

# **SAMSUNG**

**SAMSUNG ELECTRONICS SOUTH AFRICA (PTY) LTD**

**Registration Number 1994 / 0003872 / 07:**

**THE PROMOTION OF ACCESS TO INFORMATION**

# **SAMSUNG**

**MANUAL**

**Compiled in accordance with**

**Section 51 of the Promotion of Access to Information Act No. 2 of 2000**

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## 1. INTRODUCTION

- 1.1 Samsung Electronics South Africa (Pty) Ltd (hereafter “Samsung”) is one of the leading electronics companies within the Republic of South Africa.
- 1.2 Samsung is committed to conform with the laws and national regulations set out in the Constitution of Republic of South Africa.
- 1.3 Section 32 of the Constitution essentially indicates the right of access to information held by private bodies.
- 1.4 As a private body, Samsung compiled this manual in accordance with section 51 of The Promotion of Access to Information Act (PAIA) No. 2 of 2000 and further convey the requirements of the Protection of Personal Information Act (POPIA) No. 4 of 2013.
- 1.5 The aim of the manual is to assist potential requestors as to the procedure to be followed when requesting access to information / documents from Samsung as contemplated in terms of the Act.
- 1.6 The manual may be amended from time to time and as soon as any amendments have been effected, the last version of the manual will be published and distributed according to the Act.
- 1.7 Any requestor is invited to contact the Information Officer should he/she require any assistance in respect of the use of this manual and or for requests for information from the Company.
- 1.8 The purpose of PAIA manual is to promote the right of access to information and to support the culture transparency and accountability.

## 2. DEFINITIONS

- 2.1. The following words or expressions will bear the following meanings in this Manual:
  - 2.1.1. **“the Act”** shall mean the Promotion of Access to Information Act 2 of 2000 together with the relevant regulations published in respect of the Act;
  - 2.1.2. **“the Manual”** shall mean this Manual together with any annexures thereto which will be available at that principal place of business of the Company.
  - 2.1.3. **“the Company”**, **“we”** shall mean Samsung Electronics South Africa (Pty) Ltd, Registration Number 1994/003872/07, a Company duly registered and incorporated in the Republic of South Africa;

2.1.4. **“the Principal Place of Business”** is 2929 William Nicol drive, Bryanston, Johannesburg, Gauteng

2.1.5. **“Information Officer”** means the designated Information Officer described in this Manual (Samsung’s Data Protection Officer (DPO));

2.1.6. **“the SAHRC”** shall mean the South African Human Rights Commission

### 3. SCOPE OF THE MANUAL

3.1. This Manual has been prepared in respect of Samsung Electronics South Africa (Pty) Ltd having its principal place of business at 2929 William Nicol drive, Braynston, Johannesburg and the following business presence within the Republic of South Africa:-

|                       |                                |                          |
|-----------------------|--------------------------------|--------------------------|
| Durban Office         | Cape Town Office               | Port Elizabeth Office    |
| 10 Redlyn Office Park | Tigervalley Health Care Centre | Metropolitan Office Park |
| 5 Riverhorse Place    | 43 Old Oak Road                | 227,279 & 281 Cape Road  |
| Riverhorse Vally      | Tigervalley                    | Newton Park              |
| Durban                | Bellville                      | Port Elizabeth           |
|                       | 7530                           | Newton Park              |
|                       |                                | Port Elizabeth           |

### 4. COMPANY INTRODUCTION

4.1. Samsung has more than 385 employees in total.

4.2. It is the South African Subsidiary of Samsung Electronics Company situated in Seoul the Republic of South Korea.

4.3. The South African Subsidiary is a national organisation with regional offices in South Africa’s main commercial centers and consists of the following Business Units:

| Business Unit / Division  | Group / Departments |
|---------------------------|---------------------|
| Consumer Electronics (CE) | CE Marketing        |
|                           | Brand Store         |
|                           | AV Group            |
|                           | DA Group            |
|                           | KZN Region          |
|                           | Cpt Region          |

