BB BEE Codes	Broad-based Black Economic Empowerment Act 53 of 2003
Credit records	National Credit Act 34 of 2005
POPI Gap Analysis, POPI Framework/Policy, consents to processing, Data retention, archiving and destruction policy	Protection of Personal Information Act 4 of 2013
Consents, permits, reports by OHSC	National Health Act 61 of 2003
Submissions, permits, reports, correspondence	Medicines and Related Substances Act 101 of 1965
Consents	Children's Act 38 of 2005
Consents and interactions with facilities	Mental Healthcare Act 17 of 2002
Consents and records	Choice on Termination of Pregnancy Act 92 of 1996
Consents and records	Sterilisation Act 44 of 1998
Registrations and compliance records	Health Professions Act 56 of 1974
Registrations and compliance records	Pharmacy Act 53 of 1974
Registrations and compliance records	Nursing Act 33 of 2005
Claims, negotiation records	Medical Schemes Act 181 of 1998
Information submitted to- or requested by the Competition Commission, Health Market Inquiry.	Competition Act 89 of 1998

DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY HENRY SCHEIN DENTAL WAREHOUSE PTY LTD

We hold records in the categories listed below. **The fact that we list a record type here does not necessarily mean that we will disclose such records**, and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act.

Internal records relating to our business as a Company, which includes our founding and other documents (e.g. registration as a Company), minutes and policies; annual and other reports; financial records; operational records, policies and procedures; contracts; licences, trademarks and other intellectual property; production, marketing records; other internal policies and procedures; internal correspondence; statutory records; insurance policies and records; records relating to the Board of Directors and Shareholders; etc.

Personnel (employee) records, which includes records of temporary/fixed term/part-time/permanent employees, locums, associates, contractors, partners, directors (executive and non-executive). Records include personal files, records third parties have provided to us about their / our staff; employment contracts, conditions of employment; workplace policies; disciplinary records; termination records; minutes of staff meetings; performance management records and systems and all employment-related correspondence.

Supplier and service provider records, which includes supplier registrations; contracts; confidentiality agreements and non-disclosure agreements, communications; logs; delivery records; commissioned work; and similar information, some of which might be provided to us by such suppliers and providers under service- and other contacts.

SAHPRA and Technical records, which includes applications, approvals, updates on products and licences, manuals, logs, electronic and cached information, health professional council / statutory body records, approvals, conditions and requirements, trade association information and similar product information.

Third party information, which may be in our possession, but which would be subject to the conditions set in relation to such possession and use or purpose limitations.

Environment and market information, which include information bought; publicly available information; commissioned information which pertains to the specific sector and market of our business and factors that affect the business; information relating to professional and healthcare environment.

CATEGORIES OF RECIPIENTS OF PERSONAL INFORMATION

We may share relevant personal and health information with our Operators, i.e. those who manage parts of our business on our behalf and may have to supply personal information to entities authorised to receive, request and process such information:

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Patient details, healthcare provider details	SAHPRA, HPCSA, SAPC, SANC
Credit and payment history, for credit information	Credit Bureaus, NCR
For CPD and training accreditation purposes	HPCSA, SAPC, SANC
Adverse event reports, quality complaints	SAHPRA
Race, gender, nationality of staff and others	BEE Consulting and Rating Agencies
Identity numbers, race, gender, nationality of staff	Government Authorities (DOH, Employment, SARS and labour)

PLANNED TRANS-BORDER FLOW OF PERSONAL INFORMATION

The Company does have planned trans-border flow of personal information.

- Financial Reporting to overseas holding companies
- Supplier information and bank details held with the bank HSBC
- Customer information on a sales reporting tool Phocas
- Reporting of sales by customer to overseas suppliers
- Customer information on documents when goods are delivered to other countries

PURPOSE OF THE PROCESSING OF THE RECORDS REFERRED TO

The purpose of processing the information contained in the records listed above, is:

In relation to **the business/internal records**: For good corporate governance and to comply with business-, financial-, Companies- and tax legislation.

In relation to **Employees**: for retention of employment records as legislated and execution of employer/employee agreements and labour legislation.

In relation to **Suppliers and Service Providers**: for record retention as legislated and for the execution of the supplier- and service level agreements.

THE SUITABILITY OF THE INFORMATION SECURITY MEASURES

The Company stores information electronically and physically as follows:

- Electronic information is secured by firewalls, anti-virus and password secured access, set out IT standard used.
- Electronic information on shared drives operate on access control and permissions, accidental access must be reported to the Information Officer and IT immediately.

- No information, including personal information, may be downloaded from shared drives onto device hard drives or any external device.
- Physical records are kept as follows:
 - Documents supporting bank payments (excluding e-wallets and monthly payroll; i.e. invoices and statements from creditors; expense claims of employees, documents supporting donations etc.) are filed and locked in secure cabinets. Approximately once a year documents are sent to a third-party service provider for storage, where they are destroyed after 5 years.
 - Invoices and statements from creditors are filed and locked in secure cabinet. Approximately once a year documents are sent to a third-party service provider for storage and archiving, where they are destroyed after 5 years
 - Customer application forms are scanned and saved electronically. The hard copy is destroyed once the scanned copy is saved electronically.
 - Vendor application forms, as well as shipping documents, are filed and stored in cabinets. Approximately twice a year documents are sent to third-party service provider for Storage, whereafter they are destroyed after 5 years.
 - Warehouse documents such as picking slips are filed and stored in a section of the warehouse. Approximately twice a year documents are sent to third-party service provider for Storage, whereafter they are destroyed after 5 years.
 - Quality records are kept in the cabinets and boxes in the regulatory department's lockable office. Approximately once a year documents are sent to third-party service provider for Storage, whereafter they are destroyed after 5 years.
 - Employee records are filed by the HR Service provider in lockable offices. The Service Provider's offices are situated in a different section of the same building leased by the Company. The documents are kept in the same office, until a 3 year period after employees leave (after a period these are handed to the Company for destruction).

