

GALDERMA

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GALDERMA LABORATORIES SOUTH AFRICA (PTY) LTD

PAIA INFORMATION MANUAL

Prepared in accordance with section 51 of the Promotion of Access to Information Act No. 2 of 2000 (as amended) (“**PAIA**”) read with and as amended by the Protection of Personal Information Act 4 of 2013 (“**POPIA**”)

This manual applies to information held by:

GALDERMA LABORATORIES SOUTH AFRICA PROPRIETARY LIMITED

(REGISTRATION NO. 1996/000311/07)

hereinafter referred to as “**Galderma**”

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1. INTRODUCTION TO GALDERMA

- 1.1 Galderma Laboratories South Africa (Pty) Ltd is a South African subsidiary of Galderma Pharma SA.
- 1.2 Galderma is a leading international and independent dermatology company that services the needs of consumers, patients and healthcare professionals.
- 1.3 Galderma delivers an innovative, science-based portfolio of sophisticated brands and services across three business units, namely Aesthetics, Consumer Care and Prescription medicine. Through trusted partnerships with healthcare professionals, Galderma is able to meet individual consumer and patient needs with superior outcomes.
- 1.4 Galderma's aim is to enhance people's quality of life and contribute to a healthier future through science-based solutions for skin health, leading to our vision - to change the way the world thinks about skin health.
- 1.5 With a 40-year legacy in dermatology as well as decades of cutting-edge innovation, Galderma's vision is to be the Number 1 company solely dedicated to skin and advancing the future of dermatology.

2. DEFINITIONS

- 2.1 **"DIO"** Deputy Information Officer;
- 2.2 **"IO"** Information Officer;
- 2.3 **"Minister"** Minister of Justice and Correctional Services;
- 2.4 **"PAIA"** Promotion of Access to Information Act No. 2 of 2000 (as amended);
- 2.5 **"POPIA"** Protection of Personal Information Act No.4 of 2013;
- 2.6 **"Regulator"** Information Regulator; and
- 2.7 **"Republic"** Republic of South Africa

3. PURPOSE OF PAIA

- 3.1 The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability by giving the right to information that is required for the exercise or protection of any right, and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.
- 3.2 In terms of section 51 of PAIA, all private bodies are required to compile an information manual and make the manual available to the public to inform the procedure which the public must follow, when submitting a request to access the private body's records.
- 3.3 PAIA 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.
- 3.4 This PAIA Manual is useful for the public to:
 - 3.4.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;

- 3.4.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 3.4.3 know the description of the records of the body which are available in accordance with any other legislation;
- 3.4.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 3.4.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 3.4.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.4.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.4.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 3.4.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 3.4.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. INFORMATION MANUAL

- 4.1 Galderma is defined as a private body in terms of PAIA. PAIA requires that an information manual be compiled by private bodies that provides information on the type and the categories of records held by a private body.
- 4.2 Galderma hereby publishes its information manual (this “**Manual**”) in terms of PAIA. This Manual is prepared in compliance with the provisions of Section 51 of PAIA, as amended by POPIA.
- 4.3 The purpose of this manual is to facilitate requests for access to records of Galderma. This manual is not exhaustive of, nor does it comprehensively deal with every procedure provided for in PAIA. Requestors are advised to familiarize themselves with the provision of PAIA before making any request to Galderma in terms of PAIA.
- 4.4 Nothing stated in this Manual shall limit, or constitute a waiver of, any of the rights of the requestor or of Galderma in terms of PAIA. Galderma makes no representation and gives no undertaking that the information in this Manual or any information provided by Galderma to requestors thereof is complete or accurate, or that such information is fit for any purpose. All users of any such information shall use such information entirely at their own risk and Galderma shall not be liable for any loss, expense, liability or claims howsoever arising, resulting from any use of this Manual or any information provided by Galderma or from error therein.
- 4.5 All users irrevocably agree to submit exclusively to the laws of the Republic of South Africa and to the exclusive jurisdiction of the courts of the Republic of South Africa in respect of any dispute arising out of the use of this Manual or of any information provided by Galderma.

- 4.6 This Manual is available for public inspection at the physical address of Galderma as set out in paragraph 5 below during normal business hours and is also available on our website at www.galderma.com/south-africa. A copy of our manual can be provided, on request, to any person (along with the payment of a reasonable prescribed fee, where applicable) and to the Information Regulator upon request.
- 4.7 A fee for a copy of the Manual shall be payable for each A4-size photocopy made.

