



**FERRING (PTY) LTD**

[Registration Number 1995/009481/07]

("Ferring")

INTRODUCTION

The Promotion of Access to Information Act 2 of 2000 ("the Act") was promulgated in March 2001. The Act was put in place to actively promote a society that will advance the values of transparency and accountability.

One of the main requirements of the Act is that the private body compile an information manual, in terms of section 51, which provides information on both the types and categories of records held by a private body.

This document serves as the manual of Ferring in compliance with the requirements of the Act.

A copy of this manual can be inspected at the offices of the South African Human Rights Commission ("SAHRC"), the Ferring office in Pretoria and is also available on the company's website.

COMPANY OVERVIEW

Ferring is a 100% fully owned subsidiary of Ferring BV located in The Netherlands. Ferring in South Africa is responsible for all Marketing and Sales activities of mainly Ferring products in South Africa and various other Sub-Saharan African countries.

CONTACT DETAILS

The responsibility of all operational and other activities for Ferring South Africa is the responsibility of the appointed General Manager. Requests pursuant to the provisions of the Act should therefore be directed as follows:

|                   |  |
|-------------------|--|
| Contact Person:   | Mrs Martha Johanna van Zyl   |
| Postal Address:   | P.O. Box 14358<br>Clubview<br>0014   |
| Physical Address: | Route 21 Corporate Park<br>6 Regency Drive<br>Irene X30<br>Gauteng, South Africa |
| Telephone:        | +27 12 345 6357  |
| Fax:              | +27 12 345 1156  |
| Email:            | <a href="mailto:mvz@ferring.com">mvz@ferring.com</a>                             |
| Website:          | <a href="http://www.ferring.co.za">www.ferring.co.za</a>                         |

A handwritten signature in black ink, followed by the date "2014/5/30".

**Directors: Dr AC MacIntyre (Australian) Mr GJ van Vuuren (South African)**  
**Route 21, Corporate Park, 6 Regency Drive, IRENE X 30. PO Box 14358, Clubview, 0014**  
**+27 12 345 6358 (T) +27 12 345 6361 (F)**  
**Ferring (Pty) Ltd - Registered in South Africa Number 1995/009481/07**  
**VAT NO: 4570171043**

*Section 51(1) (a)*

SAHRC GUIDE

The SAHRC have compiled a guide, in terms of section 10 of the Act, on how to use the Act. The guide is available for inspection through any of the following channels:

The South African Human Rights Commission:  
PAIA Unit

Postal Address: Private Bag 2700  
Houghton  
2041

Physical Address: 29 Princess of Wales Terrace  
Cnr York and St. Andrews Street  
Parktown

Telephone: +27 11 484 8300  
Fax: +27 11 484 0582  
Email: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)

*Section 51(1) (b)*

AUTOMATIC DISCLOSURE

We do not hold any information that is available for general public access.

*Section 51(1) (c)*

LEGISLATIVE RECORDS

Records are held in accordance with the following legislation:

- Accounting and Finance
  - Income Tax Act 58 of 1962
  - Value Added Tax Act 89 of 1991
- Human Resources
  - Basic Conditions of Employment Act 75 of 1997
  - Employment Equity Act 55 of 1998
  - Skills Development Act 97 of 1997
  - Skills Development Levy Act 9 of 1999
  - Unemployment Insurance Act 63 of 2001
  - Workmen's Compensation Act 30 of 1941
  - Labour Relations Act 66 of 1995
  - Unemployment Insurance Contributions Act 4 of 2002
- Company Secretarial and Administration
  - Companies Act 61 of 1973 (outgoing)
  - Companies Act 71 of 2008
- Safety
  - Occupational Health and Safety Act 85 of 1993
  - Compensation for Occupational Injuries and Disease Act 130 of 1993



2014/5/30

## LEGISLATIVE RECORDS (continued)

- Pharmaceutical Compliance
  - Health Act 63 of 1977
  - Health Professions Act 56 of 1974
  - Medical Schemes Act 131 of 1998
  - National Health Act 61 of 2003
  - Pharmacy Act 53 of 1974
  - Medicines and Related Substances Act 101 of 1965
  - Consumer Protection Act 68 of 2008

Please note that while we have made every effort to identify all pertinent legislation, we cannot guarantee that all legislation has been included. Should you be aware of any specific legislation that should be included and which has been omitted, please contact the responsible person indicated in this document. Your assistance in this regards will be appreciated.

### *Section 51(1) (d)*

## RECORDS HELD

Our records can be found in various forms including electronic and paper. In terms of the Act, access must be granted irrespective of form or medium.

- Accounting and Finance
  - Accounting records
  - Annual Financial Statements
  - Agreements
  - Banking records
  - Invoices and Statements
  - Management Reports
  - Budgets
  - Tax Records and Returns
  - Statistics SA Returns
  - Internal Audit Records
  - General Correspondence
  - Financial Policies and Procedures
- Human Resources
  - Accounting and Payroll Records
  - BEE Statistics
  - Career Development Records
  - Performance Management Records
  - Personnel Information
  - General Terms of Employment
  - Letters of Employment
  - Leave Records
  - PAYE Records and Returns
  - Returns to UIF
  - Retirement Benefit and Medical Aid Records
  - Policies and Procedures
  - General Correspondence
- Learning and Education
  - Training Material
  - Training Records

## RECORDS HELD (continued)

- Company Secretarial and Administration
  - Applicable statutory documents such as, but not limited to, certificates of incorporation and certificates to commence business
  - Annual Reports

  
2014/5/30

- Memorandum and Articles and Association
- Share Registers
- Statutory Returns to Relevant Authorities
- Share Certificates
- Meeting Minutes
  
- Pharmaceutical Compliance
  - Technical Agreements
  - Site Master File
  - Medical Dossiers for Registered Products
  - Standard Operating Procedure policies
  
- Marketing and Communication
  - Proposal Documents
  - New Business Development
  - Marketing Strategies
  - Agreements
  - Marketing Brochures
  
- Information Management and Technology
  - Contracts and Agreements
  - Equipment Register
  - Information Policies, Standards and Guidelines

*Section 51(1) (e)*

**REQUEST FOR ACCESS**

It is important for the requester to note that even with the successful completion and submission of the access request form, access to certain records may be denied based on the grounds set out in the Act.

