

EXSA (Pty) Ltd – Access to Information Manual



We respect your right of access to information. This document will help you exercise that right as required by section 51 of the Promotion to Access of Information Act 2 of 2000 (PAIA).

Callouts like this are a summary of our manual and contain the most important and relevant points for you. They are here to help you understand it, but please read the full manual.

Contents

Dates	2
Introduction	2
Our details	2
Further guidance	2
Records we hold	2
Company records	3
Business records	3
Financial records	3
Insurance records	4
Income tax records	4
Personnel records	4
Policies and directives	5
Agreements or contracts	5
Regulatory documents	5
Published information	5
Customer information	6
Reference materials	6
Information we hold to comply with the law	6
How to request access	6
Grounds for refusal	7
How we will give you access	8
How much it will cost you	8
How we process and protect personal information	8
Categories of people	8
Purposes	8
Categories of personal information	8
Third-party disclosures	9
Cross-border transfers	9
Security	9
Other prescribed information	9
Availability of this Manual	9
Updates to this Manual	9

1. Introduction

EXSA is a dynamic, Specialist Grower and Exporter company that exports fruit, primarily grapes, from South Africa. We were founded in 1996 by a group of producers who have modern ideas combined with old-fashioned values, based on integrity, honesty, mutual trust and real involvement in the company. This is our 'Access to Information Manual'. Its purpose is to help you access our information and any other information that we have. PAIA requires us to make it available to you so that you:

- know what types of information we have; and
- can request access to it.

This manual exists to tell you what information we have and help you get access to it.

2. Our contact particulars

Our details are as follows:

- **Company name:** EXSA (Pty) Ltd
- **Registration number:** 1996/016607/07
- **Postal address:** PO Box 1486
Paarl
Western Cape
7620
- **Physical address:** Cecilia Square
100 Cecilia Street
Paarl
Western Cape
7646
- **Phone number:** +27 21 914 8280
- **Fax number:** +27 21 914 2993
- **Information officer:** Monique Nieuwoudt
- **Information officer email:** monique@exsa.com
- **Contact email:** info@exsa.com
- **Website:** https://exsa.com

These are all our details, but please rather contact us by email at info@exsa.com whenever possible.

3. Further Guidance

If you would like further guidance on how you can get access to information under PAIA, you may contact the South African Human Rights Commission (SAHRC) to find out more information about PAIA. They have a guide in each official language of South Africa on how to exercise any right under PAIA. The guide is available here:

<https://www.sahrc.org.za/home/21/files/SAHRC%20PAIA%20Section%2010%20Guide%202020%20FINAL%20WEB.pdf>. In terms of the Section 110 of the Protection of Personal Information Act 4 of 2013 the

functions of the Human Rights Commission have been transferred to the Information Regulator. Their contact details are as follows:

- **Postal address:** P.O Box 3153, Braamfontein, Johannesburg, 2017
- **Physical address:** JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
- **Website:** <https://www.justice.gov.za/inforeg/index.html> and <http://www.sahrc.org.za/index.php/understanding-paia>
- General e-mail: inforeg@justice.gov.za
- Complaints email: complaints.IR@justice.gov.za

For further guidance on how you can get access to information, please visit:
<http://www.sahrc.org.za/index.php/understanding-paia> or <https://www.justice.gov.za/inforeg/index.html>.

4. Information available in terms of other legislation

We hold records for the purposes of PAIA in terms of the following main laws, among others:

- 4.1 Basic Conditions of Employment Act 75 of 1997;
- 4.2 Broad Based Black Economic Empowerment Act 53 of 2003;
- 4.3 Companies Act 61 of 1973;
- 4.4 Companies Act 71 of 2008;
- 4.5 Compensation for Occupational Injuries and Disease Act 130 of 1993;
- 4.6 Competition Act 89 of 1998;
- 4.7 Consumer Protection Act 68 of 2008;
- 4.8 Copyright Act 98 of 1978;
- 4.9 Electronic Communications Act 36 of 2005 ;
- 4.10 Electronic Communications and Transactions Act 25 of 2002;
- 4.11 Employment Equity Act 55 of 1998;
- 4.12 Financial Intelligence Centre Act 38 of 2001;
- 4.13 Income Tax Act 58 of 1962;
- 4.14 Labour Relations Act 66 of 1995;
- 4.15 National Credit Act 34 of 2005;
- 4.16 Occupational Health and Safety Act 85 of 1993;Promotion of Access to Information Act 2 of 2000;
- 4.17 Protection of Personal Information Act 4 of 2013;
- 4.18 Regulation of Interception of Communications and Provision of Communication related Information Act 70 of 2002;
- 4.19 Skills Development Act 97 of 1998;
- 4.20 Skills Development Levies Act 9 of 1999;
- 4.21 South African Revenue Services Act 34 of 1997;
- 4.22 Unemployment Insurance Act 63 of 2001;
- 4.23 Unemployment Contributions Act 4 of 2002;
- 4.24 Value Added Tax Act 89 of 1991.

5. Records we hold

We hold the following subjects and categories of records:

- **Company records;**
- **Business records;**
- **Financial records;**
- **Insurance records;**
- **Income Tax records;**
- **Personnel records;**
- **Policies and directives;**
- **Agreements or contracts;**
- **Regulatory documents;**
- **Published information;**
- **Customer information;**

- **Information Technology;** and
- **Reference materials.**

Please note that records that are 'not automatically available,' must be requested using the process outlined.

We hold various subjects and categories of records in electronic or physical form that are available automatically or in other ways.

5.1 Company Records

5.1.1	Annual Statutory Return Details	Automatically available from CIPC
5.1.2	Documents of Incorporation	Automatically available from CIPC
5.1.3	Dividend register	Not automatically available
5.1.4	Directors' attendance register	Not automatically available
5.1.5	Index of Members	Not automatically available
5.1.6	Directors' names	Automatically available from CIPC
5.1.7	Memorandum of Incorporation and alterations / amendments	Automatically available from CIPC
5.1.8	Notice and minutes of shareholders' meetings	Not automatically available
5.1.9	Minutes of directors' meetings	Not automatically available
5.1.10	Minutes of audit committee meetings	Not automatically available
5.1.11	Minutes of directors' committee meetings	Not automatically available
5.1.12	Register of Allotments	Not automatically available
5.1.13	Records relating to appointment of directors, auditor, secretary, public officer, or other officers	Not automatically available
5.1.14	Register of directors' shareholding	Not automatically available
5.1.15	Reports presented at Annual General Meeting	Not automatically available
5.1.16	Written Resolutions	Not automatically available
5.1.17	Shareholders' register	Not automatically available
5.1.18	Securities register / uncertificated securities register	Not automatically available

5.2 Business records

Business records include any documents that have economic value to the business.

5.2.1	Operational records	Not automatically available
5.2.2	Databases	Not automatically available
5.2.3	Published works	Not automatically available
5.2.4	Internal correspondence	Not automatically available
5.2.5	Product records	Not automatically available

5.3 Financial records

5.3.1	Annual financial statements and working papers	Not automatically available (NDA)
-------	---	-----------------------------------

	required)	
5.3.2	Subsidiary ledgers (receivables, payables, etc.)	Not automatically available
5.3.3	Banking details	Automatically available on request
5.3.4	Tax returns	Not automatically available
5.3.5	Other documents relating to taxation of the company	Not automatically available
5.3.6	Accounting records	Not automatically available
5.3.7	Banking records	Not automatically available
5.3.8	Bank statements	Not automatically available
5.3.9	Electronic banking records	Not automatically available
5.3.10	Paid cheques	Not automatically available
5.3.11	Asset register	Not automatically available
5.3.12	Rental agreements	Not automatically available
5.3.13	Invoices	Not automatically available
5.3.14	Financial agreements	Not automatically available

Financial records include our financial statements and banking details.

5.4 Insurance records

Insurance records are all our records related to our insurable assets.

5.4.1	Insurance policies held by the company	Not automatically available
5.4.2	Register of all immovable property owned by the Company	Not automatically available

5.5 Income Tax records

Income tax records are all our records related to our income tax obligations.