5. COMPANY INFORMATION AND CONTACT DETAILS

For the purposes of this Manual, Galderma's contact details are as follows:

Name of Body:	Galderma Laboratories South Africa Proprietary Limited
Registration Number:	1996/000311/07
Physical Address:	Nicol Main Office Park, Block C FutureSpace, 2 Bruton Road Bryanston 2191
Postal Address:	P.O. Box 71150 Bryanston, 2021
Telephone Number:	+27 11 706 2339
Website:	www.galderma.com/south-africa

The responsibility for administration of and compliance with PAIA and POPIA lies with the Information Officer and the Deputy Information Officer of Galderma.

Requests pursuant to the provisions of PAIA and/or POPIA should be directed to the **Deputy Information Officer**, as follows:

Information Officer	Jennifer Margaret Wright
Deputy Information Officer	Janine Nanda Troskie
Physical Address	Nicol Main Office Park, Block C FutureSpace, 2 Bruton Road Bryanston 2191
Postal Address	P.O. Box 71150 Bryanston, 2021
Email address	jenny.wright@galderma.com / info.sa@galderma.com

6. INFORMATION REGULATOR'S GUIDE AND CONTACT DETAILS

- 6.1 An official Guide has been compiled by the Information Regulator (established in terms of POPIA), to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is made available by the Information Regulator and is available from the Information Regulator in the manner prescribed.

6.2 The contact details of the Information Regulator are:

Physical address	The Information Regulator (South Africa) JD House 27 Siemens Street Braamfontein Johannesburg 2001
Postal address	P.O Box 31533 Braamfontein Johannesburg 2017
Telephone number	(010) 023 5207
Fax number	(011) 403 0668
Email Address (General)	inforeg@justice.gov.za
Email Address (Complaints)	popiacomplaints.IR@justice.gov.za ; paia.complaints.IR@justice.gov.za
Website	https://www.justice.gov.za/inforeg

7. TYPES AND CATEGORIES OF RECORDS

7.1 Records held in accordance with other legislation (Section 51(1)(d) of PAIA)

Records are kept by Galderma in accordance with other legislation, such as but not limited to*:

- Basic Conditions of Employment Act 75 of 1997;
- Broad-based Black Economic Empowerment Act 53 of 2003;
- Companies Act 71 of 2008;
- Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- Competition Act 89 of 1998;
- Consumer Protection Act 68 of 2008;
- Employment Equity Act 55 of 1998;
- Foodstuffs, Cosmetics and Disinfectants Act, Act 54 of 1972;
- Income Tax Act 58 of 1962;
- Labour Relations Act 66 of 1995;
- Medicines and Related Substances Act, Act 101 of 1965;
- National Credit Act 34 of 2005;
- Occupational Health and Safety Act 85 of 1993;
- Pharmacy Act, Act 53 of 1974;

- Promotion of Access to Information Act 2 of 2000;
- Protection of Personal Information Act 4 of 2013;
- Skills Development Act 97 of 1998;
- Skills Development Levies Act 55 of 1998;
- Trade Marks Act 194 of 1993;
- Unemployment Insurance Act 63 of 2001;
- Value Added Tax Act 58 of 1962.

****Note:** This is not an exhaustive list of legislation that may require Galderma to keep records.*

7.2 Categories of records available without having to request access (Section 52(2) of PAIA)

A private body may, on a voluntary basis, make available to the Information Regulator a description of categories of records that are automatically available without a person having to request access in terms of PAIA.

Galderma has not made available any records that are automatically available without a person having to request access in terms of PAIA, save for those that are publicly available for viewing on its website.

7.3 Subject categories of records

The information held by Galderma is classified and grouped according to records relating to the following subjects and categories*:

7.3.1 Company Related Records:

- Company secretarial records, such as Memorandum of Incorporation; CIPC related documents; registers; minutes and resolutions; statutory returns;
- Immovable Property Records, such as lease agreements; ordinary and conditional sale agreements;
- Intellectual property records, such as trade-marks; patents; copyright; designs; licencing agreements;
- Marketing records;
- Insurance records, such as policies; insurance claim files; insurance agreements;
- Internal correspondence;
- Information technology records, such as system documentation and manuals; information technology agreements;
- Taxation records and other statutory records;
- Service records;
- Internal policies and procedures;
- Internal correspondence;
- Charters, codes of conduct and policies that Galderma and its personnel subscribe to;
- Operational records and operational agreements concluded with suppliers and service providers;

- Financial Records, such as financial statements; reports and returns; banking details and bank account records; debtors/creditors statements and invoices; financial statements; reports and returns;
- Personnel and Human Resources records, such as policies and procedures; employee/personnel information and records; personnel files; conditions of employment; internal evaluation and disciplinary records; training schedules and related material; agreements; forms and applications; other internal records and correspondence.

