



**MSA DEVCO (PTY) LTD T/A
McDONALD'S SOUTH AFRICA**

PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

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|-----|-----------------------|---|
| 1.1 | “DIO” | Deputy Information Officer |
| 1.2 | “IO” | Information Officer |
| 1.3 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000 (as Amended) |
| 1.4 | “POPIA” | Protection of Personal Information Act No.4 of 2013 |
| 1.5 | “Regulator” | Information Regulator |
| 1.6 | “Republic” | Republic of South Africa |
| 1.7 | “Data subject” | The person to whom the personal information relates |

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of McDonald’s South Africa, by providing a description of the subjects on which McDonald’s South Africa holds records and the categories of records held on each subject;
- 2.3 know the description of the records of McDonald’s South Africa which are available in accordance with any other legislation;

- 2.4 access all the relevant contact details of the Information Officer Rudi Esterhuizen who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if McDonald's South Africa will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if McDonald's South Africa has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether McDonald's South Africa has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF McDONALD'S SOUTH AFRICA

3.1. Information Officer

Name and surname:	Christiaan Rudolph Esterhuizen
Position:	National Compliance Manager
Postal address:	P.O. Box 1522, Gallo Manor, Gauteng, South Africa, 2052
Physical address:	85 Grayston Drive, Sandown, Sandton, Gauteng, South Africa, 2196
Telephone:	+27 11 236 2451
Email address:	rudi.esterhuizen@za.mcd.com

3.3 National or Head Office

Postal Address: P.O. Box 1522, Gallo Manor, Gauteng, South Africa, 2052
Physical Address: 85 Grayston Drive, Sandown, Sandton, Gauteng,
South Africa, 2196
Telephone: [011 236 2300](tel:0112362300)
Email address: rudi.esterhuizen@za.mcd.com
Website: www.mcdonalds.co.za

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2. The Guide is available in each of the official languages and in Braille.
- 4.3. The aforesaid Guide contains the description of-
 - 4.3.1. the objects of PAIA and POPIA;
 - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
 - 4.3.2.1. The information Officer of every private body, and
 - 4.3.2.2. every Deputy Information Officer of every private body designated in terms of section 56 of POPIA;
 - 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a private body contemplated in section 50;
 - 4.3.4. the assistance available from the IO of a private body in terms of PAIA and POPIA;

- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. an application with a court against a decision of the head of a private body;
- 4.3.7. the provisions of section 51 requiring a private body, to compile a manual, and how to obtain access to a manual;
- 4.3.8. the provisions of section 52 providing for the voluntary disclosure of categories of records by a private body;
- 4.3.9. the notice issued in terms of section 54 regarding fees to be paid in relation to requests for access; and
- 4.3.10. the regulations made in terms of section 92.
- 4.4. Members of the public can inspect or make copies of the Guide from the offices of McDonald's South Africa, including the office of the Regulator, during normal working hours.
- 4.5. The Guide can also be obtained-
 - 4.5.1. upon request to the Information Officer;
 - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 4.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
 - 4.6.1 Afrikaans;
 - 4.6.2 English.

5. CATEGORIES OF RECORDS OF MCDONALD'S SOUTH AFRICA WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of records	Types of records	Available on website	Available upon request
PAIA Manual		X	X
Privacy Notice (App) McDonald's Privacy Statement		X	
Terms and Conditions for McDonald's Online Services (South Africa)		X	
Access to Information guide		X	X

6. DESCRIPTION OF THE RECORDS OF MCDONALD'S SOUTH AFRICA WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of records	Applicable legislation
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Privacy Notices	The Protection of Personal Information Act of South Africa, 4 of 2013
Memorandum of incorporation	Companies Act 71 of 2008
Letter of Good Standing	Compensation for Occupational Injuries and Diseases Act

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY MCDONALD'S SOUTH AFRICA

Subjects on which the body holds records	Categories of records
Finance and Administration	Minutes of the meetings of our Board (non-confidential parts), Minutes of the meetings of

	committees/ subcommittees, Accounting records, books and documents, Interim and annual financial records, Details of auditors, External auditor reports, Service level agreements
Management	Minutes of management meetings, Internal correspondence
Human Resources	Organisational structure, List of employees, Statistics regarding employees, Employment contracts, Conditions of employment, Information relating to prospective employees, Personnel records including personal details, disciplinary records, performance and internal evaluation records, Employee tax information, Records of Unemployment Insurance Fund contributions, Records regarding group life assurance and disability income protection, Provident fund records, Payroll records, Health and safety records, Workplace skills plans, Codes of conduct, Disciplinary code and procedure, Grievance procedure, Appeal procedure, Remuneration policy, Internal policies and procedures regarding dismissals, performance appraisal, recruitment, selection, advertising of positions, appointments, retirement, promotions, leave, extended sick leave, study leave, salaries, overtime, bonuses, medical aid, health and safety, loans, working parents, use of company resources including telephones, motor vehicles and computers, sexual harassment. Training schedules and material, Correspondence relating to personnel
Supply Chain / Purchasing	Purchasing policy, Supplier lists and details of suppliers, Agreements with suppliers
Information Technology	Computer software, Support and maintenance agreements, Records regarding computer

	systems and programmes
Property	Asset registers, Lease agreements in respect of immovable property, Records regarding insurance in respect of movable property, Records regarding insurance in respect of immovable property
Intellectual Property	Registered trademarks, Patents
Insurance	Records regarding insurance in respect of movable property
Customers	Customer number Location data Customer address Communication preferences Contact details Gender Date of birth Name Transaction history Device information Interactions with our sites, apps and services
Sub-Franchisees	Personal Information Financial Information Contractual information and agreements

