

1. Introduction

Boschendal PTY (LTD) is committed to the observance of and compliance with the directives of the South African Constitution and national legislation. This manual was compiled in accordance with the Promotion of Access to Information Act (PAIA) No. 2 of 2000 and to address the requirements of the Protection of Personal Information Act (POPIA) No. 4 of 2013

POPIA and PAIA gives effect to carry out section 32 of the South African Constitution, which focuses on the right to access information i.e. everyone has the right of access to information held by the state or a private body to enforce a culture of transparency and accountability.

Section 51 of PAIA requires that Boschendal, as a private body compile a manual to enable a person to obtain access to information held by such private body and stipulates the minimum requirements that the manual has to comply with.

2. Availability of the Manual

This manual will be updated as required or when the relevant legislation changes. The latest copy of this manual is available on public facing Boschendal websites (<https://www.boschendal.com>).

Alternatively, this manual can be requested from the Information Officer as per contact details below:

3. Contact Details

Information Officer: Paul Baines
Email Address: paulb@boschendal.co.za
Physical Address: R310 Pniel Road
Postal Address: P.O. Box 35, Pniel Main Road, Pniel
Telephone Number: 021 870 4200
Website: <https://www.boschendal.com>

4. Records available in terms of any other Legislation

Boschendal keeps information and records in accordance with the following legislation, which includes, but is not limited to the following legislation:

1. The Constitution of the Republic of South Africa No.3 of 1994;
2. Companies Act No. 61 of 1973;
3. Competition Act No. 89 of 1998;
4. Consumer Affairs (Unfair Business Practices Act), 71 of 1988;
5. Consumer Protection Act No. 68 of 2008;
6. The Value-Added Tax Act No. 89 of 1991;
7. Income Tax Act No. 58 of 1962;
8. South African Revenue Services Act, 34 of 1997;
9. Basic Conditions of Employment Act No. 75 of 1997;
10. Employment Equity Act No. 55 of 1998;
11. Labour Relations Act No. 66 of 1995;
12. Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000;
13. The Occupational Health and Safety Act No. 85 of 1993;

14. Manpower Training Act No. 56 of 1981;
15. Skills Development Act No. 97 of 1998;
16. Skills Development Levies Act No. 9 of 1999;
17. Unemployment Insurance Contributions Act No. 4 of 2002;
18. Unemployment Insurance Fund Act No. 63 of 2001;
19. The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993;
20. National Environment Management Act No. 107 of 1998;
21. The Atmospheric Pollution Prevention Act No. 45 of 1965;
22. The Health Act No. 63 of 1977;
23. Deeds Registries Act No. 47 of 1937;
24. Customs and Excise Amendment Act, 45 of 1995;
25. Copyright Act No. 98 of 1978
26. Trade Marks Act No. 194 of 1993;
27. Medicines and Related Substances Control Act No. 101 of 1965;
28. Hazardous Substances Act No. 15 of 1973;
29. Liquor Act No. 59 of 2003;
30. Liquor Products No. 60 of 1989;
31. Electronic Communications and Transactions Act No. 25 of 2002;
32. Regulation of Interception of Communications and Provision of Communications Related Information Act No. 70 of 2002

From time to time, Boschendal may be required to comply with other legislation as a result of the products and services being provided to customers operating in different sectors.

5. Categories of Requestors

The capacity under which a Requestor makes a request for records defines the category in which the Requestor will fall into. There are four categories of Requestors:

- A Data Subject who makes requests about themselves;
- A Representative who makes a request on behalf of the Data Subject(s);
- A Third Party who requests information about a Data Subject; or
- A Public Body who requests information in the public interest.

6. Category of Records held by Boschendal

This manual sets out a description of the subjects on which Boschendal holds records, and categories of records held on each subject (refer to Appendix B). These include operational records utilised in the day to day running and administration of the business. Access to the listed records /information per Appendix B does not guarantee access requests will be approved / granted.

7. Automatically Available Records

Information that is obtainable via the Boschendal website about Boschendal is automatically available and need not be formally requested in terms of this manual.

The following categories of records are automatically available for inspection, purchase or photocopying:

- brochures
- press releases
- publication; and
- various other marketing and promotional material.

8. Request Process

A person who requests access to records must complete the necessary request form, as set out in Appendix A, and the completed form must be marked for the attention of the Information Officer and sent to:

Email address: paulb@boschendal.co.za
Postal address: P.O. Box 35, Pniel Main Road, Pniel

The following should be detailed in the form:

- The requester must indicate which form of access is required;
- Identify the right that is sought to be exercised or protected;
- Provide an explanation of which the requested record is required for the exercise or protection of that right; and
- Provide proof of the capacity in which the requester is requesting the information- Proof of identification of the requestor (and related third parties acting on behalf of the requestor) must be provided on submitting the request form.