7.3.2 Client related records:

- Contracts with clients;
- Any records a client has provided to Galderma;
- Working papers and notes;
- Any research conducted by Galderma in respect of its clients
- Records, reports, designs and the like generated by Galderma for its clients
- Any records a third party has provided to Galderma, which concerns a client;
- Records generated by Galderma pertaining to a client.

7.3.3 Third party records:

- Personnel, client, supplier, service provider or Galderma's records held by another party;
- Records held by Galderma pertaining to other parties.

7.3.4 Other records:

- Information relating to Galderma's own commercial activities;
- Procurement and administration records for Galderma;
- Research information belonging to Galderma or carried out on behalf of a third party.

****Note:** This is not an exhaustive list of subjects or categories of information that Galderma may keep records of.*

8. **PROCESSING OF PERSONAL INFORMATION IN TERMS OF POPIA**

As a South African Company, all data processing activities are primarily regulated by the Protection of Personal Information Act, No. 4 of 2013 ("**POPIA**"), as amended from time to time. Galderma's Privacy Notice, as published on our website (and as amended or updated from time to time), sets out how Galderma processes and protects personal information. For full details regarding how Galderma processes personal information, please refer to our [Privacy Notice](#).

8.1 **Categories of data subjects**

Galderma holds personal information and records on various data subject categories, which include but are not limited to the following data subject categories:

(Note: this is not an exhaustive list)

- Clients;
- Consumers;
- Suppliers;
- Service providers;

- Healthcare professionals;
- Employees, consultants, contractors and job applicants;
- Website visitors;
- Other companies in our group; and
- Business partners.

8.2 Categories or type of personal information collected

The categories or types of personal information that Galderma may collect, includes, but is not limited to:

(Note: this is not an exhaustive list)

- Identification details such as name, surname, ID/Passport Number;
- Contact details, such as phone numbers, email addresses, physical and postal addresses;
- Personal details, such as names, family information, ages and next of kin details;
- Demographical details, such as race, gender and age groups;
- Financial information, such as account numbers and credit information;
- Background or historic information;
- Medical and health information, in relation to the reporting of adverse events;
- Professional Information which is provided to us relating to a data subjects profession and/or qualifications including but not limited to i) CV's and other personal information that may be requested throughout the recruitment process to assess and consider job applications (in relation to job applicants); ii) information about current and past interactions with Galderma and about participation in events, conferences and scientific studies; iii) practice information in relation to healthcare professionals; and iv) other personal information that may be provide about the data subject and the data subject's professional activities;
- Technical and website usage information:
 - Information from computer/mobile device: Any information about the computer system or other technological device that a data subject uses to access our website, such as the Internet protocol (IP) address used to connect the data subject's computer or device to the Internet, operating system type, and web browser type and version. If a Galderma website is accessed via a mobile device such as a smartphone, the collected information will also include, where permitted, device's unique device ID, advertising ID, geo-location, and other similar mobile device data.
 - Websites/communication usage information: As a data subject navigates through and interact with our website or newsletters, we use automatic data collection technologies to collect certain information about the data subject's actions. This includes information such as which links were clicked on, which pages or content was viewed and for how long, and other similar information and statistics about the data subject's interactions, such as content response times, download errors and length of visits to certain pages. This information is captured using automated technologies such as cookies and web beacons, and is also collected through the use of third party tracking for analytics and advertising purposes. Where a data subject is a registered user of our website, we also collect login-in information to enable the data subject to access the registered account.