- Completion of Access Request Form  
The procedures set out below should be followed in order to facilitate a timely response to requests for access;
  - The access request form must be completed in full
  - Proof of identification must accompany the request form
  - Every question should be answered in typed or written BLOCK LETTERS
  
- Submission of Access Request Form  
The completed form together with a copy of the identity document must be submitted either via conventional mail, email or fax and must be addressed to the responsible person indicated above.

The fee is not applicable to personal requesters, referring to any person seeking access to records that contain their own personal information.

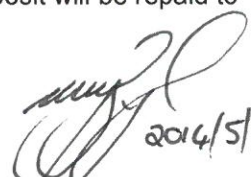
An initial requester fee is payable on submission. The fee is in terms of the fee structure on the website of the Department of Justice and Constitutional Development ([www.doj.gov.za](http://www.doj.gov.za)) under the "Regulations" section.

**REQUEST FOR ACCESS** (continued)

- Payment of Fees  
Payment details can be obtained from the contact person indicated above. Payments can be made by direct deposit only and proof of payment must be supplied. It should be noted that the access fee must be paid prior to access being given to the requested record.

If the request is successful an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the prescribed fees.

If a deposit was paid for a request to access of a record that was denied, the deposit will be repaid to the requester.

  
2014/5/30



## Section 51(1) (e)

### ACCESS REQUEST PROCEDURE

Ferring 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.

The 30 days decision making period indicated above, may be extended by Ferring for a further 30 days should the information requested not be readily available and require an extended time period for Ferring to acquire the information from another Ferring office or due to the request being for a large volume of information. Ferring will advise the requester of the delay in writing should this be necessary.

## Section 51(1) (e)

### GROUND FOR REFUSAL OF ACCESS TO RECORDS

Access may be refused under limited circumstances including:

- Protecting personal information that we (Ferring) hold about a third person (who is a natural person) from unreasonable disclosure;
- Protecting commercial information that we hold about a third party (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
- If disclosure would result in a breach of a duty of confidence owed to a third party;
- If disclosure would jeopardize the safety or life of an individual;
- If disclosure would prejudice or impair the security of property or means of transport;
- If disclosure would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- If disclosure would prejudice or impair the protection of the safety of the public;
- The record is privileged from production in legal proceedings unless the privilege has been waived;
- If the record is a computer programme;
- Disclosure of the record will put Ferring at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of Ferring; and
- Records containing information about research being carried out or about to be carried out on behalf of a third party or Ferring.

## Chapter 4

### FEES

There are two basic types of fees applicable in terms of the Promotion of Access to Information Act – “request” and “access” fees. The non-refundable request fee (currently R 57.00 inclusive of VAT) is payable on submission of the request for access to a record (unless the request is personal in which event there is no applicable fee) and the access fee is payable prior to the actual gaining of access to the records in the required form. The applicable fees are prescribed in terms of Part III of Annexure A as identified in Government Notice Number 187, Regulation 11.

### REQUEST FOR ACCESS TO INFORMATION ABOUT THIRD PARTIES

If you request access to a record that contains information about a third party, we are obliged to attempt to contact this third party to inform them of the request and to give them an opportunity to respond by either consenting to the access or by providing reasons why the access should be denied. In the event that the third party furnishes reasons for the support or denial of access, our General Manager will consider these reasons in determining whether access should be granted. You may appeal against a refusal of access by our General Manager. Please refer to Part 4 of the Promotion of Access to Information Act for further details on the Appeal Process.



2014/5/30

## 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

Request can be submitted either via conventional mail, email or fax and should be addressed to the relevant person as indicated below:

**FERRING (PTY) LTD**

**Contact person:** Mrs Martha Johanna van Zyl

**Postal address:** P.O. Box 14358, Clubview, 0014

**Physical address:** Route 21 Corporate Park, 6 Regency Drive, Irene X30

**Phone number:** +27 12 345 6358

**Fax number:** +27 12 345 1156

**Email:** [mvz@ferring.com](mailto:mvz@ferring.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.                |
| (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 <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> person. |
|--|

Full names and surname:

Identity number:

### D. Particulars of record

- |     |  |
|-----|--|
| (a) | Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. |
| (b) | If the provided space is inadequate, please continue on a separate folio and attach it to this form.<br>The requester must sign all the additional folios.       |

30/5/2014  


- 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 |
| Mark the appropriate box with an X.  |                                  |
| <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 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 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   |                          |   |     |    |

 2014/5/30

**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.

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

Signed at ..... this ..... day of ..... 2014

SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS MADE

Ensure that:

- All necessary spaces have been completed
- The access request form must be signed
- Sign additional folios completed

The following must be sent with this application:

- The request fee (if not personal requester)
- Any additional folios that have been completed
- Copy of identity document

**PRESCRIBED FEE**

Refer to the SAHRC website (<http://www.sahrc.org.za/home/21/files/FEES.pdf>) for the most up to date fee structure.

 2014/5/30