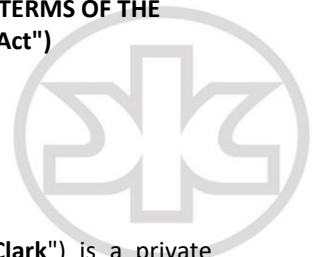


**ACCESS TO INFORMATION
MANUAL OF KIMBERLY-CLARK OF SOUTH AFRICA PROPRIETARY LIMITED IN TERMS OF THE
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 ("the Act")**

(VERSION 2 OF JUNE 2021)



1. Introduction to Kimberly-Clark of South Africa Proprietary Limited

1.1 Kimberly-Clark of South Africa Proprietary Limited ("**Kimberly-Clark**") is a private company which conducts business as a supplier and manufacturer of various health and hygiene products and markets a wide range of consumer and professional brands.

1.2 Kimberly-Clark's registered office is located at Kimberly-Clark House, No 8 Leicester Road, Bedford Gardens, Bedfordview.

2. Information Officer

2.1 Andre Enslin has been duly appointed by the head of Kimberly-Clark, to act as the person to whom requests for access to information must be made in terms of the Act and in terms of the Protection of Personal Information Act 4 of 2013 ("**POPIA**").

3. Contact details of head

Andre Enslin – Company Secretary

Postal Address: Private Bag X6
Gardenview
Bedfordview
South Africa
2047

Physical address: Kimberly-Clark House
No. 8 Leicester Road
Bedford Gardens
Bedfordview
South Africa

Telephone: +27 (11) 4565700 direct +27 (11) 4565818

E-mail: Privacy.KCSA@kcc.com

Kimberly-Clark of South Africa (Pty) Ltd

Registered Office:
Kimberly-Clark House, 8 Leicester Road,
Bedford Gardens, Gauteng, South Africa 2007
+27 (11) 456 5700
Reg. No. 1966/006844/07
Private /Bag X6, Gardenview, South Africa, 2047

4. The Section 10 Guide on how to use PAIA

- 4.1 The South African Human Rights Commission (SAHRC) has published a guide as prescribed by Section 10 of PAIA. This guide will be available from the SAHRC until 30 June 2021, in each official language, at the offices of the SAHRC and on its website, listed below. Please direct any queries regarding this guide to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484 8300

Facsimile: +27 11 484 0582

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

- 4.2 From 1 July 2021 onwards, the above guide, as updated by the Information Regulator, will be available at the offices of the Information Regulator and on its website as prescribed by Section 10 of PAIA and in accordance with POPIA. From 1 July 2021, please direct any queries regarding this guide to:

Information Regulator:

The Research and Documentation Department

33 Hoofd Street, Forum III, 3rd Floor Braampark

P.O. Box 31533, Braamfontein, Johannesburg, 2017

Telephone Number: 010 023 5200

Website: <https://www.justice.gov.za/infoereg/>

email (complaints): complaints.IR@justice.gov.za

email (general enquiries): infoereg@justice.gov.za

5. Records available in terms of other legislation

5.1 A requester may request information which is available in terms of the following legislation, provided that the requester complies with the requirements set out in such legislation, this Manual and the Act.

- 5.1.1 Basic Conditions of Employment Act 75 of 1997;
- 5.1.2 Broad Based Black Economic Empowerment Act 53 of 2003;
- 5.1.3 Companies Act 71 of 2008;
- 5.1.4 Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- 5.1.5 Competition Act 89 of 1998;
- 5.1.6 Consumer Protection Act 68 of 2008;
- 5.1.7 Customs and Excise Act 61 of 1964;
- 5.1.8 Electronic Communications and Transactions Act 25 of 2002;
- 5.1.9 Employment Equity Act 55 of 1998;
- 5.1.10 Financial Intelligence Centre Act 38 of 2001;
- 5.1.11 Income Tax Act 58 of 1962;
- 5.1.12 Labour Relations Act 66 of 1995;
- 5.1.13 Manpower Training Act 56 of 1981;
- 5.1.14 National Credit Act 34 of 2005;
- 5.1.15 Occupational Health & Safety Act 85 of 1993;
- 5.1.16 Pension Funds Act 24 of 1956;
- 5.1.17 Prevention and Combating of Corrupt Activities Act 12 of 2004;
- 5.1.18 Promotion of Equality and Prevention of Unfair Discrimination Act 52 of 2002;

- 5.1.19 Protection of Personal Information Act 4 of 2013;
- 5.1.20 Skills Development Act 97 of 1998;
- 5.1.21 Skills Development Levies Act 9 of 1999;
- 5.1.22 Unemployment Insurance Contributions Act 4 of 2002;
- 5.1.23 Unemployment Insurance Act 30 of 1996; and
- 5.1.24 Value Added Tax Act 89 of 1991.

