

SECTION 51 MANUAL PROMOTION OF ACCESS TO INFORMATION ACT

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A. APPLICATION OF THE MANUAL

This manual applies to the following entities –

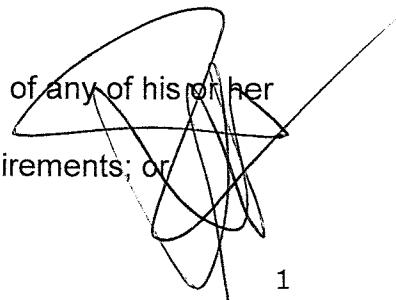
- Cargill RSA Proprietary Limited (Registration No. 1998/020303/07); a duly authorised Financial Services Provider (Registration No. 34023)
- Cargill RSA Proprietary Limited (Registration No. 1998/20303/07);
- Cargill Sugar RSA Proprietary Limited (Registration No. 2009/005476/07);
- Provimi SSA Proprietary Limited (Registration No. 1996/002008/07);
- Real Organic Foods Proprietary Limited (Registration No. 2006/021919/07).

The abovementioned entities shall be referred to as the "companies" in the manual.

The Promotion of Access to Information Act, 2 of 2000 ("the Act") seeks to advance the values of transparency and accountability. The Act came into effect on 9 March 2001.

The Act establishes the following statutory rights of requestors to any record of a private body if:

- that record is required for the exercise or protection of any of his or her
- legal rights;
- that requestor complies with all the procedural requirements; or



- access is not refused in terms of any ground referred to in the Act.

Scope

This Manual has been prepared and published in accordance with the requirements of section 51 of the Act. Its purpose is to facilitate access to records held by the companies.

Specifically the manual provides information on the:

- Contact details of the information officer, who will deal requests in terms of the Act;
- Records that are available in terms of any other legislation;
- Procedure that needs to followed to obtain access to a record

Who may request access to information?

The Act provides that a person may only request information in terms of the Act, if the information is required for the protection of a right. Only requests for access, where the requestor can furnish the Information Officer with sufficient particulars as to the right the requestor is seeking to protect will be considered.

A requestor can request access to information in different capacities; the category will influence the amount to be charged when a request has been lodged. Requestors can be classified in different categories:

- A personal requestor, that is a person who requests information about him herself.
- An agent requestor, that is a person requesting information on behalf of someone else.
- A third party requestor, that is a person requesting information about someone else.
- A public body, requests information in the public interest.

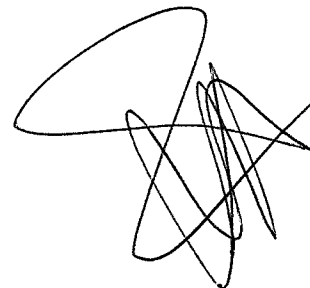
B. PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. Duly Authorised Information Officer

Information officer: Mr F du Plessis

Postal address:

PO Box 864
Sloane Park
2152

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Physical Address:

Cargill Building
Cedar View Office Park
Cnr 6th Rd & Runnymede Ave
Chartwell
Gauteng
South Africa

Telephone number: (011) 745 9600
Fax number: 0865 282 600 up to 7
e-mail address: fourie_duplessis@cargill.com

2. The section 10 Guide on how to use the Act

The Guide will, according to the South African Human Rights Commission (SAHRC), be available for inspection at the offices of the SAHRC. Please direct any queries to:

**The South African Human Rights Commission: PAIA Unit
The Research and Documentation Department**

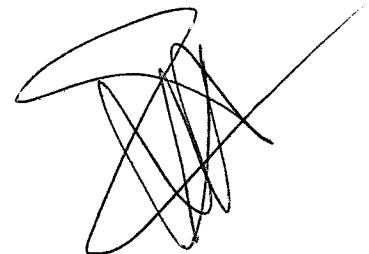
Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484-8300
Fax: +27 11 484-7146
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

3. Records available in terms of any other legislation

Certain legislation provides that private bodies shall allow certain persons access to specified records, upon request. Legislation that may be consulted to establish whether the requester has a right of access to a record other than in terms of the procedure set out in the Act are:

1. Companies Act No. 71 of 2008
2. Income Tax Act (No. 58 of 1962)
3. Value Added Tax Act (No. 89 of 1991)
4. Stock Exchange Act (No. 1 of 1965)
5. Labour Relations Act (No. 66 of 1995)
6. Basic Conditions of Employment Act (No. 75 of 1997)
7. Unemployment Insurance Act (No. 63 of 2001)



8. Unemployment Insurance Contributions Act (No. 4 of 2002)
9. Compensation for Occupational Injuries and Diseases Act (No. 130 of 1993)
10. Skills Development Act (No. 97 of 1998)
11. Skills Development Levies Act (No. 9 of 1999)
12. Employment Equity Act (No. 55 of 1998)
13. Competition Act (No. 89 of 1998)
14. Agriculture Product Standards Act (No. 119 of 1990)
15. Animal Diseases Act (No. 35 of 1984)
16. Pension Funds Act (No. 24 of 1956)
17. Trade Marks Act (No. 194 of 1993)
18. Occupational Health and Safety Act (No. 85 of 1993)
19. Customs and Excise Act (No. 91 of 1964)
20. Medicines and Related Substances Act (No. 101 of 1965)
21. Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act (No. 36 of 1947)
22. Petroleum Products Act (No. 120 of 1977)
23. Financial Intelligence Centre Act (No. 38 of 2001, as amended)
24. Financial Advisory Intermediary Services Act (No. 37 of 2002)
25. Financial Markets Act No. 19 of 2012.

Although we have used our best endeavours to supply you with a complete list of applicable legislation it is possible that the above list may be incomplete.

Wherever it comes to our attention that existing or new legislation allows a requester access on a basis other than that set out in the Act we shall immediately update the list.

If a requester believes that a right to access to a record exists in terms of the legislation listed above, or any other legislation, the requester is required to indicate what legislative right the request is based on, to allow the information officer the opportunity of considering the request in light thereof.

4. Access to the records held by the companies

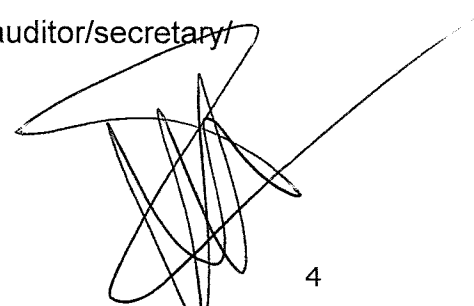
i. Information readily available

Not Applicable

ii. Records that may be requested:

Statutory Company Information

- Certificate of Incorporation
- Certificate of change of name (if any)
- Memorandum and Articles of Association
- Records relating to the appointment of directors/auditor/secretary/
public officer and other officers
- Share Register and other statutory registers



Financial records

- Annual Financial Statements
- Accounting Records
- Banking Records
- Bank Statements
- Paid Cheques
- Electronic banking records
- Asset Register
- Invoices

Customer information

- Address and telephone numbers
- Bank details

Transportation/logistics

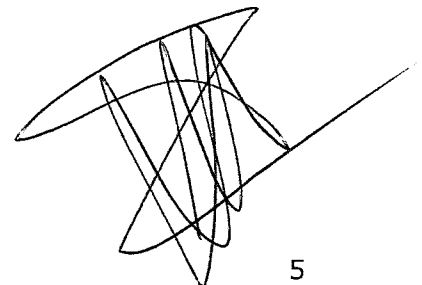
- Contact details of transporters
- Haulier instructions
- Customs documentation
- Vessel documents
- Permits

Personnel documents and records

- Employment contracts
- Employment Equity Plan (if applicable)
- Medical Aid records
- Provident Fund records
- Disciplinary records
- Salary records
- SETA records
- Disciplinary code
- Leave records
- Training records
- Training Manuals Agreements and contracts
- Agreements with customers
- Agreements with suppliers
- Trade confirmations
- Rental agreements
- Miscellaneous agreements

Taxation

- Income tax returns
- VAT returns
- Other tax returns and documents
- Other statutory compliance



Insurance

- Insurance policies
- Financial Services Provider (FSP) licence
- Conflict of Interest management policy
- Complaints resolution management policy
- Other documents relating to insurance

Other Intellectual property

iii. The request procedures:

Form of request:

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned.
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

Fees:

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:

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee.

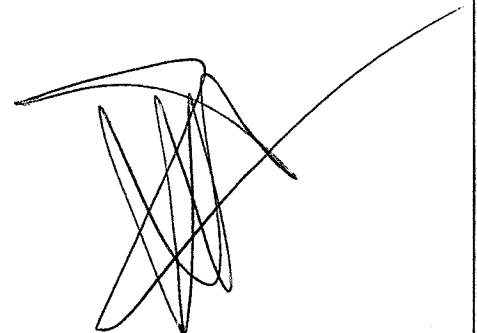
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record or disclosure.

5. Other information as may be prescribed

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

6. Availability of the manual

The manual is also available for inspection during office hours at the offices of the companies free of charge. A copy of this manual is also available on our website www.cargill.com. Copies are available from the SAHRC.

A large, handwritten scribble or signature in black ink, consisting of several overlapping loops and lines, located in the bottom right corner of the page.

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

- | | |
|-----|---|
| (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 surname:

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 <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> person.
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Full names and surname:

Identity number:

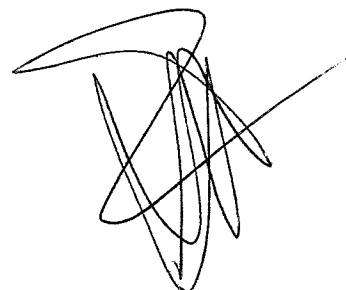
D. Particulars of record

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

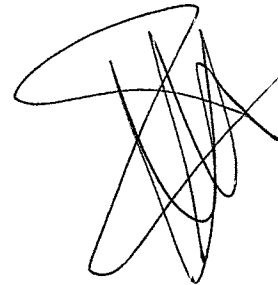
Reason for exemption from payment of fees:

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

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)					
	view the images	copy of the images"	transcription of the images*		
3. If record consists of 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? Postage is payable.			<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; text-align: center; border: none;">YES</td> <td style="width: 50%; text-align: center; border: none;">NO</td> </tr> </table>	YES	NO
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/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 of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Andrea Venter

From: Andrea Venter
Sent: 24 July 2015 12:08 PM
To: 'PAIA@sahrc.org.za'; 'lidlamini@sahrc.org.za'
Cc: Fourie DuPlessis; Marilize Moolman
Subject: CARGILL - Section 51 PAIA Manual
Attachments: Section 51 PAIA Manual - Cargill-final signed.pdf

Importance: High

Dear Lindiwe Dlamini,

Please find attached herewith a signed copy of the **Section 51 PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 (PAIA)** for **CARGILL**.

Please also take note that a copy hereof is published and open for public inspection on our company website to ensure compliance to the Act.

Trust you find the above to be in order

Regards,

Andrea Venter
Contract Desk Lead
Grain and Oilseeds Supply Chain Middle East & Africa
Cargill
150 years of helping the world thrive

direct: +27 11 745 9643 | mobile: +27 74 603 1452
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Cnr 6th Road & Runnymede Avenue, Chartwell 2191
Johannesburg, South Africa
www.cargill.co.za

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