- We collect some of this information from the data subject's device through the use of cookies. Our website uses cookies to distinguish a data subject from other users of the website. This helps us provide the data subject with a good experience when browsing the website and also allows us to improve the website. For detailed information on the cookies we use and how we use them, please see our [Cookies Notice](#).
- Consumer-generated content: Any content that a data subject creates and then share with us on third party social networks or by uploading it to our websites, including the use of third party social network apps such as Twitter. Examples include photos, videos, personal stories, or other similar media or content. Where permitted, we collect and publish consumer-generated content in connection with a variety of activities, including contests and other promotions, website community features, consumer engagement, and third party social networking.
- Third party social network information: Any information that a data subject shares publicly on a third party social network or information that is part of the data subject's profile on a third party social network (such as Twitter) and that the data subject allows the third party social network to share with us. Examples include basic account information (e.g. name, email address, gender, birthday, current city, profile picture, user ID, list of friends, etc.) and any other additional information or activities that the data subject permits the third party social network to share. We receive a data subject's third party social network profile information (or parts of it) every time the data subject downloads or interacts with a Galderma web application on a third party social network such as Twitter, every time the data subject uses a social networking feature that is integrated within a Galderma site (such as Facebook Connect) or every time the data subject interacts with us through a third party social network. Data subjects can learn more about how their information from a third party social network is obtained by Galderma, or opt-out of sharing such social network information, by visiting the website of the relevant third party social network.

8.3 Purpose of the processing

Galderma may collect, use, share and/or generally process personal information (including, where applicable special personal information) for the following purposes:

- To provide a data subject with our products and/or services and to notify data subjects about changes to our services;
- To comply with all legislative and legal requirements placed on us, which may include, but not be limited to, legislative reporting and document retention periods and where the law requires that information be notified to third parties (such as government institutions);
- To conclude or perform a contract with a data subject, or to take any take steps linked to or necessary for the conclusion or performance of a contract with a data subject;
- When a data subject registers to use our website www.galderma.com/south-africa ("the/our website") or our Brand websites, subscribes to our services, searches for job opportunities or enters a competition, promotion or survey;
- When data subjects contact us, submit an enquiry on our website through our "Contact us" form or report a problem with our website;
- Where applicable, for general marketing and communication purposes, including to provide data subjects with relevant employment opportunities, targeted advertising campaigns and career news articles, where the data subject is an existing customer of Galderma or where we have received the data subject's consent to receive these communications, and in compliance with the provisions of POPIA. Data subject's will be given the opportunity to unsubscribe from any marketing communications, general communications and/or newsletters at any time, and with each communication received;

- Where necessary, for any purposes which are in our, the data subject's, or a third party's legitimate interest;
- To improve our services and to manage our relationship with a data subject, for example by asking for feedback on the services received from us or through the completion of a customer service satisfaction survey;
- To perform general administrative, operational, management and performance functions and activities relating to the operation and running of our business and of our website, and for the purposes of managing our legal and operational affairs;
- For credit checking or credit reporting purposes (through a credit bureau), in order to assist Galderma's decision to provide services to a data subject or to report on any slow or non-payment of a data subjects accounts with Galderma to any third party;
- For any purposes which are required or authorised by law;
- To respond to requests by government, a court of law, or law enforcement authorities conducting an investigation;
- For reporting, statistical, analytical, research and historical purposes, including (but not limited to) the use of medical and health information for the purposes of reporting adverse events;
- Where the data subject is a healthcare professional, to establish and maintain our relationship with the healthcare professional, to inform healthcare professionals about our products and services, and for the provision of our products and services;
- Where the data subject is applying for a vacancy, to process the data subject's application throughout our recruitment process;
- When data subjects interact with us through third party social networks, to interact and engage with them on these networks and to generally advertise our company, goods and services on these social networks;
- In relation to the use of our website, to:
 - Identify, investigate and attend to any technical issues, support and user queries;
 - Ensure that content from the website is presented in the most effective manner for data subjects and for their devices;
 - Allow data subjects to participate in interactive features of our service, when a data subject chooses to do so;
 - Measure or understand the effectiveness of adverts we deliver to website users and to make sure that the advertising we deliver is relevant to the data subject. Our software will also apply algorithms to the information we hold about data subjects to help us identify which adverts we think will be most relevant;
 - Make suggestions and recommendations to website users about goods or services that may interest them;
 - Administer our website, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
 - For our record keeping and identification protocols; and
 - Help us keep our website safe and secure;
- Where we receive information about data subjects from our any member in our group of companies or through our trusted business partners, we will use that information to provide these data subjects with the information, products and services that they have told our group company

member(s) or business partners they are interested in receiving from us, such as emails regarding job opportunities and news available through our website;

- We may also combine this information with information these data subjects give to us and information we collect about these data subjects. We may use this information, and the combined information for the purposes set out above (depending on the types of information we receive);
- To detect, prevent or deal with any actual or alleged fraud, security breach, or the abuse, misuse or unauthorised use of the website and/or contravention of this Privacy Notice.