6. Records available without formal requests'

- 6.1 This Manual; and
- 6.2 Information available on the Kimberly-Clark website: <https://www.kimberly-clark.com/en-za/southafrica>.

7. Records and information that should be formally requested in terms of PAIA

This section of the Manual sets out the subject and categories of records held by Kimberly-Clark. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records. The following information should be formally requested as set out in 8 below.

7.1 Corporate governance records

- 7.1.1 Constitutional documents (including incorporation documents, the memorandum of incorporation, incorporation forms and shareholders agreement);
- 7.1.2 Share registers, share certificates, registers and details concerning shareholder meetings and resolutions;
- 7.1.3 Details concerning the identity of directors;
- 7.1.4 Power of attorney agreements, and a list of persons authorised to bind Kimberly-Clark;
- 7.1.5 Statutory registers.

7.2 Strategic and operational information

- 7.2.1 Organisational and business plans;
- 7.2.2 Budget reports;
- 7.2.3 Minute books and internal resolutions; and
- 7.2.4 Annual reports.

7.3 Financial management records

- 7.3.1 Accounting records, books and documents;
- 7.3.2 Annual financial statements;
- 7.3.3 Details of auditors;
- 7.3.4 Auditors' reports in respect of audits conducted on Kimberly-Clark;
- 7.3.5 Invoices in respect of both creditors and debtors;
- 7.3.6 Financial reporting;
- 7.3.7 Budgets;
- 7.3.8 Tax returns;
- 7.3.9 Other documents and agreements relating to taxation; and
- 7.3.10 Other financial records of Kimberly-Clark.

7.4 Banking details of Kimberly-Clark

- 7.4.1 Indebtedness to bankers;
- 7.4.2 Bank facilities and accounts details;
- 7.4.3 Bank statements;
- 7.4.4 The level of overdraft and other borrowings of Kimberly-Clark;
- 7.4.5 Debt securities issued by Kimberly-Clark;
- 7.4.6 Guarantees given by, or in respect of, Kimberly-Clark;

7.4.7 Other financial commitments of Kimberly-Clark; and

7.4.8 Other banking records.

7.5 **Procurement records**

7.5.1 Policies and procedures;

7.5.2 Tender invitations and process records;

7.5.3 Documents relating to acquisition of goods and services;

7.5.4 Supplier agreements and service level agreements; and

7.5.5 Product catalogues.

7.6 **Human resources / employment records**

7.6.1 Schedule of employees;

7.6.2 Letters or contracts of employment with directors, officers and employees and/or documentation pertaining to arrangements with directors, officers and employees;

7.6.3 Personnel files in respect of each employee of Kimberly-Clark;

7.6.4 Disciplinary records and documentation pertaining to disciplinary proceedings;

7.6.5 Leave records;

7.6.6 Sick Leave records;

7.6.7 Documents relating to employee benefits;

7.6.8 Compensation or redundancy payments;

7.6.9 Documents and information in respect of a share incentive scheme or trust;

7.6.10 Collective and recognition agreements with trade unions;

7.6.11 HR policies and procedures;

7.6.12 Employment equity records;

- 7.6.13 Skills development programme;
- 7.6.14 Pension and/or provident fund agreement;
- 7.6.15 Training manuals; and
- 7.6.16 Other information relating to employees of Kimberly-Clark.

7.7 **Compliance**

- 7.7.1 BBBEE compliance;
- 7.7.2 Legislation compliances;
- 7.7.3 Licenses, material permits, consents, approvals, authorisations and certificates;
- 7.7.4 Applications for permits, licenses and authorisations; and
- 7.7.5 Regulatory reports.

7.8 **Intellectual Property**

- 7.8.1 Trade-marks, copyrights and designs held by Kimberly-Clark;
- 7.8.2 Records relating to domain names held by Kimberly-Clark;
- 7.8.3 Licences relating to intellectual property rights; and
- 7.8.4 Other agreements relating to intellectual property rights.

