



PFIZER LABORATORIES (PTY) LTD

MANUAL IN TERMS OF

SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION
ACT 2000 (PAIA)

AND

THE PROTECTION OF PERSONAL INFORMATION ACT, 2013
(POPIA)

Contents

1	Introduction	2
2	Contact details of the information officer of Pfizer (section 51(1)(a)(i)).....	2
3	PAIA Guide of the Information Regulator / South African Human Rights Commission (section 51(1)(b)(i)).....	3
4	Notice in terms of section 52(2) of PAIA (section 51(1)(b)(ii)).....	3
5	Records available in terms of other legislation (section 51(1)(b)(iii))	3
6	Subjects and categories of records held by Pfizer (section 51(1)(b)(iv))	4

7	Procedure for request for access to information (section 51(1)(b)(iv)).....	8
8	POPIA - Purpose of processing of information (section 51(1)(c)(i)).....	8
9	POPIA - Description of the categories of data subjects and information or categories of information (section 51(1)(c)(ii)	9
10	POPIA - Recipients or categories of recipients to whom personal information may be supplied (section 51(1)(c)(iii).....	9
11	POPIA - Planned trans-border flows of personal information (section 51(1)(c)(iv)).....	10
12	POPIA - Data protection (section 51(1)(c)(v))	10
13	Prescribed fees.....	10

1 Introduction

- 1.1 Pfizer Laboratories (Pty) Ltd (**Pfizer, we, us or our**) is engaged in research into, the manufacture of, and the supply of, medicines and related products in the pharmaceutical field. Pfizer is an indirectly held subsidiary of Pfizer Inc. which is incorporated in the United States of America.

2 Contact details of the information officer of Pfizer (section 51(1)(a)(i))

Information Officer	Selapeng Chriscentia Maledimo
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Registered Address	85 Bute Lane Sandton 2196 South Africa
Postal address	Pfizer P.O Box 783720 Sandton 2146 South Africa
Telephone number	011 320 6000
Fax number	n/a
Email address	SouthAfricaInformationOfficer@pfizer.com
Website	https://www.pfizer.co.za

3 PAIA Guide of the Information Regulator / South African Human Rights Commission (section 51(1)(b)(i))

- 3.1 PAIA makes provision for access to information and records of a private body if the record is required for the exercise and protection of any rights. If a public body requests access to a record of a private body for the exercise or protection of any rights, other than its rights, the public body must be acting in the public interest.
- 3.2 Requests in terms of PAIA are to be made in accordance with the prescribed procedures, at the fees provided.
- 3.3 Section 10 of PAIA requires that the Information Regulator update and make available the PAIA guide compiled by the South African Human Rights Commission. The guide contains information required by a person wishing to exercise any right, contemplated by PAIA. The Guide is currently available for inspection on the South African Human Rights Commission website at <https://www.sahrc.org.za/index.php/understanding-paia>.
- 3.4 Any enquiries should be directed to:

The Information Regulator (South Africa)
Address: JD House, 27 Stiemens Street Braamfontein Johannesburg
Postal address: P O Box 31533, Braamfontein, Johannesburg
Email: PAIACompliance.IR@justice.gov.za

4 Notice in terms of section 52(2) of PAIA (section 51(1)(b)(ii))

- 4.1 At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.
- 4.2 Note that certain records are freely available on the Pfizer website, including, but not limited to, a description of some of the services offered by Pfizer and certain policies.

5 Records available in terms of other legislation (section 51(1)(b)(iii))

- 5.1 Pfizer retains records and documents in terms of the following legislation:

- (1) Companies Act 61 of 1973:
 - a. All documents of incorporation of Pfizer are lodged at the offices of the Registrar of Companies, and may be inspected there. These documents include the memorandum and articles of association of Pfizer, as well as all relevant company forms.
 - b. The register of members and registers of transfers (of members), pledges and bonds of Pfizer are available for inspection at the registered office of Pfizer.
 - c. Special resolutions are lodged with the Registrar of Companies, and are therefore available for inspection there.
 - d. A register of the directors/ and officials' interests in contracts entered into by Pfizer is kept at the registered office of Pfizer, and is available for inspection.
- (2) Pension Funds Act 24 of 1956:
 - a. The rules of the retirement funds used by Pfizer, as well as the last revenue account and balance sheet of such funds, are available for inspection at the offices of the Registrar of Pension Funds.
- (3) Employment Equity Act 55 of 1998:
 - b. As a designated employer, Pfizer has lodged a copy of its employment equity report at the Department of Labour.