An initial response to a request may take up to 30 days from the date of receipt. The Information Officer may extend the period by an additional 30 days depending on the complexity of the request requirements. If access to a record/information is granted, the requestor will be notified and will include the following:

- An indication of the access fee that should be paid upon gaining access (if any).
- An indication of the form in which the access will be granted.

If access to a record/information is denied, the requestor will be notified and will include the following:

- Adequate reasons for the refusal.
- Advice on how to lodge an application against the refusal with a court, once the Requestor has exhausted all available remedies with Boschendal.

9. Request Fees

Prescribed fees were published by the Minister of Justice and Constitutional Development in the Government Gazette No. 23119, General Notice No. 187 of 15 February 2002. Please refer to Appendix C for Boschendal's fee structure.

10. Appendices

Appendix A

The application form can be obtained from:

http://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf

Appendix B: Record Categories

BUSINESS INFORMATION	
Documents of Incorporation	Memorandum of Incorporation
Minutes of Board of Directors Meetings	Appointment of Directors/Auditors/Secretaries
Public Officer and other Prescribed Officers	Share Register and other Statutory Registers
Management Reports	Strategic and Business Plans
Annual integrated Reports	Services and Products (incl. pricing)
Records held in compliance to specific legislation, regulations and codes	
FINANCE AND ACCOUNTING	
Annual Financial Statements	Tax Records (company and individual employees)
Accounting Records	Banking Records Banking Statements
Paid Cheques	Electronic Bank Records
Asset Register	Rental Agreements
Invoices	General Correspondence
Management Accounts and Records	Budgets
Insurance	Share Register



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Financial Transactions	Purchase and Order Records
Banking Records	Contracts
Financial Policies and Procedures	Risk Management Records
Internal Audit Records	Statutory Returns Records
INCOME TAX RECORDS	
Pay As You Earn (PAYE) Records	Documents Issued to Employees for Income Tax
Payments to SARS on Behalf of Employees	Statutory Records
HUMAN RESOURCES	
Employment Contracts	Employment Equity Plan (if applicable)
Medical Aid Records	Pension Fund Records
Salary Records	Disciplinary Records
Disciplinary Code	Leave Records
Training Records and Manuals	Identity Documents
Bank and Address Particulars	Background Check (criminal records, credit checks)
Life Cover and Provident fund: tax reference number and ID numbers of nominated beneficiaries	



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ENVIRONMENTAL HEALTH AND BEAUTY	
Environmental Assessments	Accident Investigation Reports
Safety Organizational Structures	Policies and Procedures
Information Relating to the Fire Systems	Machinery Tests Records
Contractor Agreements	CCTV Footage
SALES	
Pricing Information	Sales Policies Procedures
Sales Forecasts	General Correspondence
Product Sales Records/ Statistics	Customer Complaints
Customer Information	
LOGISTICS	
Information Relating to Freight Agents	Inventory
Shipping Information	Delivery Plans
Policies and Procedures	General Correspondence
Customs Documentation	
INFORMATION TECHNOLOGY (IT)	
IT Policies and Procedures	Network Diagrams



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Configuration Setups	User Manuals
System Performance Records	General Correspondence
Asset Registers - IT related hardware and software	User Awareness
Security Certifications	Privacy Program
Project Plans	Investment Plans and Budgets
MARKETING	
Statistical Information on the Market	Smart Shopper Information
Customer Profiling / Purchase Information	Historical Records of Promotions
Information on Promotions, Products and Suppliers	Strategic Marketing Campaign Documents

Appendix C: Prescribed Fees

These prescribed fees below was published by the Minister of Justice and Constitutional Development in the Government Gazette No. 23119, General Notice No. 187 of 15 February 2002, and are set out as follows:

ACCESS FEES FOR REPRODUCTION	
Each photocopy of A4 sized part or a part thereof	R1.10
Each photocopy of A4 sized page or part thereof held on a computer or in electronic or machine-readable form	R0.75
Copy of a computer readable memory stick	R7.50
Copy of a computer readable compact disc	R70.00
Transcript copy of visual images of an A4 sized page or part thereof	R40.00
Copy of visual images	R60.00
Transcription of an audio record on an A4 sized page or part thereof	R20.00
Copy of the audio record	R30.00
Times reasonably spent to locate a record and preparation for the disclosure or part thereof	R30.00 per hour
REQUEST FEES	
Access to a record containing personal information of the Requestor	Free
Any other access to a record as a public body made by a Requestor and another person other than the Requestor	R50.00



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POSTAL FEES	
Postage of a record to the Requestor	R9.75
Courier of a record to the Requestor	R99.00

All payments shall be made in the form of an Electronic Funds Transfer (EFT) to the Boschendal bank account. Banking details will be made available for payment upon request.