5.5.1	PAYE Records	Not automatically available
5.5.2	Corporate tax records	Not automatically available
5.5.3	Customs tax	Not automatically available
5.5.4	Documents issued to employees for income tax purposes	Not automatically available
5.5.5	Records of payments made to SARS on behalf of employees	Not automatically available
5.5.6	VAT records	Not automatically available
5.5.7	Regional Services Levies	Not automatically available
5.5.8	Skills Development Levies	Not automatically available
5.5.9	UIF	Not automatically available
5.5.10	Workmen's Compensation	Not automatically available

5.6 Personnel records

Personnel records are all our records about anyone who works for us, provides services to us, or provides services on our behalf and who receives or is entitled to receive remuneration, including our employees, contractors, and other personnel.

5.6.1	List of employees	Not automatically available
5.6.2	Employee personal information	Not automatically available
5.6.3	Employee employment contracts	Not automatically available
5.6.4	Employment policies and procedures	Not automatically available

5.6.5	Employment Equity Plan	Not automatically available
5.6.6	Medical aid records	Not automatically available
5.6.7	Pension and provident fund records	Not automatically available
5.6.8	Salaries of employees	Not automatically available
5.6.9	Leave records	Not automatically available
5.6.10	Internal evaluations	Not automatically available
5.6.11	Disciplinary records	Not automatically available
5.6.12	Disciplinary codes	Not automatically available
5.6.13	Training records	Not automatically available
5.6.14	Operating manuals	Not automatically available
5.6.15	Personal records provided by personnel	Not automatically available
5.6.16	Other statutory records	Not automatically available
5.6.17	Related correspondence	Not automatically available

Personnel records include records about our employees and contractors.

5.7 Policies and directives

Policies and directives include both internal and external documents.

5.7.1	Internal relating to employees and the company	Not automatically available
5.7.2	External relating to clients and other third parties	Not automatically available
5.7.3	Information technology systems and documents	Not automatically available

5.8 Agreements or contracts

Agreements or contracts include the documents themselves and all related documents.

5.8.1	Standard Agreements	Not automatically available
5.8.2	Contracts concluded with customers	Not automatically available
5.8.3	NDA's	Not automatically available
5.8.4	Letters of Intent, MOUs	Not automatically available
5.8.5	Third party contracts (such as JV agreements, VAR Agreements, etc.)	Not automatically available
5.8.6	Office management contracts	Not automatically available
5.8.7	Supplier contracts	Not automatically available

5.9 Regulatory documents

Regulatory documents include any documents required to comply with any laws.

5.9.1	Permits	Not automatically available
5.9.2	Licences	Not automatically available
5.9.3	Authorities	Not automatically available

5.10 Published information

Published information includes any document that we prepare and produce.

5.10.1	External newsletters and circulars	Automatically available
5.10.2	Internal newsletters and circulars	Not automatically available
5.10.3	Information on the company published by third parties	Not automatically available

5.11 Customer information

Customer information includes any information about anyone that we provide goods or services to, including our customers, leads, or prospects.

5.11.1	Customer details	Not automatically available
5.11.2	Contact details of individuals within customers	Not automatically available
5.11.3	Communications with customers	Not automatically available
5.11.4	Sales records	Not automatically available
5.11.5	Transactional information	Not automatically available
5.11.6	Marketing records	Not automatically available

5.12 Reference materials

Reference materials include any sources of information that we contribute to.

5.12.1	Books	Not automatically available
5.12.2	Newsletters and journals articles	Not automatically available
5.12.3	Magazines	Not automatically available
5.12.4	Newspaper articles	Not automatically available

6. Requesting procedures

We have authorised and designated our information officer to deal with all matters relating to PAIA in order to comply with our obligations in terms of PAIA. To request access to a record, please complete Form C which is available from:

- The Information Regulator website at https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf

Please submit the completed form to our information officer together with the relevant request fee (details here: <http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>) at our information officer's email address, our physical address, or by fax in terms of our details provided above. Please ensure that the completed form:

- has enough information for the information officer to identify you, the requested records, and which form of access you require;
- specifies your email address, postal address, or fax number;
- describes the right that you seek to exercise or protect;
- explains why you need the requested record to exercise or protect that right;
- provides any other way you would like to be informed of our decision other than in writing; and
- provides proof of the capacity in which you are making the request if you are making it on behalf of someone else (we will decide whether this proof is satisfactory).