|                          |                             |
|--------------------------|-----------------------------|
|                          | Free State Region           |
|                          | Limpopo Region              |
| Integrated Mobility (IM) | Sales Group                 |
|                          | Product Marketing Group     |
|                          | Enterprise Business Group   |
|                          | Strategy & Retail Group     |
| Enterprise Business (ED) | IT Sales Group              |
|                          | B2B Sales group             |
| Corporate Marketing      |                             |
| Management Support       | Accounting & Tax Group      |
|                          | Sales Support Group         |
|                          | AR Risk Management Group    |
|                          | Logistics Group             |
|                          | Human Resources Group       |
|                          | IT Infra Group              |
|                          | Business Operations Group   |
|                          | Legal group                 |
| Customer Service (CS)    | Southern Countries CS Group |
|                          | Service Operations          |
|                          | Contact Centre              |
|                          | Service Parts Operations    |
|                          | Service Reverse Logistics   |
|                          | Service Technical Support   |
|                          | Service Enterprise Business |
|                          | Service Warranty            |

## 5. CONTACT DETAILS (SECTION 51 (1) (a))

- 5.1. Directors : Mr Bum Suk Hong  
: Mr S Shivanda  
: Ms Y Kuppusamy
- 5.2. Office Manager / CEO : Mr Bum Suk Hong
- 5.3. Name of Company : Samsung Electronics South Africa (Pty) Ltd
- 5.4. Designated Information Officer : Mark John Grobler
- 5.5. Physical Address : 2929 William Nicole Drive  
: Bryanston  
: 2021
- 5.6. Postal Address : P. O. Box 70006, Bryanston, 2021
- 5.7. Telephone Number : +27 (0) 11 549 1500
- 5.8. Telefax Number : No Fax Number
- 5.9. E-mail Address : [ssacompliance@samsung.com](mailto:ssacompliance@samsung.com)
- 5.10. Website Address : [www.samsung.com](http://www.samsung.com)

## 6. THE ACT AND SECTION 10 GUIDE (SECTION 51 (1) b)

- 6.1. The ACT grants a requester 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, the public body must be acting in the public interest.
- 6.2. 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 Act.
- 6.3. Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.
- 6.4. The contact details of the Commission are:  
Postal Address : Private Bag 2700, Houghton, 2041  
Telephone Number : +27-11-877 3600  
Fax Number : +27-11-403 0625  
Website : [www.sahrc.org.za](http://www.sahrc.org.za)

## 7. APPLICABLE LEGISLATION (SECTION 51 (1) (c))

| No. | Ref            | Act  |
|-----|----------------|--|
| 1.  | No. 61 of 1973 | Companies Act                                |
| 2.  | No. 98 of 1978 | Copyright Act                                |
| 3.  | No. 55 of 1998 | Employment Equity Act                        |
| 4.  | No. 95 of 1967 | Income Tax Act                               |
| 5.  | No. 66 of 1995 | Labour Relations Act                         |
| 6.  | No. 89 of 1991 | Value Added Tax Act                          |
| 7.  | No. 75 of 1997 | Basic Conditions of Employment Act           |
| 8.  | No. 25 of 2002 | Electronic Communications & Transactions Act |
| 9.  | No. 2 of 2000  | Promotion of Access to Information Act       |
| 10. | No. 4 of 2013  | Protection of Personal Information Act       |

## 8. SCHEDULE OF RECORDS (SECTION 51 (1) (d))

| Records    | Subject                  | Availability             |
|------------|--------------------------|--------------------------|
| Employment | Employee Records         | Request in terms of PAIA |
|            | Policy & Procedures      | Request in terms of PAIA |
|            | Personnel Files          | Request in terms of PAIA |
|            | Remuneration Information | Request in terms of PAIA |
|            | Attendance Records       | Request in terms of PAIA |
|            | Performance Records      | Request in terms of PAIA |
|            | Disciplinary Records     | Request in terms of PAIA |