We may also **collect, use, share and/or generally process** personal information or data that has been de-identified and/or aggregated, for example statistical or demographic data, for any purpose. In certain circumstances this aggregated or de-identified data may also be commercialised. Aggregated or de-identified data is not considered personal information in terms of POPIA, as this information is de-identified and does not, directly or indirectly, reveal your identity.

8.4 Recipients to whom personal information may be supplied or disclosed to

Galderma values and respects the confidentiality and privacy of the personal information that data subjects entrust it with. Galderma will not share or disclose personal information to anyone except as provided in our [Privacy Notice](#) and/or any contracts or terms and conditions of service concluded with Galderma.

Generally, Galderma may share a data subject's personal information (including, where applicable, special personal information) in the following instances:

(Note: this is not an exhaustive list)

- If it is necessary in order to provide a data subject with a product or a service that the data subject has requested or contracted us to provide or source on the data subject's behalf;
- If it is in the data subject's legitimate interest;
- If it is necessary for the proper performance of a public law duty by a public body;
- If we are required or authorised to do so in order to comply with our legal obligations or the requirements of a regulatory authority;
- If the data subject has provided us with consent;
- Where we are permitted to do so in terms of the provisions of POPIA;
- With other members of our group of companies, which means our subsidiaries, our holding company and its subsidiaries, where required;
- With our employees, who may require that information to do their jobs;
- With regulators and government authorities in connection with our compliance procedures and legal obligations;
- With selected third parties including our business partners, suppliers and sub-contractors for the performance of any contract we enter into with them or the data subject, or generally as required for the administration and management of our business. In these instances, we will ensure that the necessary security safeguards and confidentiality undertakings are in place to secure the data subject's personal information. We will only allow third parties to process personal information for a specific purpose, in accordance with our instructions and in accordance with the requirements of POPIA and any other applicable data privacy laws;
- With our third party service providers, who we have carefully selected to supply us with products and services, such as software for managing our business, hosting our databases and collecting

payment information or generally as required for the administration and management of our business. We also use analytics and search engine providers to help us improve and optimise our website. We will only share personal information with our suppliers where it is necessary for them to provide us with the services we need. In these instances, we will ensure that the necessary security safeguards and confidentiality undertakings are in place to secure the personal information. We will only allow third parties to process personal information for a specific purpose, in accordance with our instructions and in accordance with the requirements of POPIA and any other applicable data privacy laws;

- With a data subject's healthcare professional, where applicable, and Galderma Head Office (in Switzerland) in relation to any adverse event reported by a data subject in relation to the use of our products;
- With advertisers and advertising networks which deliver adverts to data subjects. However, we do not share information that can identify a data subject with our advertisers and advertising networks. We only share anonymous information about our users which has been aggregated for the purposes of statistical analysis. For example, we may share with them the fact that 500 men aged under 30 clicked on their advert on any given day. We may also use such anonymous aggregated information to help advertisers reach the kind of audience they want to target. We may make use of the information we have collected from data subjects to enable us to display our advertiser's adverts on our website to that target audience;
- If a data subject has agreed to receive marketing communications from our named third party business partners, we will share the data subject's personal information with those specific third parties;
- Where we buy or sell any business or assets, in which case we may share personal information with the prospective buyer or seller of such business or assets;
- Where we (the company) or substantially all of our assets are acquired by a third party, in which case the personal information we hold will be one of the assets acquired by the third party buyer;
- Where we believe, in good faith, that it is necessary to protect our rights, property, safety or reputation or the rights, property, safety or reputation of any of our customers or partners.

8.5 **Planned transborder flows of personal information**

We are based in the South Africa, but we do form part of an international group of companies.

While we try, as far as reasonably possible to store and process your personal information locally in South Africa, we may be required to transfer and/or store your personal information on servers located outside of South Africa. This may include destinations such as United Arab Emirates, countries within the European Economic Area such as France, Sweden etc. or other countries such as Switzerland, the UK, the USA etc. Your personal information may be transferred to, held by, or stored with other group companies located outside of South Africa. Galderma may also have third party service providers that are located outside of South Africa, which may result in your personal information being transferred and processed outside of South Africa. Given the nature of Galderma's business, some of this personal information may include categories of special personal information, and some of this information may include the personal information of children.

Personal Information may also be processed by staff operating outside of South Africa who work for Galderma or for one of our suppliers or service providers. Such staff may be engaged in, among other things, the provision of our services to data subjects.