If you do not use the standard form we may:

- reject the request due to lack of procedural compliance;
- refuse it if you do not provide sufficient information; or
- delay it.

You may request information by completing a request for access form and submitting it to our information officer together with a request fee.

7. Grounds for refusal

We may have to refuse you access to certain records in terms of PAIA to protect:

- someone else's privacy;
- another company's commercial information;
- someone else's confidential information;
- the safety of individuals and property;
- records privileged from production in legal proceedings; or
- research information.

We will notify you in writing whether your request has been approved or denied within 30 calendar days after we have received a completed request for access form. If we cannot find any requested record or it does not exist, then we will notify you by way of affidavit that it is not possible to give access to that particular record.

We may have to refuse you access to a record to protect others.

8. How we will give you access

We will evaluate and consider all requests to us in terms of PAIA. If we approve your request for access to our records, then we will decide how to provide access to you – unless you have asked for access in a specific form. Publication of this manual does not give rise to any rights to access information records, except in terms of PAIA.

9. How much it will cost you

You must pay us a request fee as required by law when submitting a request for access to information. The prescribed fees are as set out in the Fee Schedule which is available here:

<http://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>. You must pay us the fees before we will hand over any information. You may have to pay a further access fee if we grant the request for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

10. How we process and protect personal information

We process the personal information of various categories of people for various purposes as set out in this clause.

10.1 Categories of people

We process the personal information of the following categories of people:

- customers or clients;
- prospects or leads;
- employees;
- recruiters and medical practitioners providing services related to employees;
- contractors, vendors, or suppliers;
- debtors and creditors;
- dealers; and
- directors and shareholders.

10.2 Purposes

We process the personal information to:

- provide our goods or supply our services;
- better understand our data subjects' needs when doing so;
- keep our data subject records up-to-date;
- manage employees in general;
- manage supplier contracts in general;
- manage dealer relationships in general;
- manage customers in general;
- manage customer credit in general;
- market to customers in various countries;
- enforce debts;
- market goods and services to prospects;
- process customer requests or complaints; and
- process personal information of employees for forensic purposes.

10.3 Categories of personal information

We process many different categories of personal information, including:

- contact details, such as phone numbers, physical and postal addresses, and email addresses;
- personal details, such as names and ages;
- demographic details, such as races and age groups;
- health information;
- biometric information;
- account numbers;
- background information;
- contract information;
- credit information;
- market intelligence information;
- learner information; and
- debt and debtor information.

10.4 Third-party disclosures

We give the following people personal information that we process in the ordinary course of business to fulfil our obligations to our customers or clients:

- contractors, vendors, or suppliers;
- agents, distributors, or other resellers;
- operators, other responsible parties, or co-responsible parties; and
- third party vendors (such as software developers) to help us maintain our services.

10.5 Cross-border transfers

We send personal information outside of South Africa to various countries. We will only transfer data to other countries who have similar privacy laws to South Africa's, or recipients who can guarantee the protection of personal information to the same standard we must protect it.

10.6 Security

We secure data by maintaining reasonable measures to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration and destruction. We also take reasonable steps to keep personal information accurate, current, complete, confidential and reliable for its intended use.

We do our best to keep all data in our possession secure and up-to-date.

11. Remedies

If your request for access is denied, you may:

- apply to a court with appropriate jurisdiction, or
- lodge a complaint with the Information Regulator,

for the necessary relief.

12. Availability of this Manual

This manual is available in English and will be available on our website, and at our company offices. The manual is also electronically available on our website at: <https://exsa.com/>.

13. Updates to this Manual

This manual will be updated whenever we make material changes to the current information.