| Records          | Subject                     | Availability   |
|------------------|-----------------------------|--|
| <b>Sales</b>     | Agency Agreements           | Request in terms of PAIA                             |
|                  | Client Data base            | Request in terms of PAIA                             |
|                  | Delivery & Dispatch Reports | Request in terms of PAIA                             |
| <b>Marketing</b> | Corporate Brand Data        | <a href="http://www.samsung.com">www.samsung.com</a> |
|                  | Corporate Social Investment | <a href="http://www.samsung.com">www.samsung.com</a> |
|                  | Sponsorships                | Request in terms of PAIA                             |
| <b>Legal</b>     | Patents & Copyright Data    | Request in terms of PAIA                             |
|                  | Legal Contracts             | Request in terms of PAIA                             |
|                  | Legal Agreements            | Request in terms of PAIA                             |
|                  | Litigation Data             | Request in terms of PAIA                             |
| <b>Finance</b>   | Financial Data              | Request in terms of PAIA                             |
|                  | Company Secretarial         | Request in terms of PAIA                             |
|                  | Board Resolutions           | Request in terms of PAIA                             |
|                  | Insurance Policies          | Request in terms of PAIA                             |

## 9. REQUEST PROCEDURE

### 9.1. To facilitate the processing of your request, kindly:

Use the prescribed form C attached hereto marked as Annexure 1, also available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za)

#### 9.1.1. Address your request to the Information Officer

#### 9.1.2. Provide sufficient details to enable the Company to identify:

##### 9.1.2.1. The record(s) requested;

##### 9.1.2.2. The requestor (and if an agent is lodging the request, proof of capacity);

##### 9.1.2.3. The form of access required;

##### 9.1.2.4. The postal address or fax number of the requestor in the Republic;

##### 9.1.2.5. If the requestor wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;

##### 9.1.2.6. The right which the requestor is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

### 9.2. Once a request for a record has been received, the Information Officer will take all such practicable steps to preserve the record requested.

- 9.3. Records will only be released if the prescribed fee for the record is paid by the requestor or if arrangements have been made in accordance with the provisions of the Act to secure the fee in question.
- 9.4. If a record cannot be found after a reasonable search, the Information Officer will attest to an affidavit or affirmation to this effect and set out in the document the steps taken to search for the record.
- 9.5. The Information Officer shall, within thirty (30) days of receipt of a request in the prescribed format, decide whether or not the request will be adhered to and inform the requester accordingly of the decision.
- 9.6. If the request is granted, the Information Officer shall inform the requestor of:
- 9.6.1. The access fee to be paid;
  - 9.6.2. The manner in which access will be given; and
  - 9.6.3. The right of appeal that the requester has against paying the fee.
- 9.7. If the request is refused the Information Officer shall provide the requestor with:
- 9.7.1. adequate reasons for the refusal;
  - 9.7.2. State what ground in terms of the Act is being relied upon for refusal; and
  - 9.7.3. Inform the requester of the right to lodge an application to court as the case may be in respect of the refusal.

## **10. GROUNDS FOR THE REFUSAL OF ACCESS TO RECORDS**

- 10.1. Access to records will be refused in instances where such disclosure would involve the unreasonable disclosure of personal information about a third party.
- 10.2. The request shall, however, not be refused if:
- 10.2.1. The individual about whom the information is, has consented in writing to the disclosure of the information;
  - 10.2.2. The information is already publicly available;



- 10.2.3. When the information was given to the Company, the person about whom the information is, was informed that the information belongs to a class of information that might be made available to the public;
- 10.2.4. Information about a deceased person made by the next of kin;
- 10.2.5. The information is about an official of the company and relates to the positions or function of the individual including the nature of his position and the title.
- 10.3. A request for information shall automatically be refused if the record :
- 10.3.1. Contain trade secrets; financial, commercial, scientific or technical information of a third party or the company, the disclosure of which is likely to cause harm to the commercial or financial interests of the third party or the company;
- 10.3.2. Contain information of a third party or the company disclosed in confidence which will cause the third party or company disadvantage in negotiations or prejudice him or the company as the case may be in commercial competition;
- 10.3.3. Disclosure would constitute an action for a breach of a duty of confidence owed to a third party in terms of an agreement;
- 10.3.4. Disclosure would reasonably endanger the life or physical safety of the individual or property;
- 10.3.5. Is privileged in legal proceedings;
- 10.3.6. Relates to research, the exposure of which would result in serious disadvantage to the researcher or the person commissioning the research or the subject matter of the research.