5.2 It is possible that the above list may be incomplete.

6 Subjects and categories of records held by Pfizer (section 51(1)(b)(iv))

6.1 Companies Act records

- (1) Records kept in terms of the Companies Act, 1973 and 2008, including: memorandum and articles of association / memorandum of incorporation, records relating to appointment of directors/auditor/secretary/public officer and other officers, share register and other statutory registers, asset register, shareholders' agreements, power of attorney agreements, minute books.

6.2 Financial records

- (1) Annual financial statements, tax returns, accounting records, details of auditors, invoices in respect of both suppliers and customers, other banking records, documents issued to employees for income tax purposes, records of payments made to SARS, all other statutory records including VAT records, regional services levies, skills development levies and UIF payments.

6.3 Human Resources and Payroll

- (1) Accounting & Payroll Records
- (2) Salaries Records
- (3) Personnel files
- (4) List of employees
- (5) Expenditure or reimbursement agreements with directors of Pfizer

- (6) Documents relating to employee benefits
- (7) Compensation or redundancy payments
- (8) Documents and information in respect of share incentive scheme or trust
- (9) Collective and recognition agreements with trade unions
- (10) Employment equity plan of Pfizer
- (11) General Terms of Employment
- (12) Letters of Employment
- (13) Leave Records
- (14) PAYE Records and Returns
- (15) Performance Management Records
- (16) Disciplinary records and documentation pertaining to disciplinary proceedings
- (17) Pension and provident funds
- (18) Policies and Procedures
- (19) Returns to UIF
- (20) VAT

6.4 Medical products, including research and scientific or technical information

- (1) Product registration records and dossiers
- (2) Clinical trial data pertaining to the pharmaceutical business of Pfizer
- (3) Research reports prepared by Pfizer
- (4) Other documentation pertaining to research conducted by Pfizer
- (5) Other scientific and / or technical information in the possession of Pfizer
- (6) Information held in terms of legislation pertaining to medical health

6.5 Leased line agreements

- (1) SITA agreements
- (2) Other documentation pertaining to computer systems and computer programs held by Pfizer

6.6 Information Technology

- (1) Computer software support and maintenance agreements
- (2) Computer software licence agreements
- (3) Agreements in respect of computer hardware used by Pfizer

- (4) Agreements with Internet Service Providers, and other telecommunications entities
- 6.7 Intellectual Property
- (1) Licences relating to intellectual property rights, including royalty agreements in respect of raw materials used by Pfizer
 - (2) Other agreements relating to intellectual property rights
- 6.8 Permits
- Licences, material permits, consents, approvals, authorisations and certificates
- (1) Applications for permits, licences etc.
 - (2) Registration and declarations of permits
- 6.9 Marketing and Communication
- (1) New Business Development
 - (2) Marketing Strategies
 - (3) Communication Strategies
 - (4) Client contact details
 - (5) Client Contracts
 - (6) Client Business Information
 - (7) Proposal and Tender Documents
 - (8) Commercial Contracts
 - (9) Media releases
 - (10) Newsletters
- 6.10 Insurance records
- (1) Insurance policies taken out in respect of group life
 - (2) Insurance policies taken out in respect of assets of Pfizer
- 6.11 Immovable and movable property
- (1) Title deeds of land owned by Pfizer
 - (2) Agreements for the lease or sale of land and / or other immovable property owned by Pfizer
 - (3) Agreements for the lease or sale of movable property by Pfizer
 - (4) Mortgage bonds, liens, notarial bonds or security interests of property
 - (5) Credit sale agreements and / or hire purchase agreements
 - (6) Other agreements for the purchase, ordinary sale, conditional sale of hire of assets

