



**1984/005576/07**

**ALLERGAN PHARMACEUTICALS (PTY) LIMITED**

**MANUAL**

**in terms of**

**Section 51 of**

**The Promotion of Access to Information Act (PAIA Act)**

**2/2000**

**(the "ACT")**

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## **1. INTRODUCTION**

On 9 March 2001, the Promotion of Access to Information Act, No.2 of 2000 (“the Act”) became operative, giving effect to the constitutional right to access information as contained in section 32(2) of the Bill of Rights which provides for the right of access to information held by the State and to information held by another person or entity, where such information is required by someone to protect his/her rights. The Act seeks to promote the values of transparency and accountability.

The Act establishes certain statutory rights of requesters to any record of a private body if:

- That record is required for the exercise of any of his or her legal rights;
- That requester complies with all the procedural requirements; and
- Access is not refused in terms of any ground referred to in the Act.

One of the main requirements specified in the Act, is the compilation of an information manual that provides information on both the types and categories of records held by a private body.

## **2. PURPOSE OF THE MANUAL**

This manual is published in terms of Section 51 of the Act and provides the members of the public the categories of information held by Allergan and which may, subject to the grounds of refusal listed in the Act, be disclosed after evaluation of access application made in terms of the Act.

## **3. ABOUT ALLERGAN**

In South Africa, Allergan trades as Allergan Pharmaceuticals (Pty) Ltd (Allergan SA). The local commercial business is located in Midrand and manages three portfolios, namely Medical Aesthetics, Ophthalmology and Speciality Care.

Allergan plc (NYSE: AGN), headquartered in Dublin, Ireland, is a global pharmaceutical company and a leader in a new industry model Growth Pharma. Allergan is focused on developing, manufacturing and commercializing branded pharmaceuticals, devices and biologic products for patients around the world.



Allergan markets a portfolio of leading brands and best-in-class products for the central nervous system, eye care, medical aesthetics and dermatology, gastroenterology, women's health, urology and anti-infective therapeutic categories.

Further general information about Allergan SA, its operations and activities can be obtained from the websites [www.allergan.com](http://www.allergan.com) and [www.allergan.co.za](http://www.allergan.co.za).

This manual serves to inform members of the public of the nature of the information Allergan SA holds, and which may, subject to the grounds of refusal listed in PAIA, be disclosed after evaluation of an access application being made in terms of PAIA.

#### **4. AVAILABILITY OF THIS MANUAL**

A copy of this manual is available to the public for inspection on the Allergan SA website at [www.allergan.co.za](http://www.allergan.co.za). The manual is further available for viewing as a hard copy at the office of the Company Secretary at our offices situated at Allandale Building, 2<sup>nd</sup> Floor, Magwa Crescent (West), Waterfall City, Jukskei, 2090.

A copy of this manual will also be available from the South African Human Rights Commission ("SAHRC") at the addresses and/or telephone numbers as published by the Commission or once the Protection of Personal Information Act, 2013 ("POPI Act") comes into effect, from the Information Regulator: <http://www.justice.gov.za/inforeg/about.html>

This Manual will be updated, as and when required and will be available to the Information Regulator and any person upon request and payment of prescribed amount.

#### **5. INFORMATION OFFICER (SECTION 51(1)(a) – Contact person**

##### **Our Information Officer is: The Company Secretary (duly delegated)**

Postal Address: P.O. Box 6024, Halfway House 1685, South Africa

Street Address: Allandale Building, 2<sup>nd</sup> Floor, Magwa Crescent (West), Waterfall City, Jukskei, 2090, South Africa

Telephone: 011 545 6601

E-mail : [Olivia.Serithi@allergan.com](mailto:Olivia.Serithi@allergan.com)



## **6. HUMAN RIGHTS COMMISSION GUIDE (SECTION 51(1)(b))**

The South African Human Rights Commission, (“SAHRC”) has launched a Guide on how to use Access to Information Legislation in terms of section 10 of PAIA, which is available in eleven official languages and has been distributed to public bodies by the SAHRC and can be accessed at those public bodies and on the SAHRC website set out above.

Further information relating to PAIA is available from the SAHRC at:

Private Bag X2700

Braampark Forum 3

Houghton

33 Hoofd Street

2041

Braamfontein

Tel: 011 877 3600

Provincial SAHRC offices are based in all nine provinces, the details of which are available on the following website: <http://www.sahrc.org.za/>

More information on PAIA and the regulations in relation thereto (which includes the fees that can be charged to Requesters of information), are also available on the Department of Justice’s website: <http://www.justice.gov.za/paia/paia.htm>

## **7. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC (SECTION 51(1)(c))**

The following categories of information are automatically available for public inspection, printing and photocopying. It is not necessary to request this information in terms of the Act and it may be obtained by going onto our website or contacting the Information Officer:

- Public status records as kept by the Companies and Intellectual Property Commission of South Africa;
- The following information about Allergan SA can be accessed on [www.allergan.co.za](http://www.allergan.co.za) and [www.allergan.com](http://www.allergan.com)
  - About Allergan
  - For Investor information: [www.allergan.com](http://www.allergan.com)
  - For information regarding company performance: [www.allergan.com](http://www.allergan.com)
  - Contact details, and
  - Legal notices.

## **8. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION (SECTION 51(1)(d))**

Certain legislation provides that private bodies shall allow certain persons access to specified records, upon request. Records are available in terms of the legislation detailed in **Annexure 3** to this manual (as amended from time to time).

Note that the information will only be provided in accordance with the requirements stipulated in the relevant pieces of legislation. If a requester believes that a right to access to a record exists in terms of the legislation above, or any other legislation, the requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.

## **9. RECORDS HELD BY ALLERGAN AND RELATED CATEGORIES OF DATA SUBJECTS**

We hold records in the categories listed below in relation to categories of the data subjects listed accordingly, which is non-exhaustive. The list is provided to help the requester to gain a better understanding of our main business.

The fact that we list a record type does not necessarily mean that we will disclose such record(s), and all access is subject to the evaluation processes outlined herein, which will be exercised in accordance with the requirements of the Act. Information in our possession may belong to third party entities, such as our holding company, our suppliers, clients and consumers, patients/consumers, and our trade associations. In such case we might not be able to provide the requested information.

**Internal Records relating to our business**, which includes business's founding and incorporation (memorandum of incorporation, director appointments, other documents such as director, auditor, secretary appointment or termination), share register and other statutory registers, public officer, minutes and policies, annual and other reports, operational records, policies and procedures, contracts, licences, trademarks and other intellectual property records, production, sales and marketing records, pricing records, other internal policies and procedures, internal correspondence, statutory records, records relating to partnerships, joint ventures and co-marketing agreements, etc.



**Allergan SA Financial Records** which includes Annual Financial Statements, Tax Returns, accounting Records, Asset Register, rental agreements, and invoices.

**Income Tax Records** which includes: PAYE records, documents issued to employees for income tax purposes, records of payments made to SARS on behalf of employees; All other statutory compliances including VAT, Skills Development Levies, UIF and Workmen's Compensation.

**Personnel Records**, which includes records relating to temporary employees, fixed term employees, part-time employees, permanent employees, contractors, partners, directors, executive directors, non-executive directors. Includes personal files and similar records; third party records relating to their personnel; employment contracts; conditions of employment; workplace policies; disciplinary records; termination records; minutes of staff meetings; performance management records and systems and all employment-related records and correspondence.

**Safety, Health and Environment (SHE) Records** which include SHE policy and mandatory SHE Records.

**Regulatory and Quality Assurance** Registration and Licensing with South African Health Products Regulatory Authority (SAHPRA), Licensing with the South African Pharmacy Council and Quality Policy.

**Customer/client/patient Records**, which includes customer/client/patient lists, health records, funding records, agreements, consents, accounts information, research information, evaluation records, profiling, and similar information.

**Supplier and Service Provider Records**, which includes supplier registrations, contracts, SLAs, confidentiality agreements and non-disclosure agreements, communications, logs, delivery records, commissioned work, and similar information, some of which might be provided to us by such suppliers and providers under service- and other contacts.

**Scientific and Technical Records**, which includes manuals, product registrations, product dossiers, product research approvals, product information (including but not limited to product package inserts) and related documents; pharmacovigilance and other consumer/provider records and reports; scientific records and scientific articles and research papers, lectures,

health professionals council / statutory body records; approvals and licenses, registrations and associated conditions and requirement, trade association and trade association group membership information and similar business and industry information.

