

MPACT LIMITED

REGISTRATION NO. 2004/025229/06

("the Company")

MANUAL AS AT DECEMBER 2011

IN TERMS OF

THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

("the Act")

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1. Introduction to Mpact Limited

Mpact Limited (Mpact) is one of the largest paper and plastic packaging groups in South Africa, with 22 manufacturing operations and 29 operating sites based in South Africa, Namibia, Mozambique and Zimbabwe, and a total of 3 500 employees.

Mpact manufactures corrugated packaging; recycled-based cartonboard and containerboard; collects recovered paper; and produces plastic packaging such as pre-forms, bottles and containers for the fast-moving consumer goods markets, styrene trays and plastic jumbo bins.

Mpact subsidiaries are as listed below:

- Rebel Packaging (Pty) Ltd (Registration Number: 1991/004534/07);
- Mpact Plastic Containers (Pty) Ltd (Registration Number: 1996/004949/07);
- Mpact Recycling (Pty) Ltd (Registration Number: 2010/024089/07);
- Lenco Holdings (Pty) Ltd (Registration Number: 2003/022131/07);
- Linpac Mouldings SA (Pty) Ltd (Registration Number: 1995/005479/07);
- Mpact Brits Plastic Containers (Registration Number: 2000/023131/07);
- Lenco Packaging (Pty) Ltd (Registration Number: 1998/004341/07);
- Mpact Versapak (Pty) Ltd (Registration Number: 2007/011691/07);
- Lenco Investment Holdings (Pty) Ltd (Registration Number: 1946/021962/07);
- Mpact Plastics Finco1 (Pty) Ltd (Registration Number: 2008/009540/07);
- Magic Attitude (Pty) Ltd (Registration Number: 2004/001347/07);
- Lion Packaging (Pty) Ltd (Registration Number: 2004/021891/07);
- Elvinco Plastics (Pty) Ltd (Registration Number: 1981/003014/07);
- Xactics PET Cape (Pt) Ltd (Registration Number: 1946/022359/07);
- Lenco Corporate Finance (Pty) Ltd (Registration Number: 1954/000827/07);
- Versapak (Pty) Ltd (Registration Number: 1998/004811/07); and
- Xactics Packaging (Pty) Ltd (Registration Number: 1999/003187/07).

2. Contact Details

Directors:	Dongwana, Neo Phakama
	Langa-Royds, Nomalizo Beryl
	Leong, Egar Leslie
	Philips, Anthony John (Chairman)

	Ross, Timothy Dacre Aird
	Strong, Bruce William (CEO)
	Thompson, Andrew Murray
Postal Address:	Postnet Suite 444, Private Bag 1, 2076
Registered Office Address:	4th Floor, No.3 Melrose Boulevard, Melrose Arch, 2196
Telephone Number:	+ 27 (0)11 994 5000
Fax Number:	+ 27 (0)11 994 5530
E-mail:	query@mpact.co.za

3. The Act

- 3.1** The Act grants a Requester access to records of the Company, 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.
- 3.2** Requests in terms of the Act 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 the manual below.
- 3.3** A Guide has been compiled in terms of Section 10 of the Act by the Human Rights Commission ("**The Guide**"). It contains information required by a person wishing to exercise any right, contemplated by the Act. It is available in all of the official languages.

The Guide is available for inspection, inter alia, at the office of the offices of the Human Rights Commission at Braampark Forum 3, 33 Hoofd Street, Braamfontein 2000 and on its website at www.sahrc.org.za. The contact details of the Commission are:

Telephone Number: +27 (0)11 877 3750
 Fax Number: +27 (0)11 403 0668
 E-mail: info@sahrc.org.za

4. Access to Records and Availability

At this stage no notice(s) in terms of sections 51(1)(c) and 52(2) of the Act has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

5. Applicable Legislation

5.1 Legislation and regulations provide that private bodies allow certain persons access to certain specific records upon request. Below please find a list of legislation that may be consulted to determine whether a Requester has a right of access to a record rather than in terms of the procedure set out in the Act.

5.2 The list below may not be exhaustive, and will be updated whenever it comes to our attention that new legislation or amendments to the existing Acts allows the Requester access to a record rather than in terms of the procedure set out in the Act.

