



**ACCESS TO INFORMATION MANUAL**

IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS  
TO INFORMATION ACT 2 OF 2002 "PAIA"

**AFGRI LIMITED**

**(REGISTRATION NO: 1995/004030/06)**

**and its subsidiary companies**

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## Preamble

The Promotion of Access to Information Act No. 2 of 2000 (“the Act”) came into operation on 23 November 2001. Section 51 of this Act requires that we as a private body compile a manual, giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

### Section A – Company details

<b>Full Name</b>	<b>AFGRI Limited and subsidiary companies listed in Annexure “A”.</b>
<b>Registered Address</b>	12 Byls Bridge Boulevard, Highveld, Ext 73 Centurion
<b>Postal Address</b>	PO Box 11054 Centurion, 0046
<b>Telephone Number</b>	+27 11 063 2273
<b>CEO</b>	CP Venter
<b>Designated Information Officer</b>	P Kalipershad
<b>Email address</b>	<a href="mailto:Perushka.Kalipershad@afgri.co.za">Perushka.Kalipershad@afgri.co.za</a>
<b>Website</b>	<a href="http://www.AFGRI.co.za">www.AFGRI.co.za</a>

AFGRI is a leading South African business offering a wide range of inputs and services to farmers, processors and users of agricultural products. AFGRI has a number of subsidiaries within the Republic of South Africa, which also form part of this manual.

We as a private body have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

In this manual you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

This manual applies to all companies listed in Annexure “A” hereto.

A copy of this manual and the annexures are also available on our website at [www.AFGRI.co.za](http://www.AFGRI.co.za).

## **Section B –The official guide**

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act.

The Guide will contain the following information:

1. The objects of the Act;
2. Particulars of the information officer of every public body;
3. Particulars of every private body as are practicable;
4. The manner and form of a request for access to information held by a body;
5. Assistance available from both the information officer and the Human Rights Commission in terms of this Act;
6. All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
7. Schedules of fees to be paid in relation to requests for access to information;
8. Regulations made in terms of the act.

Copies of this Guide will be available as soon as it is published by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

**Post** : South African Human Rights Commission  
Promotion of Access to Information Act Unit  
Research and Documentation Department  
Private Bag 2700  
Houghton  
2041

**Telephone** : (011) 877 3600

**Fax** : (011) 403 0625

**Website** : <http://www.sahrc.org.za>

**Email** : [info@sahrc.org.za](mailto:info@sahrc.org.za)

## **Section C – Information available in terms of the Act**

**Note: It is recorded that the accessibility of the documents listed herein below may be subject to the grounds of refusal set out in the Act.**

### **1. Categories of information**

We hold the following categories of information:

#### **(a) STATUTORY COMPANY INFORMATION**

- (i) Certificate of Incorporation;
- (ii) Certificate of Change of Name (if any);
- (iii) Memorandum of Incorporation;
- (iv) Certificate to Commence Business;
- (v) Shareholders Minute Book, CM25 and CM26, as well as Resolutions passed at general/shareholder meetings;
- (vi) Proxy Forms;
- (vii) Proxy Forms used at Court convened meetings;
- (viii) A Register of Allotments – after a person ceased to be a member;
- (ix) Register of Members;
- (x) Index of Members;
- (xi) Register of Directors' shareholdings;
- (xii) Register of Directors and Certain Officers;
- (xiii) Directors' Attendance Register;
- (xiv) Branch Register;
- (xv) Annual Financial Statements for AFGRI Limited, including:
  - (a) Annual accounts;
  - (b) Directors' report;
  - (c) Auditor's report.

#### **(b) ACCOUNTING RECORDS**

- (i) Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange, specifically with regard to the requesting person.

- (c) STATUTORY EMPLOYEE RECORDS
  - (i) Employees' names and occupations;
  - (ii) Remuneration paid to employees;
  - (iii) Employment equity plan;
  - (iv) Collective agreements;
  - (v) Determinations made in terms of the Wage Act;
  - (vi) Records of strikes, lockouts or protest action;
  - (vii) Industrial training records.
  
- (d) OTHER EMPLOYEE RECORDS
  - (i) Pro forma Employee contracts;
  - (ii) Group HR Policy & Procedures manual;
  - (iii) Group personal accident;
  - (iv) Group life;
  - (v) Micro loan scheme.
  
- (e) PENSION AND RETIREMENT FUNDING RECORDS
  - (i) Subject of a separate and independent Manual in terms of the Act and available at the Sanlam offices.
  
- (f) INTELLECTUAL PROPERTY
  - (i) Patents, patent applications and inventions;
  - (ii) Trademarks, trade names and protected names;
  - (iii) Copyrights;
  - (iv) Agreements relating to intellectual property such as license agreements;
  - (v) Litigation and other disputes involving intellectual property.
  
- (g) SALES AND MARKETING
  - (i) Brochures, Newsletters and Advertising Materials.

