

# **MANUAL OF IMANA FOODS (SA) (PTY) LTD**

## **Registration Number 1994/001062/07**

In terms of Section 51(1) of the Promotion of Access to Information Act 2 of 2000 (“the Act”)

### **THE PURPOSE**

The purpose of this document is to serve as the Manual of Imana Foods (SA) (Pty) Ltd as required in terms of the Act, and to provide a reference as to the records held and the procedures that need to be followed to request access to such records.

### **INTRODUCTION**

Imana Foods (SA) (Pty) Ltd is a juristic person incorporated as a private company in terms of the company laws of the Republic of South Africa. Imana Foods (SA) (Pty) Ltd is classified as “private body” within the definition of Section 1 of the Act, and conducts business as manufacture and branding of food products targeted at the retail and wholesale food market.

### **SECTION I:**

#### **CONTACT PERSON AND ADDRESS DETAILS OF IMANA FOODS (SA) (PTY) LTD**

(as required by Section 51(1)(a))

The Company Secretary of Imana Foods SA (Pty) Ltd is the contact person to ensure that the Act is complied with:

Contact Person: Liezel Grift c/o IT Dynamics (Pty) Ltd

Physical Address: 115 Qashana Khuzwayo Road, New Germany, South Africa

Postal Address: Private Bag X815, New Germany, 3620, South Africa

Telephone: (031) 713 0887

E-mail address: Liezel.Grift@itdynamics.co.za

### **SECTION II:**

#### **GUIDE ON HOW TO USE THE ACT**

(as required by Section 51(1)(b), as read with Section 10)

- a) The Act grants a requester access to records of the COMPANY, 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.
- b) 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.
- c) Requesters are referred to the Guide compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The contact details of the Commission are:

The South African Human Rights Commission

PAIA Unit, The Research and Documentation Department

Private Bag X2700

Houghton

2041

Telephone: 011 484-8300

Facsimile: 011 484-7149

Website: [www.sahrc.org](http://www.sahrc.org)

E-mail: PAIA@sahrc.org.za

## **SECTION III:**

### **CATEGORIES OF RECORDS AVAILABLE**

(as required by Section 51(1)(c))

The following categories of records are automatically available without a person having to request access in terms of this Act:

1. Statutory records
  - Memorandum of association
  - Articles of association
  - Certificate of incorporation
  - Certificate to commence business
  - Register of directors
2. Corporate communications
  - Press releases
3. Human Resources
  - Employment Equity returns to the Dept of Labour
  - Work skills development plan submitted to the relevant SETA's
  - Standard Terms and Conditions of Employment applicable to all Staff
4. Intellectual property
  - Imana Foods (SA) (Pty) Ltd trademark and registration numbers
5. Immovable property
  - Title deeds
6. Company investments
  - Associates and joint ventures
7. Employee benefits
  - Provident Fund,
  - Funeral and disability benefits
  - Discovery Medical Aid
  - Hospitalisation insurance
8. Auditors

Imana Foods (SA) (Pty) Ltd's auditors are Deloitte & Touche, 2 Pencarrow Crescent, Pencarrow Park, La Lucia, Ridge Office Estate, La Lucia, 4051.

## **SECTION IV:**

### **RECORDS AVAILABLE IN ACCORDANCE WITH LEGISLATION**

(as required by Section 51(1)(d))

Records are available in accordance with the following current South African legislation (only to the extent that the relevant Act makes disclosure of records compulsory):

- Basic Conditions of Employment Act 75 of 1997
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- National Payment System Act 78 of 1998
- Occupational Health and Safety Act 85 of 1993
- Patent Act 57 of 1978
- Skills Development Act 9 of 1999
- Skills Development Levies Act 9 of 1999
- Trade Mark Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

## **SECTION V:**

### **DETAIL TO FACILITATE A REQUEST FOR ACCESS TO RECORDS**

(as required by section 51(1)(e))

Any request for access to records should be submitted on the prescribed form C (a copy of which is attached) which should be sent to the Head of Imana Foods (SA) (Pty) Ltd whose name and address details appear in Section 1 hereof.