6.12 Electronic database of information held by Pfizer

Documents pertaining to accounting records of Pfizer

- (1) Sales data
- (2) Inventory of products
- (3) Price lists for products produced by Pfizer
- (4) Information in respect of Pfizer's payroll
- (5) Electronic territory management systems records
- (6) Adverse events reporting

6.13 Secretarial and governance

- (1) Codes of conduct
- (2) Meetings of minutes
- (3) Legal records
- (4) Policies and procedures
- (5) Strategic plans

6.14 Miscellaneous agreements of Pfizer

- (1) Loans from third parties
- (2) Distribution agreements with agents in respect pharmaceutical products
- (3) Marketing agreements and co-promotion agreements
- (4) Standard conditions of business and standard-form contracts
- (5) Agreements in terms of which Pfizer is a member of joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity to which Pfizer is a party
- (6) Agreements with suppliers of Pfizer
- (7) Agreements with customers of Pfizer
- (8) Confidentiality and/or non-disclosure agreements
- (9) Any other agreements

6.15 Overseas interest and investments of Pfizer

- (1) Agreements with the foreign holding company of Pfizer, or with other companies in the same group of companies to which Pfizer belongs
- (2) Agreements with other foreign entities
- (3) Documents pertaining to overseas interests and investments

6.16 Environmental records

- (1) Environmental impact assessments and documents pertaining to studies conducted in this regard
- (2) Agreements pertaining to environmental issues
- (3) Policy of Pfizer regarding environmental issues

6.17 Third party records

6.18 Client related records

The above list is not exhaustive and may change over time. When this happens, we will update this manual.

7 Procedure for request for access to information (section 51(1)(b)(iv))

7.1 The requester must complete Form 2 in terms of Regulation 7 to PAIA, enclosed herewith as Appendix A and submit this form together with a request fee, to Pfizer's information officer.

7.2 The form must be submitted to Pfizer's information officer at his/ her address, or electronic mail address.

7.3 The requester must provide sufficient details to enable Pfizer to identify:

- (1) the record(s) requested;
- (2) the requester (and if an agent is lodging the request, proof of capacity);
- (3) the form of access required;
- (4) the postal address or fax number of the requester in the Republic;
- (5) if the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof; and
- (6) the right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

8 POPIA - Purpose of processing of information (section 51(1)(c)(i))

8.1 Pfizer uses personal information under its care in the following ways:

- (1) Rendering services according to contractual agreements;
- (2) Marketing and advertising (where appropriate);
- (3) Administration;
- (4) Staff administration;
- (5) Recruitment;
- (6) Security purposes;
- (7) Keeping accounts and records;
- (8) Compliance with tax laws / fulfilling its statutory obligations in terms of applicable legislation; and

- (9) Historical record keeping / recording statistics necessary to fulfil Pfizer's business objectives.

9 POPIA - Description of the categories of data subjects and information or categories of information (section 51(1((c)(ii)))

9.1 Categories of data subjects:

- (1) Suppliers;
- (2) Service providers;
- (3) Clients;
- (4) Healthcare providers;
- (5) Directors and officers within Pfizer;
- (6) Shareholders;
- (7) Job applicants;
- (8) Existing and former employees (including contractors, agents and temporary employees);
- (9) Visitors to any premises of Pfizer.

9.2 Nature of the personal information processed in respect of the above data subjects, includes, in relation to:

- (1) Natural persons: name, gender, medical information, pregnancy, marital status, race, age, date of birth, language, education information, financial information, employment history, identity number, physical and postal addresses, contact details, criminal behaviour, disability, personal opinions, views, views and opinions of another individual about the data subject.
- (2) Juristic persons / entities: names of contact persons, name of legal entity, physical and postal addresses, contact details, registration number, founding documents, tax related information, authorised signatories and financial information.
- (3) Service providers: names of contact persons, name of legal entity, physical and postal addresses, contact details, registration number, founding documents, tax related information, authorised signatories, and financial information.