Where Galderma shares personal information with our suppliers or third party business partners who transfer or process the data outside of South Africa, we make sure that your personal information is

protected by only transferring it to third parties who will also look after it. Galderma will take reasonable and appropriate measures to ensure that any personal information, special personal information or children's personal information (where applicable) that is transferred outside of the borders of South Africa is transferred in compliance with the requirements of POPIA and that an adequate level of privacy protection is in place between us and these third-party service providers.

8.6 Security measures

Securing the personal information that a data subject gives Galderma, or that Galderma receives about a data subject, is a priority for Galderma. Galderma takes appropriate and reasonable technical and organizational security measures to protect the personal information that we process, in accordance with the requirements of POPIA. Please note, however, that these protections do not apply to personal information which data subjects choose to share in public areas such as third party social networks.

People who can access personal information:

Personal information will be processed by our authorised staff or agents, on a need to know basis, depending on the specific purposes for which your personal information has been collected.

Measures taken in operating environments:

Galderma stores personal information in operating environments that use appropriate and reasonable security measures to prevent unauthorised access. We also follow appropriate and reasonable standards to protect personal information.

Website security and website generated information:

- All personal information which provided to us is stored on our secure servers. Any sensitive information, or information classified as special personal information, will be encrypted using secure socket layer technology, or through such other technical security measures as we may determine appropriate and adequate to secure the personal information, from time to time.
- Where Galderma has given a data subject (or where a data subject has chosen) a password which enables the data subject to access certain parts of the website, the data subject is responsible for keeping this password confidential. Data subjects are requested not to share their password with anyone, in order to keep their information secure.
- Unfortunately, the transmission of information via the internet is not completely secure. Although Galderma will do our best to protect a data subject's personal information, we cannot guarantee the security of data transmitted to our website; and data subjects accept that any transmission is at their own risk. Once we have received a data subject's personal information, we will use strict procedures and security features to try to prevent unauthorised access.
- Our website may, from time to time, contain links to and from the websites of our partner networks (such as other group companies and our trusted business partners), advertisers and affiliates and other third party sites. If a data subject follows a link to any of these websites, data subjects must note that these websites have their own privacy policies and that Galderma does not accept any responsibility or liability for these websites and/or these policies. Data subjects must check these policies before they submit any personal information to these websites.

9. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

Galderma may refuse a request for information on the following basis:

- 9.1 Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person, including a deceased person;
- 9.2 Mandatory protection of the commercial information of a third party, if the record contains:
 - 9.2.1 Trade secrets of that third party;
 - 9.2.2 Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; and
 - 9.2.3 Information disclosed in confidence by a third party to Galderma, if the disclosure could put that third party at a disadvantage in commercial or other negotiations or could prejudice that third party in commercial competition;
- 9.3 Mandatory protection of confidential information of third parties, if it is protected in terms of any agreement or legislation;
- 9.4 Mandatory protection of the life or physical safety of individuals and/or the protection or security of any property;
- 9.5 Mandatory protection of records which would be regarded as privileged in legal proceedings;
- 9.6 The commercial activities of Galderma, which may include:
 - 9.6.1 Trade secrets of Galderma;
 - 9.6.2 Financial, commercial, scientific or technical information which, if disclosed, would be likely to cause harm to the financial or commercial interests of Galderma;
 - 9.6.3 Information which, if disclosed, could put Galderma at a disadvantage in contractual or other negotiations or could prejudice Galderma in commercial competition;
 - 9.6.4 A computer program which is owned by Galderma and which is protected by copyright;
- 9.7 The research information of Galderma or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 9.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused;
- 9.9 Generally, any other refusal prescribed or permitted in terms of PAIA;
- 9.10 Mandatory protection of personal information to comply with the provisions of the Protection of Personal Information Act 4 of 2013;
- 9.11 If a record requested cannot be found, or does not exist, the Deputy Information Officer shall notify the Requester in accordance with the requirements of PAIA;
- 9.12 Any other reason that is permitted or prescribed in terms of any other applicable law.

10. ACCESS REQUESTS AND PROCEDURES

10.1 Access Procedure

A requester is any person making a request for access to a record of, or held by, Galderma. The requester is entitled to request access to information, including information pertaining to third parties, but Galderma is not obliged to grant such access. Apart from the fact that access to a record can be refused based on the grounds set out in paragraph 0 above, in order to successfully access information, the requester must fulfil the prerequisite requirements for access in terms of PAIA, including the payment of the fees as prescribed by PAIA.

