



16 October 2018

To: The South African Human Rights Commission:
PAIA Unit
The Research and Documentation Department
Private Bag 2700
Houghton
2041
(011) 484 8300
(011) 484 0582

Email: PAIA@zahrc.org.za www.sahrc.org.za
CC: section51.paia@sahrc.org.za

Dear Sir or Madam

Kindly find attached an initialed and signed hard copy of the PAIA manual for NOVO NORDISK (PTY) Limited, for your attention. We confirm further that a copy of this manual together with this cover letter will be emailed to the email addresses set out above. Kindly advise once the manual has been published in the government gazette.

We look forward to hearing from you

Yours Faithfully,

Venkata Kalyan P. Konduri
Vice President & General Manager
Novo Nordisk (Pty) Ltd

Novo Nordisk (Pty) Ltd.
Co. Reg. No. 1959/000833/07

www.novonordisk.com

Head Office
150 Rivonia Road
10 Marion Street Office Park,
Building C1
Sandton, Johannesburg
2196
P O Box 783155
Sandton, 2146

GPS COORDINATES:
-26.094082,28.056496

Tel:	+27 11 202-0500
Faxes	
Medical:	+27 11 807-4644
Pharmacovigilance:	+27 11 807-8724
Orders:	+27 11 807-4252
Admin:	+27 11 807-5208
Sales & Marketing:	+27 11 807-7989
Export:	+27 11 807-2002
Reception:	+27 11 807-1777
Clinical:	+27 11 807-4644

**Directors
OF Ramsby***
F Kler*
MB Larsen*
MT Kedijang
* Danish

NOVO NORDISK (PTY) LTD

REGISTRATION NUMBER: 1959/000833/07

**MANUAL IN TERMS OF SECTION 14 OF THE PROMOTION
OF ACCESS TO INFORMATION ACT 2 OF 2000 ("THE
ACT")**

**COMPILED: January 2018
UPDATED: October 2018**

Index	Page
1. Introduction to the Manual	3
2. Background to Novo Nordisk	3
3. Contact Details	3
4. The Act	4
5. Applicable Legislation	4
6. Schedule of Records	6
7. Requesting Procedure	7
8. Availability of the Manual	8
9. Fees	8
10. Decision and Decision Making Process	9
11. Grounds for denial of access to requested information	9
12. Remedies Available when Novo Nordisk Refuses Access to Records	10
13. Destruction of records	10
14. Records that can't be found or don't exist	10
15. Annexure 1	11
16. Annexure 2	15

1. PURPOSE OF THE MANUAL

The purpose of this Manual is to assist people wishing to access information in terms of the the Act from Novo Nordisk (Pty) Ltd ("Novo Nordisk").

The Act gives effect to the constitutional right of access to any information in records held by public (government) or private (non-government) bodies that is required for the exercise of protection of any rights. Where a request is made in terms of the Act, Novo Nordisk is obliged to release the information, except where the Act expressly provides that the information may or must not be released.

The information contained in this Manual and that of all other public and private bodies can be obtained from the South African Human Rights Commission ("SAHRC").

2. BACKGROUND OF NOVO NORDISK (PTY) LTD

Novo Nordisk is a limited liability company registered as such in terms of the Company laws of South Africa. Novo Nordisk is a pharmaceutical company and its core activities relate to sale, marketing, research and development of its pharmaceutical products (specifically for treatment in the following areas: Diabetes, Hormone Replacement Therapy, and Growth Hormone). Novo Nordisk products are for sale primarily in the prescription market.

The Novo Nordisk head office is in Sandton, Johannesburg, South Africa.

3. CONTACT DETAILS

Registration Number	1959/000833/07
Physical Address	150 Rivonia Road Building C1 10 Marion Street Office Park Sandton 2128
Postal Address	P.O Box 783155 Sandton 2146
Telephone number	011 202 0500
Fax Number	011 807 7989
Directors	Venkata Kalyan Papa Konduri Mads Bo Larsen Frederik Kier Ole Ramsby
Information Officer:	Venkata Kalyan Papa Konduri
e-mail:	VKPK@novonordisk.com
PAIA Helpdesk	INFOZA@novonordisk.com .

4. THE ACT

- 4.1.** The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 4.2.** Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 4.3.** Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC
- 4.4.** The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: www.sahrc.org.za

5. APPLICABLE LEGISLATION

No.	Ref	Act
1	58 of 1962	Income Tax Act
2	89 of 1991	Value Added Tax Act
3	34 of 2005	National Credit Act
4	23 of 1996	Currency and Exchanges Amendment Act
5	91 of 1964	Customs and Excise Act (as amended)
6	57 of 1978	Patents Act
7	24 of 1956	Pension Funds Act
8	4 of 2000	Promotion of Equality and Prevention of Unfair Discrimination Act
9	5 of 2000	Preferential Procurement Policy Framework Act
10	12 of 2004	Prevention and Combating of Corrupt Activities Act
11	109 of 1985	Regional Services Councils Act
12	51 of 1974	Trade Practices Act
13	89 of 1998	Competition Act
14	61 of 1973	Companies Act

15	71 of 2008	Companies Act
16	98 of 1978	Copyright Act 98 of 1978
17	25 of 2002	Electronic Communications and Transactions Act
18	65 of 1964	Drugs Control Amendment Act
19	78 of 1957	Export Credit and Foreign Investments Insurance Act
20	80 of 1995	Sale and Service Matters Amendment Act
21	75 of 1997	Basic Conditions of Employment Act
22	66 of 1995	Labour Relations Act
23	181 of 1993	Occupational Health and Safety Act
24	36 of 2004	SA Securities Act
25	97 of 1998	Skills Development Act
26	9 of 1999	Skills Development Levies Act
27	194 of 1993	Trade Marks Act
28	63 of 2001	Unemployment Insurance Act
29	4 of 2002	Unemployment Insurance Contributions Act
30	130 of 1993	Compensation for Occupational Injuries and Diseases Act
31	Act 55 of 1998	Employment Equity Act
32	Act 53 of 2003	Broad Based Economic Empowerment
33	20 of 2013	Basic Conditions of Employment Amendment Act
34	61 of 1997	Compensation for Occupational Injuries and Diseases Amendment Act
35	47 of 2013	Employment Equity Amendment Act
36	55 of 1998	Employment Equity Act-Code of Good Practice on HIV & AIDS and the World of Work
37	24 of 1936	Insolvency Act
38	66 of 1995	Labour Relations Act

dnr

39	6 of 2014	Labour Relations Amendment Act
40	181 of 1993	Occupational Health and Safety Amendment Act
41	4 of 2014	Employment Services Act
42	31 of 2003	Skills Development Amendment Act
43	131 of 1998	Medical Schemes Act
44	101 of 1965	Medicines and Related Substances Act
45	28 of 2002	Mineral and Petroleum Resources Development Act
46	68 of 2008	Consumer Protection Act
47	53 of 1974	Pharmacy Act
48	November 2016 As amended	The SA Code of Practice for the Marketing of Health Products
49	February 2015 As amended	Guidelines to Code of Marketing Practice
50	4 of 2013	Protection of Personal Information Act

6. SCHEDULE OF RECORDS

6.1. Automatically Available Records

These are records that are readily available on the basis that they do not contain sensitive information or information that we are legally prohibited from disseminating. Some of the records are available on and can be obtained from the website

Category	Document Type	Availability
PAIA Manual	Manual	Automatic
Operational/Policies/Plans/Procedures/ Framework	Health and Safety, Procurement, Business Ethics, Donations, Travel	Automatic
Publicity and Marketing Material	Publications and Reports	Automatic
Publications	Books, booklets etc.	Automatic
Media	Press Releases, radio & tv interviews, Statements, Official Speeches and messages, Gifts &	Automatic

	Awards	
Events, Functions and Seminars, conferences	Certain presentations, Discussions, documents	Automatic

6.2. Records Not Automatically Available

These records listed below are not automatically available and must be requested by lodging a request form in terms of Annexure A. Access to parts of or whole record may be refused in accordance with the applicable laws/legal grounds.

Category	Availability on request only
Strategic Documents, Plans, Proposals	√
Operational/Policies/Plans/Procedures/Framework	√
Financials	√
Publicity and Marketing Material	√
Research & Development Information	√
Sales	√
HR	√
Reports, Minutes, decisions	√
Supply chain	√
Audio Visual recordings	√
Executive Management internal sensitive communication	√
Security related information	√
Records held by Legal Services Department	√
Research conducted by service providers for the organization or programs subject to contractual exemptions on disclosure	√
Confidential client communications to programs	√
Privileged information: held in the course of closed hearings, attorney client information, national security based information, third party information;	√
Specific Human Resource Personnel information, including files relating to discipline, medical information etc.	√
Asset disclosures and asset protection procedures	√
Certain Tender Documentation	√
Agendas and Minutes of Meetings and correspondence	√
Draft reports, policies and discussions documents	√

Novo Nordisk further reserves the right to refuse access to records where the processing of the record will result in a substantial and unreasonable diversion of its resources. Access will also be refused where requests are clearly frivolous and / or vexatious.

