

Promotion of Access to Information

How you can request information from us



ACCESS TO INFORMATION MANUAL

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

AFGRI Holdings Proprietary Limited: 2013/013161/07 and its subsidiaries

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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 their constitutional right to access to information.

PURPOSE

To provide guidelines to the public who wish to exercise their constitutional right to access to information.

Below you will find information on how to lodge your request; a description of the types of information that will be made available; grounds for refusal; what procedure will be followed in considering your request; the applicable fee structure; and information on the appeals procedure should you not be satisfied with the outcome of your request.

SECTION A COMPANY DETAILS**AFGRI HOLDINGS PROPRIETARY LIMITED and its subsidiaries (“AFGRI”)**

Registered Address	12 Byls Bridge Boulevard, Highveld, Ext 73, Centurion
Postal Address	PO Box 11054, Centurion, 0046
Telephone Number	+27 11 063 2273
CEO	CP Venter Chris.Venter@agh.co.za
Deputy Information Officer	T Pfafferott
Email address	Toyah.Pfafferott@afgri.co.za
Website	www.afgri.co.za

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.

This manual applies to all companies.

A copy of this manual and the annexures are also available on our website at www.afgri.co.za.

The Act

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.

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.

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.

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
Email	paia@sahrc.org.za

SECTION B THE OFFICIAL GUIDE

The South African Human Rights Commission (SAHRC) as per section 10 of the Act has published a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act.

The Guide contains 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 are available on the SAHRC website. Enquiries regarding the Guide can be addressed to the SAHRC contact details provided above.

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

STATUTORY COMPANY INFORMATION	ACCOUNTING RECORDS	STATUTORY EMPLOYEE RECORDS	OTHER EMPLOYEE RECORDS	PENSION AND RETIREMENT FUNDING RECORDS	INTELLECTUAL PROPERTY	SALES AND MARKETING
<p>Certificate of Incorporation; Certificate of Change of Name (if any); Memorandum of Incorporation; Certificate to Commence Business; Shareholders Minute Book, CM25 and CM26, as well as Resolutions passed at general/shareholder meetings; Proxy Forms; Proxy Forms used at Court convened meetings; A Register of Allotments – after a person ceased to be a member; Register of Members; Index of Members; Register of Directors’ shareholdings; Register of Directors and Certain Officers; Directors’ Attendance Register; Branch Register; Annual Financial Statements for AFGRI Limited, including: (a) Annual accounts; (b) Directors’ report; (c) Auditor’s report.</p>	<p>Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange, specifically with regard to the requesting person</p>	<p>Employees’ names and occupations; Remuneration paid to employees; Employment equity plan; Collective agreements; Determinations made in terms of the Wage Act; Records of strikes, lockouts or protest action; Industrial training records.</p>	<p>Pro forma Employee contracts; Group HR Policy & Procedures manual; Group personal accident; Group life; Micro loan scheme.</p>	<p>Subject of a separate and independent Manual in terms of the Act and available at the Sanlam offices.</p>	<p>Patents, patent applications and inventions; Trademarks, trade names and protected names; Copyrights; Agreements relating to intellectual property such as license agreements; Litigation and other disputes involving intellectual property.</p>	<p>Brochures, Newsletters and Advertising Materials.</p>

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 Deputy Information Officer (whose contact details are in section A of this manual);
- our website;
- the SAHRC website (www.sahrc.org.za); or
- the Department of Justice and Constitutional Development website (www.doj.gov.za)

The form must then be sent to AFGRI’s Deputy Information Officer, Mrs. Toyah Pfafferott: Toyah.Pfafferott@afgri.co.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 but given on a need to know basis– you must identify the right you are seeking to exercise or protection of that right. The aim of the Act to try and balance the right of access to information with all the other rights in the constitution such as protecting people’s privacy and confidential commercial information.

Considerations before submitting a request

1. Are you submitting the request for the exercise or protection of any of your legitimate rights?
2. Is the information you require in record form, and under the control of AFGRI?
3. Do you have a legitimate right to access the record?

You will be notified in the manner indicated by you on the request form whether your request has been approved.

You are allowed to lodge an application with the Court, appealing AFGRI’s decision regarding the access fee and/or the form of access granted and/or any requested time extensions within 180 days from receiving AFGRI’s decision.

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 Advisory and Intermediary Services Act
- 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
- Protection of Personal Information Act 4 of 2013
- 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. You do **not** need to request this information in terms of the Act and request forms for these categories of information are also available from our authorized information officer.

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

ANNEXURE A REQUEST FORM 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, 2 of 2000 Regulation 10

A PARTICULARS OF PRIVATE BODY

The Head: Personal Information Officer

B PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- Full names and surname:
 - (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.
- Identity number
- Postal address
- Fax number
- Telephonenumber
- Emailaddress

The capacity in which a request is made when made on behalf of another person.

C PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must 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.

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

Reason for exemption of 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.

DESCRIPTION OF DISABILITY
Form in which record is required
<p>Mark the appropriate box with an X.</p> <p>Notes:</p> <ul style="list-style-type: none"> (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 fees 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		
	Copy of record*		Inspection of record
2.	If record consists of visual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)		
	Copy of images*		Transcription of the images*
3.	If record consists of recorded words or information that can be reproduced in sound		
	Listen to the soundtrack (audio cassette)		Transcription of the soundtrack* (written or printed document)
4.	If record is held on computer or in an electronic or machine-readable form		
	Printed copy of information derived from the record*		Copy in computer-readable form* (stiffy or compact disc)
5.	* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Note: Postage is payable		
	Yes		No

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.

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 or 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 decisions regarding your request for access to the record?

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

Signed at _____ on _____

.....
**Signature of requestor / person on
whose behalf request is made**

ANNEXURE B FEES IN RESPECT OF PRIVATE BODIES

	DESCRIPTION	RAND
1.	The fee for a copy of the manual as contemplated in regulation 9(2)(c) – for every photocopy of an A4-size page or part thereof	1,10
2.	The fees for reproduction referred to in regulation 11(1) are as follows:	
(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 computer-readable form on –	
(i)	Stiffy disc	7,50
(ii)	Compact disc	70,00
(d) (i)	For a transcription of visual images, or an A4-size page or part thereof	40,00
(d) (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
(e) (ii)	For a copy of an audio record	30,00
3.	The request fee payable by a requestor referred to in regulation 11(2)	50,00
4.	The access fees payable by a requestor referred to in regulation 11(3) are as follows:	
4.1 (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 on a computer or in electronic or machine-readable form	0,75
(c)	For a copy in a computer-readable form on –	
(i)	Stiffy 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
	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
(e) (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, excluding the first hour, reasonably required for such search and preparation	
4.2	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 requestor.	
4.3	The actual postage is payable when a copy of a record must be posted to a requestor	
<p><i>Note: People who are requesting access to their personal information are exempt from paying a fee. Furthermore, people who earn less than R14 712.00 per annum (if single) and (R27 192.00 per annum (if married or in a life partnership) are also exempt from paying the request fees.</i></p>		

PAIA MANUAL APPROVAL

I, **Chris Venter** the Chief Executive Officer of AFGRI Group Holdings Proprietary Limited do hereby confirm that this is the approved Access to information manual in compliance with Section 51 of the Promotion of Access to Information Act, 2 of 2000.



12 June 2019

Date

Chris Venter

Chief Executive Officer

AFGRI Holdings Proprietary Limited