



EXEMPLAR

PAIA MANUAL

[PUBLIC DOCUMENT]



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1. INTRODUCTION

Exemplar REITail Limited (“**Exemplar**”) and its subsidiaries and other companies related to it (as defined in the Companies Act 71 of 2008) (the “**Exemplar Group**”) are market leaders in the development, ownership and management of retail real estate in South Africa.

2. PURPOSE, SCOPE AND OBJECTIVES

This manual was drafted in accordance with section 51 of the Promotion of Access to Information Act 2 of 2000 (“**PAIA**”) and is applicable to the Exemplar Group. This manual serves to provide a guideline on which information is available and the manner in which such information may be requested from the Exemplar Group.

3. DEFINITIONS

3.1 “**commercial information**” means information which -

- contains trade secrets of a private body;
- contains financial, commercial, scientific or technical information, other than trade secrets, of a private body, the disclosure of which would be likely to cause harm to the commercial or financial interests of such private body;
- is a computer program, owned by a private body, except insofar as it is required to give access to a record to which access is granted in terms of PAIA;
- contains information, the disclosure of which could reasonably be expected -
 - to put a private body at a disadvantage in contractual or other negotiations; or
 - to prejudice such private body in commercial competition.

3.2 “**head**” of, or in relation to a private body, means –

- in the case of a juristic person –
 - the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer, or the person who is acting as such or any person duly authorised by such acting person.

3.3 “**personal requester**” means a requester seeking access to a record containing personal information about the requester (in other words, the information is about the requester in his or her or its personal capacity).

3.4 “private body” means –

- a natural person who carries on or has carried on any trade, business or profession, but only in such capacity;
- a partnership which carries on or has carried on any trade, business or profession; or
- any former or existing juristic person which carries on or has carried on any trade, business or profession, but excludes a public body.

3.5 “record” of, or in relation to, a public or private body, means any recorded information –

- regardless of form or medium;
- in the possession or under the control of that public or private body, as the case may be; and
- whether or not it was created by that public or private body.

4. CONTACT PARTICULARS

| | |
|------------------------------|---|
| Name of business: | Exemplar REITail Limited |
| Company registration number: | 2018/022591/06 |
| Name of business: | McCormick Property Development Proprietary Limited |
| Company registration number: | 2017/504855/07 |
| Name of business: | Exemplar Leasing Proprietary Limited |
| Company registration number: | 2019/166664/07 |
| Physical address: | Sokatumi Estate Corner Lyttelton Road and Leyden Avenue Clubview, Centurion 0014 |
| Postal address: | PO Box 12196 Clubview 0014 |
| Telephone number: | 012 660 3020 |
| Designated person: | Ananda Booysen |

Email address: ananda@exemplarreit.co.za

Website address: www.exemplarreit.co.za; www.mccormick-property.com

Head of business: Jason McCormick

5. GUIDE ON HOW TO USE PAIA

A guide on how to use PAIA, as provided for in section 10 of PAIA, is available from the South African Human Rights Commission (“**SAHRC**”) as well as at the link below:

<https://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf>

South African Human Rights Commission:

Postal Address: The South African Human Rights Commission
PAIA Unit
Private Bag 2700
Houghton
2041

Telephone Number: +2711 877 3600

Fax Number: +2711 403 0625

Email: paia@sahrc.org.za

Website: www.sahrc.org.za

6. RIGHT OF ACCESS TO A RECORD

A requester of information must be given access to any record of a private body if -

- that record is required for the exercise or protection of any rights of the requester of the information;
- such requester complies with the procedural requirements of PAIA relating to a request for access to that record; and
- access to that record is not refused in terms of any permissible ground for refusal, as contained in par 12 of this manual.

7. VOLUNTARY DISCLOSURE AND INFORMATION AUTOMATICALLY AVAILABLE

The Exemplar Group makes certain information available voluntarily, which information is freely accessible via the following means:

- its websites (www.exemplarreit.co.za and www.mccormick-property.com); and
- other marketing and/or promotional material.

8. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

8.1 A request for information may include a request for access to a record containing personal information (as defined in the Protection of Personal Information Act no 4 of 2013 ("POPI")) about the requester or the person on whose behalf the request is made.

8.2 Requests made for personal information from the Exemplar Group has to comply with the provisions of POPI in that the Exemplar Group has to be made aware of the following:

- Specifics of the information requested, including the category of information;
- Name and address of the requester/data subject;
- The purpose for the collection of the information;
- Whether the disclosure of information required is voluntary or mandatory;
- Whether there are any consequences of failure to provide information to the requester;
- Stipulate any law authorising the collection of information;
- The recipients or categories of recipients of the information;
- Whether the information will transfer internationally;
- A general description allowing a preliminary assessment of the suitability of the information security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information which is to be processed.

8.3 Information that is not readily available to immediately access by a private body, may be requested on the prescribed form (form C), as per PAIA.

8.4 In the case of the Exemplar Group, such request must be addressed to the Exemplar Group, using the contact details provided in this manual.

- 8.5 The prescribed form C on which the request is made must at least contain the following information:
- sufficient particulars to enable the head of the private body/bodies concerned (i.e. Exemplar or the Exemplar Group) to identify –
 - the exact record(s) requested; and
 - the identity of the requester;
 - which form of access is required;
 - a postal address of the requester in South Africa;
 - the right the requester is seeking to exercise or protect and an explanation of why the requested record is required for the exercise or protection of that right;
 - if, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be so informed; and
 - if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body/bodies.
- 8.6 Copies of the prescribed form C to be completed for submitting a request are available from the Exemplar Group or the South African Human Rights Commission. The SAHRC may be contacted at the details provided in par 5 of this manual.