- 5.2.1** Labour Relations Act 66 of 1995;
- 5.2.2** Employment Equity Act 55 of 1998;
- 5.2.3** Basic Conditions of Employment Act 75 of 1997;
- 5.2.4** Compensation for Occupational Injuries and Disease Act 130 of 1993;
- 5.2.5** Companies Act 71 of 2008;
- 5.2.6** Unemployment Insurance Act 63 of 2001;
- 5.2.7** Unemployment Contributions Act 4 of 2002;
- 5.2.8** Value Added Tax Act 89 of 1991;
- 5.2.9** Income Tax Act 58 of 1962;
- 5.2.10** Skills Development Act 97 of 1998;
- 5.2.11** Skills Development Levies Act 9 of 1999
- 5.2.12** Electronic Communications and Transactions Act 2 of 2002;
- 5.2.13** Copyright Act 9 of 1978;
- 5.2.14** Trademarks Act 194 of 1993;
- 5.2.15** Occupational Health and Safety Act 85 of 1993;
- 5.2.16** Pension Funds Act 24 of 1956;
- 5.2.17** Regional Services Councils Act 109 of 1985;
- 5.2.18** SA Reserve Bank Act 90 of 1989;
- 5.2.19** Usury Act 73 of 1968;
- 5.2.20** Second Hand Goods Act 6 of 2009; and
- 5.2.21** Competition Act 89 of 1998.

5.3 Subjects and categories of records held by the Company as provided for in terms of Section 51(1)(e) of the Act:

<u>Records</u>	<u>Subject</u>	<u>Availability</u>
Public Affairs :	• Public Product Information • Public Corporate Records • Media Releases	Some of the Information is Freely available on web site www.mpact.co.za. If not kindly follow the procedure as outlined in Paragraph 7 below.
Financial:	• Annual Financial Statements • Financial and Tax Records (Company & Employees) • Asset Register • Management Accounts	
Marketing:	• Market Information, including Product Brochures • Brand Information management • Marketing Strategies • Communication Processes and strategies	
Human Resources:	• BEE Statistics • Career Development records • Personnel Information • Employment equity reports • General terms of employment • UIF Records and Retirement Benefits	
Operations:	• Customer Agreements • Service Level Agreements • Standard trading terms and conditions of supply of services and goods	

<u>Records</u>	<u>Subject</u>	<u>Availability</u>
Secretarial Services:	• Statutory Records • Annual Reports • Corporate Governance • Share Registers • Minutes of Meetings • Resolutions passed	

6. Prescribed Fees

The following applies to requests (other than personal requests):

- 6.1 A Requester is required to pay the prescribed fees (R50.00) before a request will be processed;
- 6.2 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);
- 6.3 A Requester may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 6.4 Records may be withheld until the fees have been paid;
- 6.5 The fee structure is available on the website of the South African Human Rights Commission at <http://www.sahrc.org.za/home/21/files/FEES.pdf>.

7. Form of Request

To facilitate the processing of your request, kindly:

- 7.1 Use the prescribed form (Form C), available on the websites of the South African Human Rights Commission at www.sahrc.org.za, or Department Of Justice and Constitutional Development (under regulations) at www.doj.gov.za, and attached here as Annexure A.
- 7.2 Address your request to the Company Secretary and submit it via:
 - postal or physical address;
 - facsimile;
 - or e-mail,as set out under paragraph 2 above.

- 7.3** Your request must provide sufficient details to enable the Company to identify:
- (a) The record(s) requested;
 - (b) The Requester (and if an agent is lodging the request, proof of capacity to the reasonable satisfaction of the Company);
 - (c) The form of access required;
 - (d) (i) The postal address or fax number of the Requester in the Republic;
(ii) If the Requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - (e) The right which the Requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

8. Remedies

Remedies available to Requesters if their request for information has been refused are contained in Regulation Gazette No.7054 Section 6 and 7. Full details are available on the website of the South African Human Rights Commission at <http://www.sahrc.org.za/home/21/files/FEES.pdf>.

Thus signed at MELROSE ARCH on this theday of DECEMBER 2011

CHIEF INFORMATION OFFICER

ANNEXURE A : FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY (Section 53(1) of the Promotion of Access to Information Act, 2000 (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.
- (c) The Requester must sign all the additional folios.

Description of record or relevant part of the record: _____

Reference number, if available: _____

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: _____

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 for the record, if any, will be determined partly by the form in which access is requested.

Form in which record is required:

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? <i>Postage is payable.</i>				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.

Indicate which right is to be exercised or protected: _____

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.....this.....day of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE