EMIRA
PROPERTY FUND

MANUAL FOR ACCESS TO INFORMATION

(Prepared in accordance with section 51 of the Promotion of Access to Information Act, No. 2 of 2000 and The Protection of Personal Information Act, No. 4 of 2013)

TABLE OF CONTENTS

1.	INTRODUCTION	3
2.	PURPOSE OF THIS MANUAL	3
3.	AVAILABILITY OF THIS MANUAL	3
4.	REQUEST FOR ACCESS TO INFORMATION	3
5.	GUIDE ON PAIA AND POPIA	4
6.	RECORDS HELD BY EMIRA IN TERMS OF LEGISLATION	4
7.	RECORDS HELD BY EMIRA	5
8.	AVAILABILITY OF RECORDS WITHOUT REQUEST	6
9.	REQUEST PROCEDURES	7
10.	FEES	8
11.	INFORMATION OR RECORDS NOT FOUND	8
12.	PROCESSING OF PERSONAL INFORMATION	8
13.	OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION	10
14.	REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION	10
15.	UPDATING OF AND AMENDMENTS TO THIS MANUAL	10

1. INTRODUCTION

1.1 Emira Property Fund Limited ("**Emira**") is a diversified real estate investment trust company. The Company is listed on the Johannesburg Stock Exchange, in the real estate investment trusts sector, with a property portfolio of predominantly South African assets which span multiple sectors, namely office, retail, industrial and residential.

1.2 The Promotion of Access to Information Act, No. 2 of 2000 ("**PAIA**") gives effect to the constitutional right of natural and juristic persons ("**Persons**") to access information held by public or private bodies that is required for the exercise or protection of any of their rights and to enforce a culture of transparency and accountability.

1.3 The Protection of Personal Information Act, No. 4 of 2013 ("**POPIA**") promotes the protection of personal information (as defined in section 1 of POPIA) ("**Personal Information**") processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information.

1.4 Section 51 of PAIA obliges private bodies (including Emira) to compile a manual to enable a Person to obtain access to information held by such private body and stipulates the minimum requirements that this Manual has to comply with.

1.5 This Manual is compiled in accordance with sections 51 of PAIA. This Manual also includes information on how Persons can access, object to or request correction or deletion of, their Personal Information in terms of POPIA.

2. PURPOSE OF THIS MANUAL

The purpose of this Manual is to inform and assist Persons requesting access to information or records held by Emira with regards to the procedure to be followed and the criteria to be applied when such a request is made, as well as to inform data subjects on the types of information that Emira collects and processes, and how a data subject may request access to this information.

3. AVAILABILITY OF THIS MANUAL

This Manual will be updated as and when required or when the relevant legislation is amended. The most recent version of this Manual is available on Emira's website, which can be accessed at www.emira.co.za. Alternatively, a copy of this Manual can be requested from Emira's Information Officer.

4. REQUEST FOR ACCESS TO INFORMATION

All requests for access to information or records in terms of PAIA and this Manual must be in writing and must be addressed to Emira's Information Officer as follows:

Postal address:

PO Box 69104
Bryanston, 2021

Telephone: +27 11 028 3100
Fax: +27 11 484 0582
Website: www.emira.co.za

Physical address:

First Floor, Block A, Knightsbridge
33 Sloane Street
Bryanston, 2191

E-mail: omadikela@emira.co.za

5. GUIDE ON PAIA AND POPIA

5.1 In terms of section 10 of PAIA, the South African Human Rights Commission ("**SAHRC**") published a guide to assist persons wishing to exercise their rights in terms of PAIA.

5.2 The aforementioned guide can be accessed through the SAHRC's website on www.sahrc.org.za.

5.3 With effect from 1 July 2021, the Information Regulator assumed the functions of the SAHRC and will be responsible for PAIA and POPIA queries.

5.4 As part of its functions, the Information Regulator will publish a guide on how to use PAIA and POPIA in the new dispensation. However, the Information Regulator has, however, not yet published the guide to this effect.

5.5 Any information or queries related to the guide or PAIA or POPIA should be directed to the Information Regulator at the following contract details:

5.5.1 Telephone number: +21 12 406 4818

5.5.2 Email: inforeg@justice.gov.za

6. RECORDS HELD BY EMIRA IN TERMS OF LEGISLATION

Emira is required in terms of legislation to retain certain records. Therefore, Emira holds records for the purposes of PAIA in accordance with, amongst others, the following legislation:

6.1 Basic Conditions of Employment Act, No. 75 of 1997;

6.2 Broad-Based Economic Empowerment Act No. 53 of 2003;

6.3 Companies Act, No. 71 of 2008;

6.4 Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;

6.5 Competition Act, No. 89 of 1998;

6.6 Constitution of the Republic of South Africa Act, No. 108 of 1996;

6.7 Consumer Protection Act, No. 68 of 2008;

6.8 Deeds Registries Act, No. 47 of 1937;

6.9 Electronic Communications and Transactions Act, No. 25 of 2002;

6.10 Employment Equity Act, No. 55 of 1998;

6.11 Financial Intelligence Centre Act, No. 38 of 2001;

6.12 Financial Markets Act, No. 19 of 2012;

6.13 Income Tax Act, No. 58 of 1962;

6.14 Insider Trading Act, No. 135 of 1998;

6.15 Labour Relations Act, No. 66 of 1995;

6.16 National Buildings Regulations and Standards Act, No. 103 of 1977;

6.17 National Environment Management Act, No. 107 of 1998;

6.18 Occupational Health and Safety Act, No. 85 of 1993;

6.19 Prevention of Combating of Corrupt Activities Act, No. 12 of 2004;

6.20 Prevention of Organised Crime Act, No. 121 of 1998;

6.21 Promotion of Equality and Prevention of Unfair Discrimination Act, No. 4 of 2000;

6.22 Property Practitioners Act, No. 22 of 2019;

6.23 Rental Housing Act, No. 50 of 1999;

6.24 Skills Development Act, No. 97 of 1998;

6.25 Skills Development Levies Act, No. 9 of 1999;

6.26 South African Revenue Services Act, 34 of 1997;

6.27 Tobacco Products Control Act, No. 83 of 1993;

6.28 Trademarks Act, No. 194 of 1993;

6.29 Unemployment Insurance Contributions Act, No. 4 of 2002;

6.30 Unemployment Insurance Fund Act, No. 63 of 2001;

6.31 Value-Added Tax Act, No. 89 of 1991.

7. RECORDS HELD BY EMIRA

Emira keeps records with information falling in the following categories:

7.1 Administration and Management

7.1.1 Statutory records

7.1.2 Policies and procedures

7.1.3 Minutes of meetings

7.1.4 Risk insurance and insurance records

7.1.5 Commercial contracts

7.2 Financial Records

7.2.1 Annual Financial Statements

7.2.2 Auditor’s reports

7.2.3 Banking records

7.2.4 Creditors and debtors records

7.2.5 Invoices and Statements

7.2.6 Asset Register

7.3 **Operational Records**

7.3.1 PAYE records

7.3.2 Documents issued to employees for income tax purposes

7.3.3 Records of payment made to SARS on behalf of employees

7.3.4 VAT records

7.3.5 Skills development levies

7.3.6 Records of Unemployment Insurance Fund contributions

7.3.7 Workmen's compensation records

7.4 **Employee Records**

7.4.1 List of employees

7.4.2 Appointment records and employment contracts

7.4.3 Payroll records

7.4.4 Health and Safety records

7.4.5 Internal policies and administrative forms

7.4.6 Training schedules

7.4.7 Employee medical aid contribution records

7.4.8 Employee pension fund contribution records

7.4.9 Personnel records including personal details, disciplinary records, performance and assessment records

7.5 **Information Technology**

7.5.1 Computer software

7.5.2 User statistics

7.5.3 Software licenses

8. AVAILABILITY OF RECORDS WITHOUT REQUEST

8.1 At this stage no notices have been published by the Information Regulator on the categories of records automatically available without a person having to request access thereto in terms of PAIA.

8.2 Any records that are required to be made available in terms of the provisions of the Companies Act, No. 71 of 2008 and the listing requirements laid down by the JSE, as amended from time to time, shall be made available for inspection by interested Persons pursuant to a request in terms of the relevant section of the Companies Act and/or the listing requirements.

8.3 Certain records are available on the Emira website at www.emira.com, and are freely available to Persons accessing Emira's website. Such records include:

8.3.1 Marketing Brochures;

8.3.2 Publications;

8.3.3 Press releases;

8.3.4 Integrated Annual Report;

8.3.5 Investor Reports.

9. REQUEST PROCEDURES

9.1 A request for access to records held by Emira in terms of section 50 of PAIA must be made on the form contained in the Regulations regarding the Promotion of Access to Information, 2002 (Form C). A copy of the form is available on Emira's website. The request must be made to the Information Officer at the address, fax number or email address, specified above.

9.2 The requester must provide sufficient detail on the prescribed form to allow Emira to identify the record or records which have been requested and to identify the requester. If a request is made on behalf of another person or entity, the requester must submit details and proof of the capacity in which the requester is making the request, which must be reasonably satisfactory to Emira. The requester is also required to indicate the form of access to the relevant record that is required, and to provide his, her or its contact details in the Republic of South Africa.

9.3 The requester is required to identify the right he, she or it is seeking to exercise or protect by accessing records held by Emira and to explain why the particular record or records requested is or are required for the exercise or protection of that right.

9.4 Emira may, and must in certain instances, refuse access to records on any of the grounds set out in Chapter 4 of Part 3 of PAIA which includes that access would result in the unreasonable disclosure of personal information about a third party.

9.5 Emira is required to inform a requester in writing of its decision in relation to a request. If the requester wishes to be informed of Emira's decision in another reasonable manner as well, this manner must be set out in the request and the relevant details must be included to allow Emira to inform the requester in the preferred manner.

