

LAEVELD AGROCHEM (PTY) LTD
REGISTRATION NUMBER 1991/004865/07
(the "Company")



PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act 2 of
2000 (as amended)**

**DATE OF COMPILATION: 31/07/2018
DATE OF REVISION: 25/08/2022**

1. PREFACE

- 1.1. The Promotion of Access to Information Act, 2000 ("**PAIA**") came into operation on 09 March 2001. PAIA seeks, inter alia, to give effect to the Constitutional right of access to information held by another body or by any other person where such information is required for the exercise or protection of any right. PAIA gives natural and juristic persons the right of access, subject to certain terms and conditions, to records held by either a private or public body, to empower them to exercise or protect their rights.
- 1.2. Where a request is made in terms of PAIA to a private body, the private body must disclose the information if the request was done in accordance with the terms and conditions of the private body and such request has not been denied in terms of one of the grounds for refusal as set out in PAIA. The requestor must show that the record is required for the exercise or protection of any rights and that no grounds of refusal contained in PAIA are applicable.
- 1.3. In terms of section 51 of PAIA, private entities are obliged to compile a manual to enable a person to obtain access to information held by such a private body and stipulates the minimum requirements that the manual must comply with and also sets out the requisite procedural issues attached to information requests.
- 1.4. This Manual is therefore compiled for Laeveld Agrochem (Pty) Ltd in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 ("**POPIA**"), which gives effect to everyone's Constitutional right to privacy. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.

2. PURPOSE AND OBJECTIVES OF THIS PAIA MANUAL

- 2.1. The objectives of this PAIA Manual are:
 - 2.1.1. To provide the categories of records held by the Company which are available without a person having to submit a formal PAIA request;
 - 2.1.2. To set out the requirements with regard to who may request information in terms of PAIA and the grounds on which such a request may be repudiated;
 - 2.1.3. To describe the manner and form in which such a request for information must be submitted;
 - 2.1.4. To define the recipients or categories of recipients to whom the personal information may be supplied;
 - 2.1.5. To include information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA; and
 - 2.1.6. To ensure compliance with all other supplementary requirements imposed by POPIA.

3. CONTACT DETAILS OF LAEVELD AGROCHEM (PTY) LTD

3.1. Chief Information Officer

Name: L. Allers
 Tel: 012 940 4398
 Email: privacy@laeveld.co.za

3.2. Deputy Information Officer

Name: M. Visser
 Tel: 012 940 4398
 Email: privacy@laeveld.co.za

3.3. National or Head Office

Head of Body: Nick Liebenberg
 Postal Address: Private Bag 33823, Postnet Suite 32462, Menlyn Link, 0063
 Physical Address: 410 Rigel Avenue, Erasmusrand, Pretoria
 Telephone: 012 940 4398
 Email: privacy@laeveld.co.za
 Website: www.laeveld.co.za

3.4. The role of the Information Officer in this process is the following:

- 3.4.1. To co-ordinate all the requests for access to records in terms of PAIA;
- 3.4.2. To ensure proper compliance with PAIA and POPIA;
- 3.4.3. To facilitate the liaison with the internal legal team on all of these requests; and
- 3.4.4. To communicate with the requestor in this regard.

4. ACCESS TO THE INFORMATION REGULATOR'S GUIDE

- 4.1. A Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is made available by the Information Regulator (established in terms of POPIA). Copies of the updated Guide are available from the Information Regulator free of charge.
- 4.2. Pursuant to Section 10 of the Act, a guide to the Act and the rights of persons/entities requesting information in terms of the Act must be published by the Information Regulator.
- 4.3. The guide to the Act may be accessed at <https://www.justice.gov.za/inforeg/docs.html>. Should you have any queries in this regard, please contact the Information Regulator directly at:

The Office of the Information Regulator of South Africa	JD House, 27 Stiemens Street Braamfontein Johannesburg 2001
Telephone No	010 023 5200
Email Address & