

PAIA MANUAL

1. Introduction

The Promotion of Access to Information Act, 2 of 2000 (hereinafter referred to as “the Act”) was enacted on 3 February 2000, to give effect to the provisions of section 32 of the Constitution, which provides that any person has a right to gain access to information held by a public or private body, when that information is required for the exercise or protection of any rights. In terms of the Act, a private body includes any former or existing juristic person.

2. Growthpoint Properties Limited

Growthpoint Properties Limited is a diversified Real Estate Investment Trust company listed under the Financial Services: Real Estate Investment Trust (“REIT”) sector on the JSE Limited.

Board of Directors

R Gasant Chairman

FM Berkeley Non-executive Director

NO Chauke HR Director

EK de Klerk CEO: South Africa

M Hamman Non-executive Director

KP Lebina Non-executive Director

CD Raphiri Non-executive Director

LN Sasse Group CEO

AH Sangqu Non-executive Director

JA van Wyk Non-executive Director

G Völkel Group Financial Director

EA Wilton Non-executive Director

2.1 Wholly owned subsidiaries of Growthpoint Properties Limited

Ref Company Name Registration Number

(a) 1 Growthpoint Properties Limited 1987/004988/06

(a) 2 1 Roger Dyason (Pty) Ltd 1989/002710/07

(a) 3 Acucap Investments (Pty) Ltd 2001/017530/07

(a) 4 Acucap Investments 4 (Pty) Ltd 1996/017480/07

(a) 5 Acucap Management Services (Pty) Ltd 1980/000527/07

(a) 6 Acucap Properties Limited 2001/021725/06

(a) 7 Acucap Property Management (Pty) Ltd 2001/012254/07

(a) 8 Advent Properties (Pty) Ltd 1991/004879/07

(a) 9 Atlas Properties Limited 1988/000742/06

(a) 10 Atlas Property Developments (Pty) Ltd 1986/004563/07

(a) 11 Atlas Property Services (Pty) Ltd 1997/011894/07

(a) 12 Basfour 2721 (Pty) Ltd 2002/025858/07

(a) 13 Burg Brothers Properties (Pty) Ltd 1990/006787/07

(a) 14 Carlyn’s Trust (Pty) Ltd 1960/000190/07

(a) 15 CentralPoint Property Owners Association NPC 2014/273319/08

(a) 16 Changing Tides 5 (Pty) Ltd 2001/009248/07

- (a) 17 Down House Investments (Pty) Ltd 2013/050810/07
- (a) 18 Erf 4 of 8 Sandown (Pty) Ltd 1996/005691/07
- (a) 19 Ferns Investments (Pty) Ltd 1994/001722/07
- (a) 20 Four Ways Crossing Retail Centre (Pty) Ltd 1998/000954/07
- (a) 21 Growthpoint ABQ (Pty) Ltd 2000/010590/07
- (a) 22 Growthpoint Management Services (Pty) Ltd 2004/015933/07
- (a) 23 Growthpoint Properties International (Pty) Ltd 2004/015978/07
- (a) 24 Growthpoint SYC Properties (Pty) Limited 2015/280875/07
- (a) 25 G Properties One (Pty) Ltd 2018/456081/07
- (a) 26 G Properties Two (Pty) Ltd 2018/456112/07
- (a) 27 Growthpoint TPG (Pty) Ltd 1999/025600/07
- (a) 28 GRT Bloekom Properties (Pty) Ltd 1992/004645/07
- (a) 29 Highway Properties Houghton (Pty) Ltd 1991/000933/07
- (a) 30 Inclub Properties (Pty) Ltd 1996/007915/07
- (a) 31 Kilkishen Investments (Pty) Ltd 1995/000130/07
- (a) 32 Majorshelf 184 (Pty) Ltd 2000/023282/07
- (a) 33 Metboard Properties Limited 1998/005425/06
- (a) 34 Okahao Properties (Pty) Ltd 2006/017004/07
- (a) 35 Oxford 144 Property Investments (Pty) Ltd 2011/008866/07
- (a) 36 New Heights 344 (Pty) Ltd 2000/023109/07
- (a) 37 Paramount Property Fund Limited 1945/019928/06
- (a) 38 Pin Mill (Pty) Ltd 1994/009349/07
- (a) 39 Scopeful I 157 (Pty) Ltd 2000/017240/07
- (a) 40 Silverhorn Properties (Pty) Ltd 2000/007952/07
- (a) 41 Skillfull 82 (Pty) Ltd 2001/004336/07
- (a) 42 Skillfull 115 (Pty) Ltd 2001/001475/07
- (a) 43 Stand 1135 Houghton (Pty) Ltd 1990/002318/07
- (a) 44 Sycom Property Fund Managers Limited 1986/002756/06
- (a) 45 Tyger Hills Investments (Pty) Ltd 2000/008914/07
- (a) 46 Tyger Hills Office Park (Pty) Ltd 2000/008476/07
- (a) 47 Witkoppen Corner (Pty) Ltd 2000/029055/07
- (a) 48 Woodlands Office Park Property Management Company (Pty) Ltd 2008/014244/07

TRUSTS OPERATED BY GROWTHPOINT PROPERTIES LIMITED

Ref Trust Trust Number Trustee

(b) 1 The Acucap Share Purchase Trust adopted by Acucap Properties Limited
2001/021725/06

Maitland Trustees (Pty) Ltd

(b) 2 Growthpoint Properties Trust IT 6147/01 Ironwood Trustees (Pty) Ltd

(b) 3 Growthpoint Securitisation Warehouse Trust
IT 5094/05

Maitland Trustees (Pty) Ltd

(b) 4 Growthpoint Staff Incentive Scheme Trust
IT 12949/07

Quadridge Trust Services (Pty) Ltd

(b) 5 Second Growthpoint Properties Trust
IT 4631/2003

Ironwood Trustees (Pty) Ltd

(b) 6 Truzen 75 Trust

IT701/2008/PMB

EK de Klerk

PL Kollenberg

G Völkel

2.2 Joint Venture Companies

Ref Company Name Registration Number

(c) 1 FC Property Management Company (Pty) Ltd 2008/014170/07

(c) 2 Ferguson Place (RF) (Pty) Ltd 2007/026862/07

(c) 3 Growthpoint Telecommunication Infrastructure (RF) (Pty) Ltd 2004/015984/07

(c) 4 V & A Waterfront Holdings (Pty) Ltd 2006/024423/07

2.3 Growthpoint Healthcare Fund

Ref Company Name Registration Number

(d) 1 Growthpoint Healthcare Property Holdings (RF) Limited 2016/350751/06

(d) 2 Growthpoint Healthcare Property Management Company (Pty) Ltd 2016/350196/07

2.4 Growthpoint Student Residential Fund

Ref Company Name Registration Number

(e) 1 Growthpoint Student Accommodation Holdings (RF) Limited 2014/195480/06

3. The Information Officer (Section 51(1)(B))

The Head of a Private Body fulfils such a function in terms of Section 51. Growthpoint has elected to appoint a Information Officer to assess requests for access to information as well as oversee its required functions in terms of the Act.

The Information Officer appointed in terms of PAIA also refers to the Information Officer as referred to in the Protection of Personal Information Act 4 of 2013 ("POPIA"). The Information Officer oversees the functions and responsibilities as required in terms of both this Act in terms of Section 55 of POPIA after registering with the Information Regulator.

The Information Officer may appoint, where it is deemed necessary, Deputy Information Officers, as allowed in terms of section 17 of the Act as well as section 56 of POPIA. This is in order aid better accessibility for data subjects to request access of their records and to ensure fulfilment of Growthpoint's obligations and responsibilities as prescribed in terms of section 55 of POPIA. All requests for information in terms of PAIA and POPIA must be addressed to the Information Officer.

4. Contact details for CEO and CIO

EK de Klerk

CEO: South Africa

Telephone: +27 (11) 944 6284

Email: edeklerk@growthpoint.co.za

A Davis

Information Officer

Telephone: +27 (11) 944 6300

Email: popia@growthpoint.co.za

Growthpoint Properties Limited

The Place

1 Sandton Drive
Sandton
2196
Postal Address
PO Box 78949
Sandton
Gauteng
2146

5. Section 10 guide

The Act requires the South African Human Rights Commission (SAHRC) to compile a guide to be available in each official language, to assist individuals in understanding how to exercise their rights contained in the Act.

Any queries regarding this guide can be addressed directly to the SAHRC at:

The South African Human Rights Commission
Braampark Forum 3
33 Hoofd Street, Braamfontein
Tel: + 27 (011) 877 3600
Website www.sahrc.org.za
Email info@sahrc.org.za

6. Information Automatically Available

Any records that are required to be made available in terms of the Companies Act No. 71 of 2008 and the listing requirements as laid down by the JSE, as amended from time to time, shall be made available for inspection by interested parties.

7. Information kept as a matter of general practice

Accounting and Financial Records
Customer Records and Credit Services
Taxation Records
Environmental, Health and Safety Records
Employment Records, Human Resources, Employment Equity and Black Economic Empowerment
Information Technology Records
Insurance Information
Legal Records
Marketing Information
Operational Records
Pension/Provident Fund Details
Policy Documents
Property Records and Title Deeds
Staff Share Scheme Information
Statutory Records and Information
Supplier Records
Trade Marks, Patents and Designs
Correspondence and Memoranda

8. Records held in accordance with other legislation (Section 51(1)(C))

Record Available Applicable Legislation

Accounting Records Revenue Laws Second Amendment Act 61 of 2008

BBBEE Compliance The Broad-based Black Economic Empowerment Act 53 of 2003
Brand Protection Counterfeit Goods Act, 37 of 1997
COIDA and OHSA Records Occupational Health and Safety Act 85 of 1993
Company registration documents, certificates, minutes, resolutions Companies Act 71 of 2008
Compensation payments, assessments, and a letter of good standing Compensation for Occupational Injuries and Disease Act 130 of 1993
Competition Commission Records and Merger Notices Competition Act 89 of 1998
Consumer Records The Consumer Protection Act 1987
Credit Agreements, credit checks National Credit Act 34 of 2005
Employee Provident and Pension Fund Records Pension Funds Act 24 of 1956
Employee Records Basic Conditions of Employment Act 75 of 1997
Employee Records and Skills Development Levy Records Skills Development Act 97 of 1998
Employee Records and Submissions Unemployment Insurance Act 63 of 2001
Employment Records Labour Relations Act 66 of 1995
FICA and Audit Records Prevention of Organised Crime Act 121 of 1998
FICA Records Financial Intelligence Centre Amendment Act 1 of 2017
Income Tax returns; Clearance certificate Income Tax Act 58 of 1962
Lease Agreements Leases of Land Act 18 of 1969
Legal Records Prescription Act 68 of 1969
Literary, artistic works and Records Copyright Act 98 of 1978
Logistics and insurance records National Road Traffic Act 93 of 1996
PAIA Manual Promotion of Access to Information Act 2 of 2000
Patent Records South African Patent Act 57 of 1978
POPIA Policy, PAIA Manual Protection of Personal Information Act 4 of 2013
Property Deeds Alienation of Land Act 68 of 1981
Property Records Transfer Duty Act 1949
Quality Records National Environmental Management Act 107 of 1998
Recycling National Environmental Management: Waste Act, 59 of 2008
Registered Intellectual Property Records Intellectual Property Laws Amendment Act 28 of 2013
Tax Records and Filings Taxation Laws Amendment Act 23 of 2020
Trade Mark Application and Registrations Trade Marks Act 194 of 1993
Website Terms of Use, Privacy Policy Electronic Communications and Transactions Act 25 of 2002
Workplace Skills Plan and Annual Training Report (ATR) Employment Equity Act 55 of 1998
VAT returns for past 5 (five) years; Clearance certificate Value Added Tax Act 89 of 1991

9. Access to the records held by Growthpoint Properties Limited
Upon written notice or use of the prescribed forms, an appointment within reasonable company hours can be made by interested parties to view the records at: –
Growthpoint Properties Limited

The Place

1 Sandton Drive
Sandton, Johannesburg
Gauteng 2196

Records are subject to the below classifications and access requirements:

Classification No. Access Classification

- 1 May be disclosed Public Access Document
- 2 May not be disclosed Request after commencement of criminal or civil proceedings [s7]
- 3 May be disclosed Subject to copyright
- 4 Limited disclosure Personal information that belongs to the requester of that information [s61]
- 5 May not be disclosed Unreasonable disclosure of personal information of Natural person [s63(1)]
- 6 May not be disclosed Likely to harm the commercial or financial interests of third party [s64(1)(a) and (b)]
- 7 May not be disclosed Likely to harm the Company or third party in contract or other negotiations [s64(1)(c)]
- 8 May not be disclosed Would breach a duty of confidence owed to a third party in terms of an Agreement [s65]
- 9 May not be disclosed Likely to compromise the safety of individuals or protection of property [s66]
- 10 May not be disclosed Legally privileged documents [s67]
- 11 May not be refused Environmental testing / investigation which reveals public safety / environmental risks [s64(2); s68(2)]
- 12 May not be disclosed Commercial information of Private Body [s68]
- 13 May not be disclosed Likely to prejudice research and development information of the Company or a third party [s69]
- 14 May not be refused Disclosure in public interest [s70]

10. Retention Periods

The following retention period shall apply to the below Records and access are subject to the availability denoted:

CCTV Records

Category Availability Retention Period

Images of customers and accompanied minors, images of employees May not be disclosed – Commercial information of Private Body [s68] 1 Year

Companies Act Records

Category Availability Retention Period

Annual returns (CIPC) May not be disclosed – Commercial information of Private Body [s68] 7 years

Documents of incorporation May be disclosed – Public Access Document Available from (CIPC) Indefinite

Memorandum and Articles of Association May be disclosed – Public Access Document Available from (CIPC) Indefinite

Minutes of Board of Directors meetings May not be disclosed – Commercial information of Private Body [s68] 7 years

Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers May be disclosed – Public Access Document Available from (CIPC) 7 years

Share register and other statutory registers May be disclosed – Public Access Document

Available from (CIPC) Indefinite

Financial and Customer Development (Sales) Records

Category Availability Retention Period

Accounting records May not be disclosed – Commercial information of Private Body [s68] 7 years

Annual financial statements May not be disclosed – Commercial information of Private Body [s68] unless permitted in terms of the JSE Listings Requirements 7 years

Asset register May not be disclosed – Commercial information of Private Body [s68] 7 years

Bank statements May not be disclosed – Commercial information of Private Body [s68] 4 years

Banking records May not be disclosed – Commercial information of Private Body [s68] 7 years

Electronic banking records May not be disclosed – Commercial information of Private Body [s68] 4 years

Information generated by the Group in relation to all service providers May not be disclosed – Commercial information of Private Body [s68] 4 years

Information provided by other third parties in relation to services providers May not be disclosed – Commercial information of Private Body [s68] 4 years

Invoices May not be disclosed – Commercial information of Private Body [s68] 4 years

Lease (tenant) agreements May not be disclosed – Commercial information of Private Body [s68] 4 years after expiry of latest lease/after tenant vacates, provided no legal action exists

Paid cheques (no longer relevant from 01 Jan 2021) May not be disclosed – Commercial information of Private Body [s68] 4 years

Rental (suppliers) agreements May not be disclosed – Commercial information of Private Body [s68] 2 years after expiry provided no legal action exists

Tax returns May not be disclosed – Commercial information of Private Body [s68] 15 years

Income Tax Records

Category Availability Retention Period

Documents issued to employees for income tax purposes May not be disclosed – Commercial information of Private Body [s68] 4 years

PAYE Records May not be disclosed – Commercial information of Private Body [s68] 4 years

Records of payments made to SARS on behalf of employees May not be disclosed – Commercial information of Private Body [s68] 4 years

Skills Development Levies May not be disclosed – Commercial information of Private Body [s68] 4 years

UIF May not be disclosed – Commercial information of Private Body [s68] 4 years

VAT May be disclosed – Available from South African Receiver of Revenue website www.sars.gov.za 4 years

Workmen's Compensation May not be disclosed – Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66] 4 years

Human Resources Documents and Records

Category Availability Retention Period

Disciplinary policy May not be disclosed – Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66] 3 years

Disciplinary records May not be disclosed – Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66] 3 years

Employment contracts May not be disclosed – Commercial information of Private Body [s68] 3 years after termination of employment

Employment equity plan (if applicable) May not be disclosed – Commercial information of Private Body [s68] 3 years

Internal evaluation information (IOs, IDP, PEP etc) May not be disclosed – Commercial information of Private Body [s68] 3 years

Leave records May not be disclosed – Commercial information of Private Body [s68] 3 years

Medical aid records May not be disclosed – Personal information that belongs to the requester of that information [s61]; Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66] 3 years

Organisational charts May not be disclosed – Commercial information of Private Body [s68] 3 years

Pension and provident fund records May not be disclosed – Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66] 3 years

Recruitment – Job Applicant CV's, Profiles & Applications May not be disclosed – Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66] 3 Months

Salary records May not be disclosed – Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66] 4 years

Training manuals May not be disclosed – Commercial information of Private Body [s68] 3 years

Training records May not be disclosed – Unreasonable disclosure of personal information of Natural person [s63(1)]; Likely to compromise the safety of individuals or protection of property [s66] 3 years

Information Technology Records

Category Availability Retention Period

IP addresses May not be disclosed – Commercial information of Private Body [s68] 1 year

Legal Records

Category Availability Retention Period

Agreements with suppliers May not be disclosed – Commercial information of Private Body [s68] 3 years

Agreements with customers (non-lease related) May not be disclosed – Commercial information of Private Body [s68] 4 years after expiration/ termination, provided no legal action exists

Global brand protection app May not be disclosed – Commercial information of Private

Body [s68] 3 years

Marketing and Consumer Affairs Records

Category Availability Retention Period

Advertising events May not be disclosed – Commercial information of Private Body [s68] 1 year

Customer database May not be disclosed – Commercial information of Private Body [s68] 3 years

Information of social media users May not be disclosed – Commercial information of Private Body [s68] 3 years

Marketing strategies May not be disclosed – Commercial information of Private Body [s68] 1 year

Product brochures May be disclosed 1 year

Promotional competitions May not be disclosed – Commercial information of Private Body [s68] 1 year

Property sales records May not be disclosed – Commercial information of Private Body [s68] 5 years

Public Relations Records

Category Availability Retention Period

Media releases May be disclosed – Information in the public domain 3 years

Public product information May be disclosed – Information in the public domain 3 years

Regulatory

Category Availability Retention Period

Estate Agency Affair Board May not be disclosed – Commercial information of Private Body [s68] 5 years

Vendor, Customer Services and Logistics Records

Category Availability Retention Period

Products and services supplier information May not be disclosed – Commercial information of Private Body [s68] 3 years

Third party information acting on behalf of the Company May not be disclosed – Commercial information of Private Body [s68] 3 years

Third party service providers/ vendors May not be disclosed – Commercial information of Private Body [s68] 3 years

11. Request Procedure

Form of Request in terms of the Act

To request a document that does not fall within the ambit of the Act, the requester must direct the request to the Information Officer in writing, and request an appointment to view the documentation.

To request a document that does fall within the ambit of the Act, the requester must make use of the prescribed form. This must be directed to the CEO or the Information Officer of Growthpoint Properties Limited at the address, or email address of the party concerned.

The requester must provide sufficient detail on the request form to facilitate identifying the record requested. The requester should also indicate which form of access is required, and indicate if any other method is to be used to respond to the requester.

The requester must identify the right being exercised or protected, and provide an explanation of why the requested record is necessary to exercise or protect that right.

If a request is made on behalf of another person, a consent form/letter of authority must accompany the request.

Request Fee

A requester seeking access to a record containing personal information is not required to pay a fee. Any other requester, not requesting personal information, must pay the required fee.

The party concerned must notify the requester (if not seeking access to personal information) of the prescribed fee to be paid (if any) before processing the request.

The fee that the requester must pay to Growthpoint Properties Limited is R50 (fifty Rand). The requester may lodge an application to the court against the tender or payment of the requested fee.

After the party concerned has made a decision regarding the request, the requester must be notified in the required format.

If the request is granted, a further access fee must be paid for the search, reproduction, preparation and time in excess of the prescribed hours to search and prepare the record for disclosure.

Request in terms of POPIA

Where a data subject has requested access to personal information not falling within the above categories or where the data subject is requesting:

to update his/her/its personal information;

a list of the data subject's personal information Growthpoint has in its possession or control; or

the subscription or deletion of a data subject's personal information

Then the data subject, at no cost, must direct the request to the Information Officer of Growthpoint.

12. Prescribed Fees

The fee for a copy of the manual as contemplated in regulation 9(2)(c) to the Act is R1,10 for every photocopy of an A4-size page or part thereof.

The fee for reproduction referred to in regulation 11(1) to the Act are as follows:

(a) For every photocopy of an A4-size page or part thereof R 1,10

(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form. R 0,75

(c) For a copy in a computer-readable form on –

(i) stiffer disc R 7,50

(ii) compact disk R70,00

(d) (i) For a transcription of visual images, for an A4-size page or part thereof R40,00

(ii) For a copy of visual images R60,00

(e) (i) For a transcription of an audio record, for an A4-size page or part thereof R20,00

For a copy of an audio record

R30,00

The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) to the Act is R50,00.

The access fees payable by a requester referred to in section 54(7) of the Act, unless exempted under regulation 11(3) to the Act, are as follows:

- (a) For every photocopy of an A4-size page or part thereof R 1,10
- (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form. R 0,75
- (c) For a copy in a computer-readable form on –
 - (i) stiffy disc R 7,50
 - (ii) compact disk R70,00
- (d) (i) For a transcription of visual images, for an A4-size page or part thereof R40,00
- (ii) For a copy of visual images R60,00
- (e) (i) For a transcription of an audio record, for an A4-size page or part thereof R20,00
- For a copy of an audio record R30,00
- (f) To search for the record for disclosure, for each hour or part of an hour reasonably required for such search. R30,00

The actual postal fee is payable when a copy of a record must be posted to a requester.

For the purposes of section 54(2) of the Act, the following applies:

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) One third of the access fee is payable as a deposit by the requester