7.9 **Insurance records**

Insurance policies taken out for the benefit of Kimberly-Clark and its employees, including:

- 7.9.1 group life assurance and disability income protection insurance;
- 7.9.2 insurance in respect of the property occupied by Kimberly-Clark;
- 7.9.3 insurance in respect of the movable property of Kimberly-Clark;
- 7.9.4 professional indemnity insurance in respect of Kimberly-Clark;

7.10 Immovable and movable property

- 7.10.1 Title deeds;
- 7.10.2 Agreements for the lease of immovable property by Kimberly-Clark;
- 7.10.3 Agreements for the lease or sale of movable property by Kimberly-Clark;
- 7.10.4 Credit sale agreements and/or hire purchase agreements; and
- 7.10.5 Other agreements for the purchase, ordinary sale, conditional sale or hire of assets.

7.11 Information technology

- 7.11.1 Software support and maintenance agreements;
- 7.11.2 Website development, support and maintenance agreements;
- 7.11.3 Software licence agreements;
- 7.11.4 Agreements in respect of computer hardware;
- 7.11.5 Service level agreements;
- 7.11.6 Agreements with internet service providers and other telecommunications entities;
- 7.11.7 Incidents and service requests;
- 7.11.8 System event and performance logs;
- 7.11.9 IT policies and procedures;
- 7.11.10 Network maintenance; and
- 7.11.11 Other documentation pertaining to computer systems and computer programmes held by Kimberly-Clark.

7.12 Miscellaneous agreements of Kimberly-Clark

- 7.12.1 Loans from third parties (including banks);
- 7.12.2 Loans to third parties;

- 7.12.3 Suretyship agreements;
- 7.12.4 Security agreements, guarantees and indemnities;
- 7.12.5 Agency, management and distribution agreements;
- 7.12.6 Marketing agreements;
- 7.12.7 Confidentiality and/or non-disclosure agreements; and
- 7.12.8 Any other relevant agreements.

7.13 **Correspondence**

Correspondence of Kimberly-Clark, including internal and external memoranda.

7.14 **Information relating to legal proceedings**

Records relating to legal proceedings involving Kimberly-Clark.

7.15 **Information relating to the processing of personal information in terms of POPIA**

7.16 Kimberly-Clark processes personal information as follows:

7.16.1 Data subject categories and their personal information

7.16.1.1 Employees: records of employee life cycle;

7.16.1.2 General public: general enquiries and viewing the company website;

7.16.1.3 Industry bodies: membership records;

7.16.1.4 Media: records of media interactions; and

7.16.1.5 Service providers: record of service provider life cycle.

7.16.2 Recipients of personal information

7.16.2.1 Employee pension fund;

7.16.2.2 Financial institutions;

7.16.2.3 Industry bodies;

7.16.2.4 Law enforcement;

- 7.16.2.5 Medical aid schemes;
- 7.16.2.6 Operators (service providers); and
- 7.16.2.7 Statutory authorities.
- 7.16.3 Expected transnational transfer of personal information
 - 7.16.3.1 Transfer of personal information to operators;
 - 7.16.3.2 Transfer of personal information through social media platforms; and
 - 7.16.3.3 Transfer of personal information to third party document hosting service providers.
- 7.16.4 Security measures to protect personal information
 - 7.16.4.1 Physical security measures
 - 7.16.4.1.1 Access control measures
 - 7.16.4.1.2 Internal security measures
 - 7.16.4.2 Cyber security measures
 - 7.16.4.2.1 Anti-spam measures;
 - 7.16.4.2.2 Anti-virus measures;
 - 7.16.4.2.3 Installing security firewalls;
 - 7.16.4.2.4 Password control
 - 7.16.4.3 Training programmes on information security;
 - 7.16.4.4 Information security audits; and
 - 7.16.4.5 IT-related company policies.

8. The request procedures

8.1 Form of request

8.1.1 The requester must use the **prescribed form (see Annexe A)** to make the request for access to a record. This must be made to Kimberly-Clark Information Officer. This request must be made to the address, number or electronic mail address of the Kimberly-Clark Information Officer.

8.1.2 The prescribed request form is available from the Kimberly-Clark Information Officer and from the South African Human Commission (if the request is before 1 July 2021) or the Information Regulator (if the request is after 1 July 2021), whose contact details are set out in paragraph 4.2 above.

8.2 Manner of request

8.2.1 The request must be made to the address, number or email address of the Information Officer set out in paragraph 3 above.