9.6 Emira will make a decision in relation to a request for access to records within 30 days of receipt of the request, unless third parties are required to be notified of the request or the 30 day period is extended as provided for in PAIA and will notify the requester accordingly.

9.7 A requester aggrieved by the Information Officer's decision either to refuse a request for access, a decision regarding the payment of an access fee, or a decision regarding the form of access to be granted, may apply to court within 180 days of being informed of the decision in question for an appropriate order. The Court may confirm, amend or set aside the decision complained of and make certain ancillary orders.

9.8 A requester must pay the prescribed fee before processing of the request will take place.

10. FEES

10.1 A requester who seeks access to a record containing Personal Information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee.

10.2 The request fee payable by a requester, other than a personal requester, is R50.00.

10.3 The Information Officer will notify the requester (other than a personal requester) by notice, to pay the prescribed fee (if any) before further processing the request.

10.4 The fees for the reproduction of a record as prescribed by the Minister of Justice are set out in Appendix 1 to this Manual.

10.5 The access fee payable for searching for the record for disclosure is R30.00 for each hour or part of an hour reasonably required for such search.

10.6 If the Information Officer is of the opinion that six hours will be exceeded to search, reproduce and/or prepare the information requested, a deposit is payable equal to one third of the access fee referred to in paragraph 10.5 above.

10.7 Single persons whose annual income after permissible deductions does not exceed R14 712.00, as well as married persons or persons in a life partnership whose joint annual income after permissible deductions does not exceed R27 902.00, are exempted from paying access fees.

11. INFORMATION OR RECORDS NOT FOUND

11.1 If all reasonable steps have been taken to find a record and such a record cannot be found or if the records sought do not exist, then the Information Officer shall inform the requester, by way of an affidavit or affirmation, that it is not possible to give access to the record requested.

11.2 The affidavit or affirmation shall provide a full account of all steps taken to find the record or to determine the existence thereof, including the details of all communications by the Information Officer with the persons who conducted the search.

11.3 If the record in question is be found at a later stage, the requester shall be given access to the record in the manner stipulated by the requester in the prescribed form unless access is refused by the Information Officer.

12. PROCESSING OF PERSONAL INFORMATION

12.1 Emira may collect information relating to an identifiable, living, natural person or an identifiable existing juristic person, including, but not limited to:

12.1.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;

12.1.2 information relating to the education or the medical, financial, criminal or employment history of the person;

12.1.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;

12.1.4 the biometric information of the person;

12.1.5 the personal opinions, views or preferences of the person;

12.1.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;

12.1.7 the views or opinions of another individual about the person; and/or

12.1.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

12.2 In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which personal information is processed by Emira will depend on the nature of the information. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the information is collected. Emira however generally processes personal information for on-boarding tenants and suppliers or service providers, records management, security, employment and recruitment, in the ordinary course of its business and in managing client, investor, tenant, employee and service provider relationships. Please also refer to Emira's Privacy Statement and Policy at www.emira.co.za for further information.

12.3 Emira holds information and records on the following categories of Persons (data subjects):

12.3.1 tenants of Emira (individuals and juristic entities);

12.3.2 employees of Emira;

12.3.3 independent contractors of Emira;

12.3.4 suppliers/service providers of Emira; and

12.3.5 any third party with whom Emira engages in the ordinary course of its business.

12.4 Depending on the nature of the personal information, Emira may supply information or records to the following categories of recipients for legitimate business purposes, in accordance with applicable law and subject to the applicable professional and regulatory requirements regarding confidentiality:

12.4.1 statutory oversight bodies, regulators or judicial commissions of enquiry making a request therefor;

12.4.2 any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or discovery in terms of its applicable rules;

12.4.3 the South African Revenue Services, or another similar authority;

12.4.4 anyone making a successful application for access in terms of PAIA or POPIA;

12.4.5 Emira's service providers and

12.4.6 subject to the provisions of POPIA and other relevant legislation, Emira may share information about a tenant's creditworthiness with any credit bureau or credit providers industry association.

12.5 Should Emira disclose Personal Information to third parties, they will be obliged to use that personal information for the reasons and purposes the information was disclosed. To this end, we have agreements in place with the relevant third parties to ensure that an adequate level of security and confidentiality is adopted by the third parties to which Personal Information is being transferred to.

12.6 Where Emira may need to transfer any personal information to service providers in countries outside South Africa, it shall ensure that such countries can offer such information an “adequate level” of protection.

13. OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION

Section 11 (3) of POPIA and regulation 2 of the POPIA Regulations provides that a person may, at any time, object to the processing of his/her/its personal information in the prescribed form, which is available on Emira’s website, subject to exceptions contained in POPIA.

14. REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION

Section 24 of POPIA and regulation 3 of the POPIA Regulations provides that a person may request for their personal information to be corrected/deleted in the prescribed form which is available on Emira’s website.

15. UPDATING OF AND AMENDMENTS TO THIS MANUAL

15.1 Emira may update this Manual every 12 months or at such intervals as may be deemed necessary.

15.2 As and when any updates or amendments are effected, the latest version of this Manual will be made public on Emira’s website.