**Third Party Information**, which may be in our possession, but which would be subject to the conditions set out in relation to such possession.

**Communication and IT Records**, which includes hard copies and electronic communications, logs, electronic and cached information, software and software licensing, programming work, our websites and electronic programmes; etc.

**Environment and Market Information** which includes information obtained, publicly available information as well as confidential and/or commissioned information which pertains to the specific sector and market of the business and factors that affect the business, professional and healthcare environment.

**Please Note: In the health sector, personal, health and patient information are protected by legislation such as the Protection of Personal Information Act, the National Health Act and HPCSA ethical rules, and disclosure can only take place, if at all, within these and other frameworks.**

## **10. REQUEST TO ACCESS TO RECORDS HELD BY ALLERGAN SA (SECTION 51(1)(e))**

**10.1** In order to facilitate a timely response to requests for access to records held by Allergan SA, requests must be made to our Information Officer on the applicable request forms available from our website or office, or our Information Officer or from the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)) or on the website of the Department of Justice at [http://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf) and attached hereto as **Annexure 1**, (“Request Form”).

### **10.2. When a record is requested, the following will apply:**

- The Request Form must be correctly completed and must include the rights that the requester wishes to protect or exercise by requesting the information and the reason for requesting access to the information:



- Type or print in BLOCK LETTERS an answer to every question.
  - If a question does not apply, state “N/A” in response to that question.
  - If there is nothing to disclose in reply to a particular question state “NIL” in response to that question.
  - If there is insufficient space on the printed form, additional information may be provided in an additional attached folio.
  - When the use of an additional folio is required, precede each answer with the applicable title.
- 
- Proof of identity is required to authenticate the identity of the requester, in addition to the Access Request Form; requesters will be required to supply a certified copy of their identity document or a valid passport document.
  - If the requester is representing of another person, the Request Form must contain the contact details and signature of the person on whose behalf the request is made, authorising the request on his/her behalf, we may require further proof to verify the validity of the authority;
  - The requester must state in which format (inspection of copy, paper copy, electronic copy, transcript, etc.) s/he wants to access the information;
  - If the record is part of another record, the requester will only be given access to the part(s) that pertains to the information s/he wants or is entitled to, and not the remainder of the record.

### **10.3. Submission of the request form**

The completed Access Request Form together with a certified copy of the requester's identity document must be submitted either via conventional mail, e-mail and must be addressed to the contact person as indicated above.

### **10.4. Payment of fees**

Payment details can be obtained from the Information Officer indicated above and can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied.

The following applies to request other than personal requests:

- An initial request fee of R50.00, excluding VAT, is payable on submission of the request. This fee is not applicable to Personal Requesters, referring to any person seeking access to records that contain their personal information, who are exempt from paying such fee, (**“request fee”**).
- If the preparation of the record requested requires more than the prescribed 6 (six) hours, a deposit of not more than one third of the access fee which would be payable if the access was granted, shall be payable.
- The requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit.

Records may be withheld until applicable fees have been paid.

If the request for access 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 as set out in Annexure 2 hereto.

The latest fee structure is available on the website of the SAHRC at [www.sahrc.org.za](http://www.sahrc.org.za).

### **10.5. Notification**

The Information Officer will within 30 (thirty) days from receipt of a valid request decide whether or not to grant the request and provide notice of such decision with reasons thereof, (if required).

This 30 (thirty) day period may be extended for a further period of not more than 30 (thirty) days, if the request is for a large volume of information, or the request requires a search for information held at other offices of Allergan SA and the information cannot reasonably be obtained within the original 30 (thirty) day period. The requester will be notified in writing should an extension be sought.

## **10.6. Grounds for refusal of access to records (CHAPTER 4)**

All requests will be evaluated against the provisions of the Act. The Act allows the Information Officer to refuse access on grounds stipulated in the Act. Access to confidential information, or trade- or commercial secrets of a business is not allowed.