8.2.2 The requester must provide enough detail on the request form to enable the Kimberly-Clark Information Officer to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

8.2.3 The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.

8.2.4 If a request is made on behalf of a person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Kimberly-Clark Information Officer.

9. Fees

9.1 A requester who seeks access to a record containing personal information must pay the required request fee.

9.2 The Information Officer must by notice, require the requester to pay the prescribed fee, if any, before further processing the request.

- 9.3 The requester may lodge an application to the court against the tender or payment of the request fee.
- 9.4 The Kimberly-Clark Information Officer will then make a decision on the request and notify the requester in the required form.
- 9.5 If the request is granted, a further access fee must be paid for the search, reproduction, preparation and for any time that had exceeded the prescribed hours to search and prepare the record for disclosure.
- 9.6 The prescribed fees are available from the Kimberly-Clark Information Officer and from the South African Human Rights Commission (if the request is before 1 July 2021) or the Information Regulator (if the request is after 1 July 2021); whose contact details are set in paragraph 4 above

10. Circumstances under which a request for access to information will be refused

- 10.1 Access to a record of information will be refused based on the grounds of refusal as set out in the Act, which shall include the following:
- 10.1.1 mandatory protection of privacy of a third party who is a natural person;
 - 10.1.2 mandatory protection of commercial information of a third party;
 - 10.1.3 mandatory protection of certain confidential information and protection of certain other confidential information of a third party;
 - 10.1.4 mandatory protection of the safety of individuals and the protection of property;
 - 10.1.5 mandatory protection of police dockets in bail proceedings and protection of law enforcement and legal proceedings;
 - 10.1.6 mandatory protection of records privileged from production in legal proceedings;
 - 10.1.7 defence, security and international relations of the Republic;
 - 10.1.8 economic interests and financial welfare of the Republic and commercial activities of public bodies;
 - 10.1.9 mandatory protection of research information of a third party and protection of research information of a public body;

10.1.10 operations of public bodies; and

10.1.11 manifestly frivolous or vexatious requests or substantial and unreasonable diversion of resources.

11. **Availability of the manual**

This Manual is available for inspection at:

11.1 Kimberly-Clark's website, accessible at <https://www.kimberly-clark.com/en-za/southafrica>.

11.2 Kimberly-Clark's principal place of business set out in paragraph 1.2 above, during normal business hours;

11.3 the SAHRC until 1 July 2021 (see contact details in paragraph 4.1 above); and

11.4 the Information Regulator from 1 July 2021 onwards (see contact details in paragraph 4.2 above).

12. **Prescribed fees and forms in respect of private bodies**

The prescribed forms and fees for requests to private bodies, are available on the website of the Department of Justice and Constitutional Development, www.doj.gov.za.

13. **Changes to this Manual**

This Manual may be amended and updated from time to time, provided that if we do so, we will ensure that such changes are carried out subject to and published in accordance with the Act or POPIA.

Annexe A**Request for access to record****1. Particulars of [the company]**

Name of [the company]: Kimberly-Clark of South Africa (Pty) Ltd

Registration number 1966/006844/07

The Head: Information Officer - Andre Enslin

Physical Address: Kimberly-Clark House, 8 Leicester Road,
Bedford Gardens. South Africa, 2007

Postal Address: Private Bag X6, Gardenview, South Africa 2047

Telephone: +27 (11) 456 5700

E-mail: Privacy.KCSA@kcc.com

2. Particulars of person requesting access to the record

- | | |
|-----|---|
| 2.1 | The full particulars of the person who requests access to the record must be given below. |
| 2.2 | The address and/or fax number in the Republic to which the information is to be sent must be given. |
| 2.3 | 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:**

3. 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:

4. Particulars of record

- 4.1 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.
- 4.2 If the space is inadequate, please continue on a separate folio and attach it to this form. **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:**

5. Fees

5.1	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.
5.2	You will be notified of the amount required to be paid as the request fee.
5.3	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.
5.4	If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

6. Form of access to record

If you are prevented by an impediment or 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:

6.1 Compliance with your request in the specified form may depend on the form in which the record is available.

6.2 Access in the form requested may be refused in certain circumstances. In such case, you will be informed if access will be granted in another form.

6.3 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 the 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 the 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 the 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

7. Particulars of the 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:

8. 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 of _____
20__.

SIGNATURE OF REQUESTER/PERSON ON
WHOSE BEHALF REQUEST IS MADE