10.2 Access Request Procedure

10.2.1 A requester requiring access to information held by Galderma must complete the prescribed **Form C**, attached to this Manual as **Annexure B ("Access Request Form")** or such form as amended or updated from time to time in terms of PAIA, submit it to the **Deputy Information Officer** at the postal or physical address, or email address recorded in paragraph 5 and pay the applicable request fee (and a deposit, if applicable).

10.2.2 To facilitate a timely response to requests for access to a record, all requesters should take note of the following when completing the Access Request Form:

10.2.2.1 the Access Request Form must be comprehensively completed;

10.2.2.2 proof of identity is required to authenticate the identity of the requester. Therefore, in addition to the access request form, requesters will be required to supply a copy of their identification document;

10.2.2.3 every applicable question must be answered. If a question does not apply "N/A" should be stated in response to that question. If there is nothing to disclose in reply to a particular question "Nil" should be stated in response to that question.

10.2.3 The Access Request Form must be completed with enough particularity to enable the **Deputy Information Officer** to identify:

10.2.3.1 the record(s) requested;

10.2.3.2 the identity number of the requester;

10.2.3.3 the form of access required if the request is granted;

10.2.3.4 the postal address or fax number of the requester;

10.2.3.5 the requester must also state that he or she requires the information in order to exercise or protect a right, and clearly state the nature of the right to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

10.2.4 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Deputy Information Officer.

- 10.2.5 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the Deputy Information Officer, in accordance with the provisions of PAIA.
- 10.2.6 The requester will be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.

10.3 **Payment of fees**

- 10.3.1 Under Section 54 of PAIA, private bodies are entitled to levy a prescribed request fee to a requester before the private body may process the request for information or records. Fees levied are published by the Minister or the Information Regulator (as the case may be) and the fees as at the date of this Manual are displayed in **Annexure A**. These may be updated from time to time and the fees that apply at the time of the request will be levied (which may not necessarily be those recorded in Annexure A).
- 10.3.2 PAIA provides for two types of fees, namely:
- 10.3.2.1 a request fee, which will be a standard fee; and
 - 10.3.2.2 an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 10.3.3 When the request is received by the Deputy Information Officer, the Deputy Information Officer will, by notice, require the requester (other than a personal requester) to pay the prescribed request fee (if any), before further processing of the request (refer to **Annexure A** of this manual).
- 10.3.4 Payment details can be obtained from the Deputy Information Officer and must be made by a direct deposit or electronic funds transfer. Proof of payment must be supplied when the Access Request Form is submitted.
- 10.3.5 The Deputy Information Officer will withhold a record until the requester has paid the fees as indicated. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the requested form.
- 10.3.6 If a deposit has been paid in respect of a request for access, which is refused, then the Deputy Information Officer will repay the deposit to the requester.

10.4 **Request fee**

An initial "request fee" is payable on submission of the Access Request Form. The prescribed fee is set out in **Annexure A** (or as amended from time to time in terms of PAIA). Note that the requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the request fee.

10.5 **Access fee**

If the request for access is successful, an access fee must be paid. This fee is for the search, reproduction and/or preparation of the record(s). The access fee will be calculated based on the prescribed fees set out in **Annexure A** (or as amended from time to time in terms of PAIA). Note that the requester may lodge

a complaint to the Information Regulator or an application with a court against the tender or payment of the access fee.

10.6 Deposit

If the search for, and the preparation of, the record for disclosure would, in the opinion of the Deputy Information Officer, require more than 6 hours, the requester may be required to pay as a deposit one third of the access fee (the fee which will be payable if the request is granted) or such deposit as may be prescribed by PAIA from time to time. Note that the requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the deposit. If a deposit has been paid in respect of a request for access which is subsequently refused, then the Deputy Information Officer must refund the deposit to the requester. The requester must pay the prescribed fee before any processing, or any further processing, can take place.

10.7 Notification of decision

10.7.1 The Deputy Information Officer will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.

10.7.2 The 30-day period, within which Galderma has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the information cannot reasonably be obtained within the original 30 day period. For example, the time period may be extended if the request is for a large amount of information, or the request requires Galderma to search for information held at another office of Galderma.

10.7.3 The Deputy Information Officer will notify the requester in writing should an extension be required. The requester may lodge a complaint to the Information Regulator or an application with a court against the extension.

11. REMEDIES AVAILABLE WHEN ACCESS TO A RECORD IS REFUSED

11.1 Internal remedies

Galderma does not have internal appeal procedures. The decision made by the Deputy Information Officer is final. Requesters who are dissatisfied with a decision of the Deputy Information Officer will have to exercise the available external remedies at their disposal.