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

McDonald's South Africa processes the personal information of data subjects (mentioned below), under its care in the following ways:

Data subject categories	Purpose for processing
Employees	To manage our relationship, manage and monitor

	performance, may record on CCTV footage, monitor internet use, to comply with labour laws and other legislation
Job applicants	To assess whether the applicant is suitable for the position that they applied for during the recruitment process; communicate with the applicant to process their application; to keep a database of contact details in case another position becomes available; It is in our legitimate interest to do so; to comply with labour and other legislation.
Suppliers	Communicate and manage the relationship; fulfill contractual obligations towards each other (if any); assess the need to load/ consider supplier as a new vendor; consider applications as a new vendor; verify information; provide payment (if any); verify Tax Clearance Certificates (TCC); determine if the supplier is regarded as an employee or a personal service provider for income tax purposes; comply with FICA requirements and other legislation
Customers	Fulfil requests and orders; process payments for our products and services; communicate with customers or business partners about products and services; administer participation in contests, competitions, prize draws, offers, promotions, or special events; send information to contacts if the data subject requests us to do so; provide customer support; enable the data subject to post blogs and interact with us through social media; personalize the data subject's experience on online services and in-restaurant technologies; perform data analytics, customer research, trend analysis and financial analysis; operate, evaluate, analysis and improvement of products and business; protect against and prevent identity

	fraud and other criminal activity, claims and other liabilities; comply with applicable law.
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8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Data subject categories	Categories of personal information
Employees	Information provided during the application process, Contact information, Number of dependants, Emergency contact person (name and telephone number), Banking details, Income tax number
Job applicants	Name, gender, age, marital status, dependants, dependants gender, ID number, contact details, criminal record status, nationality, valid passport. Views and preferences, race, education and employment history, disability status
Suppliers	Name of company or full name of individual if sole proprietor, company registration number, ID number, VAT registration number, Type of services/goods to be delivered, local or foreign supplier status, what restaurant will use the supplier services, motivation for application, terms of payment, BEE status and credentials, Banking details, email address, contact details of the responsible person at the supplier, name, telephone, physical address, email, company registration certificate, copy of ID, VAT registration documents, Tax clearance certificate, stamped letter from the bank confirming banking details, driver's license and professional driving permit (taxi drivers only), letterhead and stamped invoice, details of the department head and

	department director.
Customers	Banking and payment details, name, postal address, email address, phone number, date of birth and other contact information, account information such as username, password, other identifiers or credentials, user information, location information, transaction history, payment details.

8.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients to whom the personal information may be supplied
Credit and payment history for credit information	Credit bureaus
Qualifications for qualifications verification	South African Qualifications Authority
Identity numbers and names for criminal and fraud checks	South African Police Services
Names, identity numbers, Company registration numbers, VAT registration numbers, income tax numbers, Tax Clearance Certificate, contact details, banking details, For verification, payments and compliance purposes	South African Revenue Service
Names, identity numbers, contact numbers, job title, date of employment, salary details, race, gender, disabilities.	Department of Employment and Labour

For reporting, compliance, UIF and Workman's compensation compliance purposes.	
Names, identity numbers, contact details, salary details, tax numbers. For reporting, payments and compliance purposes	Provident fund, pension fund and medical aid (Discovery, Umvozu Momentum and Sygnia)
Names, identity numbers, contact details, salary details For garnishee payments	Profile Corporate Service

8.4 Planned transborder flows of personal information

McDonald's South Africa is a franchisee in the McDonald's Family, a global organisation with business processes, management structures, and technical systems that cross borders. As such, we may share information about data subjects within the McDonald's Family and transfer it to countries where the McDonald's Family carries on business. For instance, we use data analytics and storage services in the European Union, and our global headquarters are located in the United States of America. These countries may not have the same level of legal data protection as South Africa. However, we implement extra layers of protection and ensure that appropriate agreements, policies and procedures are in place to safeguard the information entrusted to us in compliance with POPIA requirements.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

McDonald's South Africa is committed to taking appropriate measures designed to keep personal information secure and protect it from being lost, used in the wrong way or for the wrong reasons, accessed without authorisation, being changed or destroyed.

We have in place technical, administrative, and physical procedures in place designed to protect personal information from accidental, unlawful or unauthorized loss, access, disclosure, use, alteration, or destruction. While we take efforts to safeguard our information systems, no website, mobile application, computer system, or transmission of data over the Internet or any other public network can be guaranteed to be 100% secure.

If something should happen, we have taken steps to minimise the threat to privacy. We will let data subjects know if their personal information has been compromised and how you they help minimise the impact of the breach.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual in English and Afrikaans languages, is available-

9.1.1 on www.mcdonalds.co.za

9.1.2 head office of McDonald's South Africa for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The head of McDonald's South Africa will on a regular basis update this manual.

Issued by



Rudi Esterhuizen

**Position: National Compliance Manager
DEVCO (Pty) Ltd t/a McDonald's South Africa**