The Company has a written operator agreement in place with the third-party service provider that ensures that the service provider complies with its obligations as an operator as required under POPI.

- There are security cameras installed in certain key areas, notices are put up to this effect and staff contracts include such surveillance as part of the conditions of employment. All such recordings are stored off-site and will only be accessed in cases of alleged breaches of processing, including unlawful access or destruction, of personal information.
- The office building is accessed through a single entrance, which requires the sign in of visitors entering for security reasons. The gate is manned with security personnel and boom gate, which is locked at night. The security company act as an Operator and an Operator agreement is in place, ensuring that no personal information provided is stored for longer than necessary and are permanently destroyed after its use. Frequent visitor information is stored indefinitely at the security company in full compliance with the provisions of the POPI Act, or until a contract or assignment comes to an end. The instruction for destruction or return of such information to the security company is provided by Information Officer to the Head of IT and Facilities: ESA
- Regular verification that the safeguards in place are effectively implemented and continually updated in response to any new risks or deficiencies;
- Notification in writing to the affected Data Subjects and reporting to the Information Regulator, should the Personal Information relating to the Data Subject be compromised or should there be a suspicion that the

Personal Information is compromised, this includes loss of a device containing Personal Information whether belonging to Henry Schein Dental Warehouse or private and unintended deletion Personal Information. Notification may have to be made to the Information Regulator. All security and access breaches or suspected or potential breaches of personal information must be reported to the Information Regulator or hi/her designated Deputy immediately after such breach or potential; breach becomes known.

PRESCRIBED FEES

The following applies to request other than personal requests:

- The requestor is required to pay the prescribed fee of R50 before the request will be processed.
- If the preparation of the record requested requires more than the prescribed 6 (six) hours, a deposit of not more than one third of the access fee which would be payable if the access was granted, shall be payable.
- The requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- Records may be withheld until fees have been paid.
- The latest fee structure is available on the website of the SAHRC at www.sahrc.org.za and attached hereto as **Annexure B**.

OUTCOME OF REQUEST AND COMPLAINTS

- If the Requester is not satisfied, s/he may lodge a complaint to the Information Regulator in terms of the prescribed form or an application with a court within 30 days after the full or partial denial of access to the records.
- Note that the principle of severability may apply, i.e. information that are protected from disclosure (e.g. third party confidential information, business financial information, etc.) may be redacted or removed from the copy of the record.

This manual is signed by Leigh Spamer on 24th November 2021

Information Officer

ANNEXURE A:

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53 (1) of the Promotion of Access to Information Act, 2000^[1](Act No. 2 of 2000))
[Regulation 10]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

- (a) *The particulars of the person who requests access to the record must be given below.*
 - (b) *The address and/or fax number in the Republic to which the information is to be sent must be given.*
 - (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.**

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.
(b) You will be notified of the amount required to be paid as the request fee.
(c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:

Mark the appropriate box with an **X**.

NOTES:

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.

- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1.			
If the record is in written or printed form:			
	copy of record*		inspection of record
2.			
If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
	view the images	copy of the images*	transcription of the images*
3.			
If record consists of recorded words or information which can be reproduced in sound:			
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)
4.			
If record is held on computer or in an electronic or machine-readable form:			
	printed copy of record*	printed copy of information derived from the record*	copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			YES NO

G. Particulars of right to be exercised or protected

*If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ on this _____ day of _____ 2 .

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B
GENERAL: VALUE-ADDED TAX

Public and private bodies registered under the Value-Added Tax Act, 1991 (Act No. 89 of 1991), as vendors may add value-added tax to all fees prescribed in this Annexure.

PART I
FEES IN RESPECT OF GUIDE

1. The fee for a copy of the guide as contemplated in regulations 2 (3) (b) and 3 (4) (c) is R0,60 for every photocopy of an A4-size page or part thereof.

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9 (2) (c) is R1,10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11 (1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c) For a copy in a computer-readable form on—	
(i) stiffy disc	7,50
(ii) compact disc	70,00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii) For a copy of visual images	60,00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii) For a copy of an audio record	30,00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is R50,00.

4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

R

(1)		
(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
(c)	For a copy in a computer-readable form on—	
(i)	stiffy disc	7,50
(ii)	compact disc	70,00
(d)		
(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)	For a copy of visual images	60,00
(e)		
(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)	For a copy of an audio record	30,00
(f)	To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.	
(2)	For purposes of section 54 (2) of the Act, the following applies:	
(a)	Six hours as the hours to be exceeded before a deposit is payable; and	
(b)	one third of the access fee is payable as a deposit by the requester.	
(3)	The actual postage is payable when a copy of a record must be posted to a requester.	