## 2. **Procedure for requesting access to the above information**

If you wish to request access to any of the above categories of information, you are required to complete a request form as set out in annexure “B” hereto. These forms are available from:

- our information officer (whose contact details are in section A of this manual);
- our website;
- the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)); or
- the Department of Justice and Constitutional Development website ([www.doj.gov.za](http://www.doj.gov.za))

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

## **Section D – Information available in terms of other legislation**

Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Co-operatives Act No. 91 of 1981
- Credit Agreement Act No. 75 of 1980
- Customs and Excise Act No. 91 of 1964
- Employment Equity Act No. 55 of 1998
- Financial Markets Control Act No. 55 of 1989
- Income Tax Act No. 58 of 1962
- Insider Trading Act No. 135 of 1998
- Labour Relations Act No. 66 of 1995
- Legal Deposit Act No. 54 of 1997
- Occupational Health and Safety Act No. 85 of 1993
- Prevention of Organised Crime Act No. 121 of 1998
- Road Transportation Act No. 74 of 1977
- Short-term Insurance Act No. 53 of 1998
- Stock Exchanges Control Act No. 1 of 1985
- Transfer Duty Act No. 40 of 1949
- Unemployment Insurance Act No. 63 of 2001
- Agricultural Produce Agents Act No. 12 of 1992
- Machinery and Occupational Safety Act No. 6 of 1983
- National Payment System Act No. 78 of 1998
- National Water Act No. 36 of 1998
- Prescription Act No. 68 of 1969
- Stamp Duties Act No. 77 of 1968
- Stock Exchanges Control Act No. 1 of 1985
- Transfer Duty Act No. 40 of 1949
- Value-added Tax Act No. 89 of 1991



## **Section E – Information automatically available**

The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotion of Access to Information Act.

Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual.

1. Newsletters / magazines.
2. Booklets.
3. Pamphlets / Brochures.
4. Annual Reports.
5. Other literature intended for public viewing.

## **Annexure “A” - List of Companies**

### **Operational Subsidiaries**

AFGRI Operations Limited 1995/005872/06

Unigro Administrators Proprietary Limited 2004/005060/07

AFGRI Mauritius Holdings Proprietary Limited 1990/003019/07

AFGRI Animal Feeds Western Cape Proprietary Limited 2003/018164/07

AFGRI Animal Feeds Eastern Cape Proprietary Limited 2002/027704/07

AFGRI Australia CAN 103619067 Incorporated in Australia

AFGRI Equipment Australia 008686002 Incorporated in Australia

Gorham Corporation 9354554 Incorporated in Australia

AFGRI Inputs Australia CAN 107626728 Incorporated in Australia

AFGRI Corporation Limited 44914 Incorporated in Zambia

AFGRI Leasing Services Limited 69619 Incorporated in Zambia

Unigro Investment Holdings Proprietary Limited 2001/024121/07

Unigro Insurance Brokers Proprietary Limited 2004/005030/07

AFGRI Equipment Proprietary Limited 2002/028217/07

Afgritech Limited 5259304 (joint Venture) Incorporated in UK

AFGRI Tobacco Proprietary Limited 2004/013196/07

AFGRI Zimbabwe Equipment (Pvt) Ltd 3738/2011 Incorporated in Zimbabwe

AFGRI Grain Marketing Proprietary Limited 1963/007478/07

AFGRI Mauritius Investment Limited 15534/2217 Incorporated in Mauritius

Clark Cotton Zambia Limited 35318 Incorporated in Zambia

AFGRI Poultry Proprietary Limited 2001/015025/07

Midway Chix Proprietary Limited 2000/015281/07

Waltmerwe Park Proprietary Limited 2001/003473/07

Crystal Holdings Proprietary Limited 1996/013252/07

SiloCerts Proprietary Limited 2003/024402/07 (Unlisted Associate)

GroCapital Financial Services Proprietary Limited 2003/014468/07  
GroCapital Broking Services Proprietary Limited 2001/026001/07  
Laeveld Corporate Investments Limited 1997/012946/06  
Profert Sentraal Proprietary Limited (Joint Venture) 2001/010102/07  
LTP Holdings Proprietary Limited (Unlisted Associate) 2003/012696/06  
Main Street 301 Proprietary Limited 2005/009297/07  
Natal Agri Proprietary Limited 2001/024064/07  
Nedan Proprietary Limited 2003/018160/07  
Collateral Management International Proprietary Limited 2001/024489/07  
Ronin Grain Management Solutions Proprietary Limited 2002/019647/07  
Salsti Proprietary Limited 2000/026631/07  
Tsunami Crop Care Proprietary Limited 2000/027346/07  
Tsunami Plant Protection Proprietary Limited 2004/020524/07  
Tsunami Crop Laeveld Proprietary Limited 2004/023052/07

### **Investment & Property Companies**

AFGRI Limited Trust IT6656/1995  
Agri Sizwe Empowerment Trust IT9911/2004  
OTK Investment House Proprietary Limited 1989/006764/07  
The AFGRI Group Executive Share Award Trust IT 3356/10  
AFGRI Charitable Trust IT15105/06  
Izitsalo Employee Investments Proprietary Limited 2004/024831/07  
AFGRI Employment Empowerment Trust IT 15104/06

### **Dormant Companies**

AFGRI Lab Proprietary Limited 2000/026696/07  
JL Clark Cotton Company Proprietary Limited 1994/000002/07  
Clark Cotton Uganda Limited 50988 Incorporated in Uganda

Clark Cotton Mozambique Limited 11944 Incorporated in Mozambique  
Clark Cotton Swaziland Proprietary Limited 4 of 1965 Incorporated in Swaziland  
Daybreak Properties Springs Proprietary Limited 1994/000239/07  
Daybreak Superior Marketing Proprietary Limited 1994/003136/07  
Superior Foods Proprietary Limited 1997/005355/07  
Telsek Beleggings 1001 Proprietary Limited 1995/013936/07  
Nolko Proprietary Limited 1975/000948/07  
Techniland Proprietary Limited 2000/026800/07  
Far City Property Holdings Proprietary Limited 2006/003891/07  
Golf Car World Proprietary Limited 2003/018182/07  
Nedan Agri Business Proprietary Limited 1996/003251/07  
Nedan Oil Mills Proprietary Limited 1992/006859/07  
Cotton Seed Processors Proprietary Limited 1997/012512/07  
Wheatfield Investments No 34 Proprietary Limited 1999/010606/07

(Collectively “AFGRI” or ‘we”)

**Annexure “B” - Request for access to records of private body**

**Form C**

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

(Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 10]

**A. Particulars of private body**

The Head:

.....  
.....  
.....

**B. Particulars of person requesting access to the record**

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

Full names and surname: .....

.....

Identity number: .....

Postal address: .....

.....

Fax number: .....

Email 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 person.

Full names and surname: .....

.....

Identity number: .....

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 for the payment of any fee, please state the reason for exemption.*

Reason 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 hereunder, 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 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.

<b>1. If the record is in written or printed form:</b>			
	Copy of record		Inspection of record
<b>2. If record consists of visual images:</b> (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	View the image		Copy the images*
			Transcriptions of the images*

**3. If record consists of a recorded words or information which can be reproduced in sound:**

Listen to the soundtrack (audio cassette)	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?	<b>YES</b>	<b>NO</b>
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**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 folio.**

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: .....

.....

.....



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 .....20

.....

**SIGNATURE OF A REQUESTER /  
PERSON ON WHO'S BEHALF  
REQUEST IS MADE**

## **Annexure “C” - Fees in respect of private bodies**

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 contained in Part III of Annexure “A” of the Regulations. A copy of Part III is attached below for your convenience. The present charges are as follows:

1. **Copies of a manual**

Should an individual require a copy of the private body's manual, a fee of R1.10 is chargeable for every photocopy of an A4 page or part thereof.

2. **Reproduction fees<sup>1</sup>**

Reproduction fees apply to obtaining copies or transcriptions of information which is automatically available from the private body. The fees are listed in paragraph 2 of Part III of Annexure “A” to the Regulations.

3. **Access fees<sup>2</sup>**

Access fees are chargeable for copies or transcriptions of information requested under this Act. The fees are listed in paragraph 4 of Part III of Annexure “A” to the Regulations.

4. **Other fees**

4.1 A request fee<sup>3</sup> of R50.00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester. See paragraph 6 of Part 1 of this Work.

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

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1. Section 51(3) and Regulation 1(1).  
2. Section 54(7) and Regulation 11(3).  
3. Section 54(1) and Regulation 11(2).

- 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 take 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<sup>4</sup>.
- 4.4 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.

### **PART III**

#### **FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of the manual as contemplated in regulation 9(2) © is R1.10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

	<b>R</b>
(a) For every photocopy of an A4-size page or part thereof.....	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.....	0.75
(c) For a copy in a computer-readable form on-	
(i) stiffer disc.....	7.50
(ii) compact disc.....	70.00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof...	40.00
(ii) For a copy of visual images.....	60.00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof.....	20.00
(ii) For a copy of an audio record.....	30.00

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

<sup>4</sup> Annexure "A", Part III, Item 4(1)(f).

4. The access fees payable by a requester referred to in regulation 11 (3) are as follows:

	<b>R</b>
(1) (a) For every photocopy of an A4-size page or part thereof.....	1.10
(b) For every printed copy of an A4-size page or part thereof held in a computer or in electronic or machine-readable form.....	0.75
(c) For a copy in a computer-readable form on:	
(i) Stiff disc.....	7.50
(ii) Compact disc.....	70.00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof....	40.00
(ii) For a copy of visual images.....	60.00
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof.....	20.00
(ii) For a copy of an audio record.....	30.00
(f) To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and preparation.	
(2) For 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.	
(3) The actual postage is payable when a copy of a record must be posted to a requester.	