10 POPIA - Recipients or categories of recipients to whom personal information may be supplied (section 51(1((c)(iii)))

10.1 Pfizer may supply personal information to the following recipients:

- (1) Within Pfizer;
- (2) Regulatory, statutory and government bodies;
- (3) Service providers;
- (4) Suppliers;

- (5) Professional advisors;
- (6) Employees of Pfizer;
- (7) Shareholders and other stakeholders;
- (8) A potential acquirer of Pfizer or any of its divisions as part of a due diligence process; and
- (9) Banks and other financial institutions.

Disclosures will be made subject to applicable law. We require all third parties to respect the security of your personal data and to treat it in accordance with the law.

11 POPIA - Planned trans-border flows of personal information (section 51(1)(c)(iv))

- 11.1 Pfizer intends to transfer personal information, subject to applicable law, to third parties in other countries who provide us with data hosting services on foreign cloud-based servers. We require such third parties to adhere to applicable law in respect of such cross-border transfer of personal information, and to respect the security of your personal information and to treat it in accordance with the law.
- 11.2 As part of an international group, we may sometimes have to send personal information to other countries for the purposes of fulfilling our contractual obligations or to meet business needs. If this is the case, we require that all third parties undertake to protect your personal information to the same level that we do.

12 POPIA - Data protection (section 51(1)(c)(v))

- 12.1 General description of information security measures:
 - (1) Pfizer has established and maintains appropriate, reasonable technical and organisational measures to ensure the integrity of personal information in its care and control, and to ensure that such personal information is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements of POPIA.
 - (2) Pfizer utilises up to date technology to ensure the confidentiality, integrity and availability of personal information, measures used include:
 - c. Firewalls;
 - d. Virus protection software and update protocols;
 - e. Appropriate access control; and
 - f. Secure setup of hardware and software forming the IT infrastructure.

13 Prescribed fees

- 13.1 A requestor is required to pay the prescribed fees before a request will be processed.
- 13.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit must be paid (of not more than one third of the access fee which would be payable if the request were granted).

- 13.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- 13.4 The fee structure is available in the regulations to PAIA, or the website of The Department of Justice and Constitutional Development (under regulations) at <https://www.justice.gov.za/paia/paia-faq.htm>

APPENDIX A

REQUEST FOR ACCESS TO RECORD

(Section 53(1) of the Promotion of Access to Information Act, 2000)
(Regulation 7)

Note:

- *Proof of identity must be attached by the requester.*
- *If a request is made on behalf of another person, proof of such authorisation must be attached to this Form*

A. Particulars of Responsible Party

For the attention of the: Information Officer

85 Bute Rd
Sandown
Sandton
2196

Email: SouthAfricaInformationOfficer@pfizer.com

Tel: (011) 320 6201

B. Particulars of person requesting access to the record

Full names and surname: _____

Identity number: _____

Postal address: _____

Street address: _____

Telephone number: _____

Cellular number: _____

Email address: _____

Capacity in which request is made:

Request is made in my own name

Request is made on behalf of another person

Full names of person on whose behalf request is made (if applicable):

C. Particulars of person on whose behalf request is made (data subject)

This section must be completed ONLY if a request for information is made on behalf of another person.

Identity number: _____

Postal address: _____

Street address: _____

Telephone number: _____

Cellular number: _____

Email address: _____

D. Particulars of record requested

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.

Description of the record or relevant part of the record: _____

Reference number if available: _____

Any further particulars of the record: _____

E. Type of record

- Record is in written or printed form
- Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)
- Record consists of recorded words or information which can be reproduced in sounds

- Record is held on a computer or in an electronic, or machine-readable form

F. Manner of access

- Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)
- Postal services to postal address
- Postal services to street address
- Courier service to street address
- Facsimile of information in written or printed format (including transcriptions)
- Email of information (including soundtracks if possible)
- Cloud share/file transfer

Preferred language: _____

(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)

G. Particulars of rights to be exercised

Indicate which right us to be exercised: _____

Explain why the record requested is required for the exercise or protection of the aforementioned right: _____

H. Fees

A request fee must be paid before the request will be considered. You will be notified of the amount of the access fee to be paid. 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: _____

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

- Postal
- Facsimile
- Electronic communication (please specify): _____

Signed at _____ this _____ day of _____ 20____.

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