The main grounds for refusal of a request for information are:

- 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;
- Mandatory protection of the commercial information of Allergan or a third party, if the record contains:
  - Trade secrets;
  - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that party;
  - Information disclosed by a third party to Allergan SA if the disclosure could put that third party to a disadvantage in negotiations or commercial competition;
- Mandatory protection of confidential information of Allergan SA and/or third parties if it is protected in terms of any agreement – the provisions of the Act to apply in relation to the rights of the relevant third parties;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which could be regarded as privileged in legal proceedings.

## **10.7. Appeal against refusal to grant access**

If a requester is aggrieved by the refusal of the Information Officer to grant a request for a record, the requester may, upon notification of the Information Officer's decision (or upon his or her deemed refusal in terms of Section 58 of the Act), apply to court for appropriate relief within the prescribed time frames as prescribed by the Act.



## **11. ADDITIONAL PRESCRIBED INFORMATION (SECTION 51(1)(f))**

The Minister of Justice has not prescribed any additional information to be contained in this Manual.

## **12. THE PURPOSE OF PROCESSING INFORMATION**

Allergan processes information for the following purposes:

- 12.1. Conducting clinical trials
- 12.2. Research and development
- 12.3. Advisory Boards
- 12.4. Motivation for funding of products and devices
- 12.5. Conferences and symposia
- 12.6. Continued Professional Developments
- 12.7. Social Ethics meetings
- 12.8. Reporting to authorities
- 12.9. Reporting to the holding company
- 12.10. Patient Associations

## **13. CATEGORIES OF RECIPIENTS WITH WHOM THE PERSONAL INFORMATION MAY BE SHARED**

Allergan may share personal information with:

- 13.1. Affiliates and associated entities
- 13.2. Legal and Financial Advisors
- 13.3. Holding Company
- 13.4. Industry authorities, (SAMED and MCA)
- 13.5. Government authorities, (SAHPRA, DoH, etc.)
- 13.6. SARS
- 13.7. SA Labour Department
- 13.8. Advisory Boards
- 13.9. Medical Schemes

#### **14. PLANNED TRANSBORDER FLOW OF INFORMATION**

Allergan plans trans-border flow of information for the following:

- Clinical trial information
- Financial reporting information
- Training records
- Employment Records

#### **15. SUITABILITY OF INFORMATION SECURITY MEASURES**

Personal Information held by Allergan is stored as follows:

##### **15.1. Physically held records:**

- 15.1.1. Cabinets that lock (fireproof);
- 15.1.2. Cameras in the office;
- 15.1.3. Security in the office park with a boom access gate
- 15.1.4. Security in the building which is locked at night, and
- 15.1.5. Biometric access to the office

##### **15.2. Electronic Information**

- 15.2.1. Password protected desktops and laptops
- 15.2.2. Encryption
- 15.2.3. Firewalls, and
- 15.2.4. Antivirus



Signature: **Joost Molewater De la Rive Box**  
**Country Manager**

**Date:**

#### **Links**

1. [http://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf)
2. [http://www.justice.gov.za/forms/paia/J753\\_paia\\_Form%20D.pdf](http://www.justice.gov.za/forms/paia/J753_paia_Form%20D.pdf)
3. [http://www.justice.gov.za/forms/paia/J749\\_paia\\_Form%20E.pdf](http://www.justice.gov.za/forms/paia/J749_paia_Form%20E.pdf)

[illegible]



**FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY****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:**

.....

.....

.....

.....

.....

# FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

## 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 below, 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 for access 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>	

<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 - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):</b>			
<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 (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (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 derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
--	-----	----

## 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. <b>The requester must sign all the additional folios.</b>
---

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:

.....

.....

.....

**FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY****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 .....year .....

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



## Annexure 2

### PREScribed FEES

(Section 54(7) of the Promotion of Access to Information, Act No. 2 of 2000) [Regulation 11(3)]

(a)	For every photocopy of an A4-size page or part thereof	R1.27
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in an electronic or machine-readable form	R0.86
(c)	For a copy in a computer-readable form on compact disc	R80.50
(d)	(i) For a transcription of visual images, for an A4-size page or part thereof	R46
	(ii) For a copy of visual images	R69
(e)	(i) For a transcription of an audio record, for an A4-size page or part thereof	R23
	(ii) For a copy of an audio record	R34.50
(f)	To search for and prepare the record for disclosure or part thereof for each hour or part thereof reasonably required for such search and preparation	R34.50
(g)	Six hours of searching to be exceeded before a deposit is payable	
(h)	One third of the access fee is payable as a deposit by the requester	
(i)	The actual postage fee is payable when a copy of a record must be posted to a requester	