9. FEES IN TERMS OF A REQUEST FOR ACCESS TO INFORMATION

- 9.1 The head of Exemplar or the Exemplar Group to whom a request for access to information is made shall require the requester to pay the prescribed request fee (if any) before processing the request. The prescribed fees payable are as follows:



| Description | Fees |
|--|-------------|
| Copy of the PAIA manual for every A4 photocopy | R1.10 |
| For every photocopy of an A4-size page or part thereof | R1.10 |
| For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form | R0.75 |
| For a copy in a computer-readable form on compact disc or USB | R70.00 |
| For a transcription of visual images, for an A4-size page or part thereof | R40.00 |
| For a copy of visual images | R60.00 |
| For a transcription of an audio record, for an A4-size page or part thereof | R20.00 |
| For a copy of an audio record | R30.00 |
| Request fee payable by a requester, other than a personal requester | R50.00 |
| To search for and prepare the record for disclosure - for each hour or part of an hour reasonably required | R30,00 |
| Postage fee | Actual cost |

- 9.2 If, after a request for a record from the Exemplar Group, the search for such record has been made and the preparation of the record for disclosure would, in the opinion of the head of the Exemplar Group, require more than six hours, the head of the Exemplar Group shall by notice require the requester to pay as a deposit the prescribed portion (being not more than one third) of the prescribed fee which would be payable if the request were to be granted (as per 9.1).
- 9.3 If a deposit has been paid in respect of a request for access which is refused, the head of the Exemplar Group shall repay the deposit to the requester.
- 9.4 The head of the Exemplar Group may withhold a record until the requester concerned has paid the applicable fees (if any).
- 9.5 A requester whose request for access to a record of the Exemplar Group has been granted, must pay an access fee for reproduction/copies of a record and for search and preparation, respectively, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure. It is recorded that the prescribed hours is 6 hours and the fee in excess of the prescribed hours is R30/hour.



10. INFORMATION AVAILABLE IN TERMS OF PAIA

10.1 The requester may apply, on the prescribed form C and in accordance with the procedure set out in this manual, for access to the following categories of information, provided that the request for information of these records is for purposes of a trial, investigation, protection of a right or any other legitimate reason which would not prejudice the Exemplar Group in any way:

- Personnel records, which include employment contracts, disciplinary records and payroll information;
- Customer records, which include contact details, contracts, correspondence and financial records of any tenants or service providers of the Exemplar Group;
- Exemplar Group records, which include, inter alia, all business, marketing, financial and/or IT records;
- Other party records, which include any record which does not belong to the Exemplar Group but is in the Exemplar Group's possession.

10.2 Access to these records may be limited or refused in order to protect any individual's or company's right to privacy (if so required in the Exemplar Group's discretion), alternatively, access to these records may be refused subject to the grounds of refusal set out in par 12 of this manual.

11. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Certain information or records may be requested from the Exemplar Group and must be made available in terms of laws other than PAIA, such as the following –

- Basic Conditions of Employment Act 75 of 1997
- Companies Act 71 of 2008
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Occupational Health and Safety Act 85 of 1993
- South African Revenue Services Act 34 of 1997
- Skills Development Levies Act 9 of 1999
- Unemployment Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991



- Financial Intelligence Centre Act 38 of 2001
- Broad-based Black Economic Empowerment Act 53 of 2003

The information or records may include but is not limited to the company tax clearance certificate, memorandum of incorporation (MOI), shareholders' register, B-BBEE certificate, proof of registration in terms of FICA, FICA risk management and compliance programme, privacy policy in terms of POPI, VAT number and employment equity report. In making a decision as to whether or not to grant access to the requested information or records, the Exemplar Group will use its discretion so as to ensure that it protects its right to privacy and does not infringe on any person's rights by providing access. In other words, access will only be provided in the instance that its right to privacy is not infringed and no one else's right to privacy is infringed.

12. GROUNDS FOR REFUSAL TO ACCESS TO RECORDS

The Exemplar Group may legitimately, in terms of chapter 4 of PAIA, refuse a request for information on, inter alia, any of the following grounds:

- Protection of personal information, including the right to privacy of the Exemplar Group, any employee of the Exemplar Group, or any third party, in order to avoid the unreasonable disclosure of personal information concerning that person. The Exemplar Group may use its discretion as to whether a person's right to privacy might be affected by granting access to such records;
- Protection of the commercial information of the Exemplar Group or a third party;
- Protection of confidential information of third parties if disclosure would constitute an action for breach of a duty of confidence owed to that third party in terms of any agreement or legislation;
- Protection of the safety of individuals or the protection of property;
- Protection of records which would be privileged from production in legal proceedings;
- Protection of the Exemplar Group's commercial activities including but not limited to records that contain trade secrets, financial, commercial, customer, scientific or technical information, the disclosure of which would be likely to cause harm to the Exemplar Group's commercial or financial interests;

- Protection of research information of the Exemplar Group or a third party, if disclosure would expose the identity of the Exemplar Group or the third party, the researcher or the subject matter of the research to serious disadvantage; or
- Requests for information that are, in the Exemplar Group's reasonable opinion, manifestly frivolous or vexatious or which involve an unreasonable diversion of resources.

13. COMPLIANCE WITH THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (POPI)

The Exemplar Group will maintain the documentation of all processing operations under its responsibility and in compliance with POPI.

14. AVAILABILITY OF PAIA MANUAL

Copies of this manual are available for inspection, upon request and free of charge, at the offices of the Exemplar Group, alternatively, is available for download from the Exemplar Group's websites (www.exemplarreit.co.za and www.mccormick-property.com).



Jason McCormick