7. REQUESTING PROCEDURE

A requester requiring access to information held by Novo Nordisk must complete the prescribed Form C, which is attached as Annexure 1.

Form C can also be found at:

- The Novo Nordisk website (www.novonordisk.com);
- The SAHRC website (www.sahrc.org.za);
- The Department of Justice and Constitutional Development website (www.doj.gov.za).

The completed form must be addressed to the Information Officer, sent to the address or fax number provided in this manual, and must pay any fee or deposit if applicable.

The prescribed form must be completed with enough particularity to at least enable the Information Officer to identify:

- (1) The record or records requested;
- (2) The identity number of the requester;
- (3) The form of access required, if the request is granted;
- (4) The e-mail, postal address, or fax number of the requester.

The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

Novo Nordisk will process the request within 30 (thirty) days.

The requester will be informed in writing whether access has been granted or denied and for what reasons the request has been denied if indeed it is denied.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request.

8. AVAILABILITY OF THE MANUAL

This manual is available for inspection by the general public upon request during office hours and there is no charge for viewing the manual at our offices at Novo Nordisk. Copies of the manual may be made available subject to the prescribed fees.

The manual can also be downloaded from our website, www.novonordisk.com.

9. FEES

A requester who seeks access to a record containing personal information about that Requester is not required to pay the request fees. Any other requester who is not requesting personal information must pay the required request fee.

A fee of R50 will be required by the Information Officer *before* further processing of the request. This amount will be refunded should the request for access be refused.

The requester fee of R50 should be paid; this amount will be refunded should the request for access be refused.

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of the Act or an exclusion is determined by the Minister in terms of section 54(8). The applicable access fees which will be payable are:

Access Fees:	
For every photocopy of an A4-size page or part thereof:	R1.25
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form:	R0.85
For a copy in a computer-readable form on a CD:	R79.80
A transcription of visual images for an A4-size page or part thereof	R 45.60
For a copy of visual images	R68.40
A transcription of an audio record, for an A4-size page or part thereof	R22.80
For a copy of an audio record	R34.20
To search for a record that must be disclosed (per hour or part of an hour reasonably required for such search)	R34.20
Where a copy of a record needs to be posted the actual postal fee is payable.	

A portion of the access fee (not more than one third) may be required before the request is considered.

The requester may lodge an application with a court against the payment of the request fee in terms of S54 (3)(b) of the Act.

The head of the company may withhold a record until the requester has paid the applicable fees.

Annexure 2 below contains a detailed explanation of the fees.

10. DECISION AND DECISION MAKING PROCESS

10.1. Decision – Novo Nordisk will, within 30 days of receipt of the request, decide whether to grant or to decline the request and give notice with reasons, if required, to that effect. The thirty day period within which Novo Nordisk had to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the request is for vast amounts of information, or the request requires a search for information held at another office of the company and the information cannot reasonably be obtained within the original 30 day period. Novo Nordisk will notify the requester in writing should an extension be sought.

10.2. Decision-making process – In terms of section 54 of the Act, if all reasonable steps have been taken to find the record requested and there are reasonable grounds to believe that the record is in possession of Novo Nordisk but cannot be found, and if it does not exist, then the Information Officer must notify the requester by way of affidavit or affirmation, the

requester that it is not possible to give access to that record. If after the notice is given, the record in question is not found, the requester must be given access thereto unless the ground for refusal exists.

If the request is declined for any reasons, the notice must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon and provide the procedure to be followed should the requester wish to appeal the decision

Section 59 provides that the Information Officer may sever a record and grant access only to that portion which the law does not prohibit access to.

11. GROUNDS FOR DENIAL OF ACCESS TO REQUESTED RECORDS

Chapter 4 of PAIA sets out the grounds for refusal of access to records. These grounds include:

- 11.1.** Protecting personal information that Novo Nordisk holds about a third party (who is a natural person) from unreasonable disclosure;
- 11.2.** Protection commercial information that Novo Nordisk holds about a third party (for example trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
- 11.3.** Protection of certain confidential information of a third party
- 11.4.** Protection of safety of individuals and protection of property
- 11.5.** Protection of records that are privileged from production in legal proceedings
- 11.6.** Commercial information of a private body
- 11.7.** Protection of research information of a third party, and protection research information of a private body

Notwithstanding the above, the head of a private body must grant a request for access to a record if disclosure of the record would reveal evidence of a substantial contravention of any law, or imminent and serious public safety or environmental risk; and if the public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question.

12. REMEDIES AVAILABLE WHEN NOVO NORDISK REFUSES ACCESS TO RECORD(S)

- 12.1. Internal Remedies** – The Information Officer’s decision is final and requesters will have to access such external remedies at their disposal if the request for information is refused and the requester is not satisfied with the answer supplied by the Information Officer.
- 12.2. External Remedies** – A requester that is dissatisfied with the Information Officer’s refusal to disclose information may, within 30 days of notification of the decision apply to court for relief. Likewise, a third party dissatisfied with an Information Officer’s decision to grant a request for information, may within 30 days of notification of the decision, apply to court for relief.
- 12.3. Access to Information about third parties** – If you request access to a record that contains information about a third party, we are obliged to attempt to contact this third party to inform them of the request and to give them an opportunity to respond by either consenting to the access or by providing reasons why the access should be denied. In the event that the third party furnishes reasons for the support or denial of access, we will consider these reasons in determining whether access should be granted. We have 21 days to take all reasonable steps to inform the third

party and the third party has 21 days to make a representation to the company as to why the request should be refused, alternatively the third party can grant written consent to the disclosure of the record.

13. DISPOSAL OF RECORDS

Novo Nordisk reserves the right to dispose of records in accordance with applicable legislation and will advise requestors if a record has been disposed of where applicable.

14. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

Novo Nordisk will prepare a response to the requestor in a form of an affidavit where records don't exist or cannot reasonably be located but to which the requestor would have had access had the record been available.

ANNEXURE 1

FORM C – REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
 (Section 53 (1) of the Promotion of Access to Information Act, 2 of 2000)

[Regulation 10]

FOR DEPARTMENTAL USE

Reference number:.....

Request received by.....
 (state rank, name and surname of information officer/deputy information officer) on(date) at
(place)

Request fee (in any):..... R.....

Deposit (if any): R.....

Access fee; R.....

.....

**SIGNATURE OF INFORMATION OFFICER/ DEPUTY
 INFORMATION OFFICER**

A. Particulars of private body

The Information Officer:

.....

.....

.....

.....

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
- (b) The address and/or fax number in the Republic to which the information is to be sent, must be given.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surnames:.....

.....

Identity number:.....

Postal address:.....

.....

.....

.....Fax number.....



Telephone number:.....E-mail address:.....

Capacity in which request is made, when made on behalf of another person:
.....

C. Particulars of person on whose behalf request is made

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

Full names and surname:

Identity number:.....

Relationship between requester and person on behalf of whom information is requested:

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 records 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.

Reasons for exemption from payment of fees:.....

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 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

NOTES:

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
- (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.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:			
<input type="checkbox"/>	Copy of record*	<input type="checkbox"/>	Inspection of record
2. If records consists of visual images – (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):			
<input type="checkbox"/>	View the images	<input type="checkbox"/>	Copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	Transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	Listen to the soundtrack (audio cassette)	<input type="checkbox"/>	Transcription of soundtrack* (written or printed document)



4. If record is held on computer or in an electronic or machine-readable form::		
Printed copy of record*	Printed copy of information derived from the record*	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
<p>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.</p> <p>In which language would you prefer the record?</p>		

G. Particulars of Right to be Exercised or Protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

- Indicate which right is to be exercised or protected:
.....
.....
.....
- Explain why the record requested is required for the exercise or protection of the aforementioned right
.....
.....
.....
.....

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

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

Signed atthis..... day of 20.....

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



ANNEXURE 2

AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY A PRIVATE BODY WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000

The fees chargeable by private bodies are as follows:

1. Copies of a manual

Should an individual require a copy of the private body's manual, a fee of R1,25 is chargeable for every photocopy of an A4 page or part thereof.

2. Reproduction fees (Section 52(3) and Regulation 1(1))

Reproduction fees apply to obtaining copies or transcriptions of information, which is automatically available from the private body.

3. Access fees (Section 54(7) and Regulation 11(3))

Access fees are chargeable for copies or transcriptions of information requested under the Act.

4. Other fees

4.1. A request fee of R50.00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester.

4.2. A search fee may be charged at a rate of R30.00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.

4.3. If the request is not limited to records containing information which is personal to the requester and if the head of the private body is of the opinion that the time taken to give effect to the request will exceed six hours the requester can be called upon to pay a deposit of not more than one third of an estimate of the access fee which will become payable.