**PLEASE NOTE THAT ALL PRICES LISTED ARE INCLUSIVE OF VALUED-ADDED TAX**

### Annexure 3

#### RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION (SECTION 51(1)(d))

Records are available in terms of the following legislation, as amended from time to time:

Auditing Profession Act No. 26 of 2005  
Basic Conditions of Employment Act No. 75 of 1997  
Broad-Based Black Economic Empowerment Act No. 53 of 2003 Companies Act No. 71 of 2008  
Compensation for Occupational Injuries and Disease Act No. 130 of 1993 Competition Act No. 89 of 1998  
Constitution of South Africa Act No. 108 of 1996 Consumer Protection Act No. 68 of 2008  
Copyright Act No. 98 of 1987  
Customs and Excise Act No. 91 of 1964 (updated 2008/05/13) Deeds Registries Act No. 47 of 1937  
Electronic Communications Act No. 36 of 2005  
Electronic Communications and Transactions Act No. 25 of 2002 (updated 2007/06/27) Engineering Profession Act No. 46 of 2000 (updated 2008/04/15)  
Environmental Conservation Act No. 73 of 1989 Employment Equity Act No. 55 of 1998 Firearms Control Act No. 60 of 2000  
Foodstuffs, Cosmetics & Disinfectants Act No. 54 of 1972 Hazardous Substances Act No. 5 of 1973  
Income Tax Act No. 58 of 1962 Information Act No. 70 of 2002 Labour Relations Act No. 66 of 1995  
Long-Term Insurance Act No. 52 of 1998 Marketable Securities Act No. 32 of 1948 Medical Schemes Act No. 131 of 1998  
Medicines and Related Substances Act No. 101 of 1965 (updated 2008/05/08) National Credit Act No. 34 of 2005 (updated 2007/08/31)  
National Environmental Management Act No. 107 of 1998  
National Environmental Management Act: Air Quality Act No. 39 of 2004 National Environmental Management: Waste Act No. 59 of 2008  
National Ports Act No. 12 of 2005 (updated 2007/11/26) National Road Traffic Act No. 93 of 1996  
National Water Act No. 36 of 1998  
Occupational Health and Safety Act No. 85 of 1993 Patents Act No. 57 of 1987  
Pension Funds Act No. 24 of 1956 Pharmacy Act No. 54 of 1974  
Preferential Procurement Policy Framework Act No. 5 of 2000 Promotion of Access to Information Act No. 2 of 2000  
Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000 Protected Disclosures Act No. 26 of 2000  
Regulation of Interception of Communications and Provision of Communication Related Revenue Laws Amendment Act No. 35 of 2007  
Revenue Laws Second Amendment No. 36 of 2007 Sea Transport Documents Act No. 65 of 2000  
Securities Services Act No. 36 of 2004  
Securities Transfer Tax Act No. 25 of 2007 (added 2008/01/14) Security by means of Movable Property Act No. 57 of 1993  
Short-Term Insurance Act No. 53 of 1998 Skills Development Act No. 97 of 1998 Skills Development Levy Act No. 9 of 1999  
South African Reserve Bank Act No. 90 of 1989  
Standards Act No. 29 of 1993 (updated 2008/04/14) State Tender Board Act No. 86 of 1968 Stamp Duties Act No. 77 of 1968  
Stock Exchange Control Act No. 1 of 1985 Tobacco Products Control Act No. 12 of 1999 Trademarks Act No. 194 of 1993  
Transfer Duty Act No. 40 of 1949 Unemployment Insurance Act No. 63 of 2001  
Unemployment Insurance Contributions Act No. 4 of 2002 (updated 2008/02/04) Value Added Tax Act No. 89 of 1991

**PLEASE NOTE:** Although all reasonable endeavours have been made to provide a complete list of applicable legislation herewith, it is possible that the above list may be incomplete. Wherever it comes to our attention that existing or new legislation allows a requester access on a basis other than that set out in the Act we shall immediately update the list on a basis other than that set out in the Act we shall immediately update the list.