Imana Foods (SA) (Pty) Ltd has in its possession the following categories of records on the subject matters referred to hereunder:

#### **CATEGORIES AND RECORD SUBJECTS**

##### **Chief Executive's office**

The Chief Executive's office records comprise the following main categories:

- Administration Records
- Internal Reports and Communications
- Financial Reports

##### **Accounting**

The Accounting department maintains financial and management accounts for the company and provides back-office activities that support Treasury and Cash Management.

Accounting records comprise the following main categories:

- Accounting Records
- Investment Records
- General Correspondence
- Management Reports
- Treasury Records
- Transactional Records
- VAT Records
- PAYE Records
- Tax Records
- Consolidation Records
- Internal Reports and Communications

##### **Company Secretary**

IT Dynamics (Pty) Ltd provides company secretarial services to the company.

Company Secretary records comprise of the following main categories:

- Contracts and Agreements
- Property Records
- Intellectual Property Rights Records (Trademarks, Patents, Registered Designs and Copyright)
- General Correspondence
- Investment Records
- Share Registration Records
- Statutory Records
- Minute Books
- Internal Reports and Communications

## **SECTION VI:**

### **ACCESS REQUEST PROCEDURE AND PRESCRIBED FEES**

A request for access to records must be made in the prescribed Form C (a copy of which is attached) which should be sent to the address, fax number or electronic mail address.

Please note that an initial, non-refundable request fee of R50,00 (exclusive of VAT) is payable on submission. This fee is not applicable to personal requests, i.e. individual seeking access to records pertaining to those individuals themselves.

In the event that a request for access is successful an access fee will be payable for the search, reproduction and/or preparation of records and will be calculated based on the fee prescribed

under the Act. The access fee must be paid prior to access being given to the requested record. Request for information will be evaluated and the applicant will be notified within 30 days after receipt of the request in the prescribed format of the following:

*Notification of extension period (if required)*

Applicants must take note that in terms of the Act the 30 days period mentioned above may be extended for a further period of not more than 30 days under certain circumstances (details will be provided together with the notification of such extension);

*The access fee and/or deposit*

The applicant will be informed of the access fee (if any) which is payable for having access to the records. In addition, a deposit may be requested which is fully refundable in the event that the application is ultimately refused.

*Decision on request*

The applicant will be informed whether or not the application for access has been denied, or granted. In the event that it is granted the information referred to above pertaining to the access fee, any deposit payable and any other relevant matters will be advised. In the event that the applicant is refused, the applicant will be given adequate reasons for the refusal and will be informed that the applicant may lodge an application with a Court against the refusal of the application, as well as the procedure (including the period) for lodging such application.

*Grounds for refusal*

Imana Foods (SA) (Pty) Ltd may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which Imana Foods (SA) (Pty) Ltd may refuse include:

- Protecting personal information that Imana Foods (SA) (Pty) Ltd hold about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;
- Protecting commercial information that Imana Foods (SA) (Pty) Ltd holds about a third party (for example trade secrets, financial, commercial, scientific or technical information that may harm the commercial or financial interests of Imana Foods (SA) (Pty) Ltd or the third party);
- If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement;
- If disclosure of the record would endanger the life or physical safety of an individual;
- If disclosure of the record would prejudice or impair the security of property or means of transport;
- If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- If disclosure of the record would prejudice or impair the protection of the safety of the public;
- The record is privileged from production in legal proceedings, unless the legal privilege has been waived;
- Disclosure of the record (containing trade secrets, financial, commercial, scientific or technical information) would harm the commercial or financial interests of Imana Foods (SA) (Pty) Ltd;
- Disclosure of the record would put Imana Foods (SA) (Pty) Ltd at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- The record is a computer programme; and
- The record contains information about research being carried out or about to be carried out on behalf of a third party of Imana Foods (SA) (Pty) Ltd.

*Records that cannot be found or do not exist*

If Imana Foods (SA) (Pty) Ltd has searched for a record and it is believed that the record either does not exist or cannot be found, the applicant will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

*Third party information*

If access is requested to a record that contains information about a third party, Imana Foods (SA) (Pty) Ltd is obliged to attempt to contact this third party to inform them of the request. This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied.

In the event of the third party furnishing reasons for the support or denial of access, our designated contact person will consider these reasons in determining whether access should be granted, or not.

Last Revised:	09/2013
Authorised By:	Liezel Grift (Company Secretary)
For Queries Please Contact:	Liezel Grift 031-7130887 Liezel.Grift@itdynamics.co.za