## **11. PRESCRIBED FORMS AND FEES**

- 11.1. The following applies to requests (other than personal requests):
- 11.1.1. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 11.1.2. 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);
- 11.1.3. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 11.1.4. Records may be withheld until the fees have been paid.

11.1.5. The fee structure is available on the website of the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za) as well in Annexure 2 of this manual.

## 12. AVAILABILITY OF THE MANUAL

A copy of this manual is available on Samsung's website, <https://www.samsung.com/za/> or upon request from the designated contact person referred to in this information manual. This manual will be updated as required or when the relevant legislation changes.

**FOR AND ON BEHALF OF THE COMPANY**

SAMSUNG

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**Name:** Mr Dong Hyuk Park

**Designation:** Chief Financial Officer:  
SSA

**Signature:**

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**ANNEXURE 1**

**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

SAMSUNG

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.

The address and/or fax number in the Republic to which the information is to be sent must be given.

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:

Particulars of record

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.

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.

Description of record or relevant part of the record:

Reference number, if available:

Any further particulars of record:

E. Fees

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.

You will be *notified* of the amount required to be paid as the request fee.

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.

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: | Form in which record is required |
| <p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p> |                                   |                                  |

|  |  |                          |   |     |    |
|--|--|--------------------------|---|-----|----|
| <b>1. If the record is in written or printed form:</b>   |  |                          |   |     |    |
| <input type="checkbox"/>   | copy of record*                            | <input type="checkbox"/> | inspection of record  |     |    |
| <b>2. If record consists of visual images</b><br>this includes photographs, slides, video recordings, computer-generated images, sketches, etc.) |  |                          |   |     |    |
| <input type="checkbox"/>   | view the images                            | <input type="checkbox"/> | copy of the images"   |     |    |
| <input type="checkbox"/>   |  | <input type="checkbox"/> | transcription of the images*                                    |     |    |
| <b>3. If record consists of recorded words or information which can be reproduced in sound:</b>  |  |                          |   |     |    |
| <input type="checkbox"/>   | listen to the soundtrack<br>audio cassette | <input type="checkbox"/> | transcription of soundtrack*<br>written or printed document     |     |    |
| <b>4. If record is held on computer or in an electronic or machine-readable form:</b>  |  |                          |   |     |    |
| <input type="checkbox"/>   | printed copy of record*                    | <input type="checkbox"/> | printed copy of information<br>derived from the record"         |     |    |
| <input type="checkbox"/>   |  | <input type="checkbox"/> | copy in computer readable<br>form*<br>(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?<br>Postage is payable. |  |                          | <table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table> | YES | NO |
| 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.

SAMSUNG

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

Signed at..... This..... day of .....21

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SIGNATURE OF REQUESTOR /  
PERSON ON  
WHOSE BEHALF REQUEST IS MADE

## ANNEXURE 2

### Prescribed Fees

| <b>ACCESS TO REPRICATION OF DOCUMENTS FEES</b>  |   |
|---|---|
| Copy per A4 Page  | R1.10   |
| Printing per A4 page  | R0, 75 cents  |
| Copy of a computer readable memory stick  | R7.50   |
| Copy of a computer readable compact disc  | R70.00  |
| Copy on a CD  | R70   |
| Transcription of visual images per A4 page  | R40   |
| Copy of a visual image  | R60   |
| Transcription of an audio recording per A4 page   | R20   |
| Copy of an audio recording  | R30   |
| Search and preparation of the record for disclosure   | R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation. |
| <b>REQUEST FEES</b>   |   |
| Access to a record containing personal information of the requestor   | Free  |
| Any other access to a record as a public body made by a requestor and another person other than the requestor | R50.00  |
| <b>POSTAL FEES</b>  |   |
| Postage of a record to the Requestor  | R9.75   |
| Courier of a record to the Requestor  | R99.00  |
| <b>APPEAL FEES</b>  |   |
| Lodging an appeal to Mobius upon refusal for the request  | R50.00  |