11.2 External remedies

11.2.1 All complaints, by a requester or a third party, can be made to the Information Regulator or a court, in the manner prescribed below.

11.2.2 Complaints to the Information Regulator:

11.2.2.1 The requester or third party, as the case may be, may submit a complaint in writing to the Information Regulator, within 180 days of the decision, alleging that the decision was not in compliance with the provisions of PAIA (or such other period as may be prescribed by PAIA from time to time).

11.2.2.2 The Information Regulator will investigate the complaint and reach a decision - which may include a decision to investigate, to take no further action or to refer the complaint to the Enforcement Committee established in terms of POPIA.

11.2.2.3 The Information Regulator may serve an enforcement notice confirming, amending or setting aside the impugned decision, which must be accompanied by reasons.

11.2.3 Application to court:

11.2.3.1 An application to court may be brought in the ordinary course. For purposes of PAIA, any reference to an application to court includes an application to a Magistrates' Court.

12. UPDATING OF THE MANUAL

Galderma will, on a regular basis, update this manual in accordance with all updates from the Minister or the Information Regulator.

ANNEXURE A: PRESCRIBED FEES

Please note:

Galderma is a registered VAT vendor under the Value Added Tax Act, 1991 and will add VAT to all the above mentioned fees.

The fees set out in this Manual are for information purposes. These prescribed fees may be amended or updated from time to time, by law or regulation.

Request Fees

Where a requester submits a request for access to information held by Galderma regarding a person other than the requester himself/herself, the request fee is payable up-front before Galderma will further process the request received.

The “request fee” payable by a requester, other than a personal requester, referred to in section 54(1) of PAIA is R50,00 (or such adjusted amount as may be prescribed by PAIA from time to time).

Access and Reproduction Fees

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of section 54(8) of PAIA.

Where Galderma has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records will be a fee for reproduction of the record in question.

The applicable access fees which will be payable are:

Access to Information fees	Fees to be charged
For every photocopy of an A4 page or part thereof	R1,10
For every printed copy of an A4 page or part thereof	R0,75
For a copy in a computer readable form:	
On a Compact Disc (CD)	R70,00
Transcription of visual images per A4 page or part thereof	R40,00
Copy of a visual image	R60,00
Transcription of an audio recording per A4 page or part thereof	R20,00
Copy of an audio recording	R30,00
Search and preparation of the record of disclosure	R30,00 per hour or part thereof excluding the first hour.

The applicable reproduction fees which will be payable are:

Reproduction of Information fees	Fees to be charged
For every photocopy of an A4 page or part thereof	R1,10
For every printed copy of an A4 page or part thereof	R0,75
For a copy in a computer readable form:	
On a Compact Disc (CD)	R70,00
Transcription of visual images per A4 page or part thereof	R40,00
Copy of a visual image	R60,00
Transcription of an audio recording per A4 page or part thereof	R20,00
Copy of an audio recording	R30,00
Search and preparation of the record of disclosure	R30,00 per hour or part thereof excluding the first hour.
Where a copy of a record needs to be posted, that actual postage fee is payable.	

Deposits

Where Galderma receives a request for access to information held on a person other than the requester himself/herself and the Deputy Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 hours, a deposit is payable to the requester. The amount of the deposit will be equal to one-third (1/3) of the amount of the applicable access fee.

ANNEXURE B: PRESCRIBED FORM TO REQUEST ACCESS TO A RECORD

REQUEST FOR ACCESS TO RECORD OF GALDERMA LABORATORIES SOUTH AFRICA (PTY) LTD *Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)*

A. PARTICULARS OF PRIVATE BODY

The Deputy Information Officer: Janine Nanda Troskie

Postal Address: P.O. Box 71150 Bryanston, 2021

Telephone Number: +27 11 706 2339

E-mail: info.sa@galderma.com

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 (original ID document must be produced).*

(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 (original ID of requester and patient required as well as proof of consent of patient)

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

1. If the record is in written or printed form:			
<input type="checkbox"/>	Copy of record*	<input type="checkbox"/>	Inspection of record
2. If record consists of visual images: (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
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	Listen to the sound track (audio cassette)	<input type="checkbox"/>	Transcription of sound track* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	Printed copy of record*	<input type="checkbox"/>	Printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	Copy in computer readable form* (compact disc)
*If you requested a copy or transcript of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			<input type="checkbox"/> YES <input type="checkbox"/> 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.

4. Indicate which right is to be exercised or protected.

5. 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 of _____ 20_____

**SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE**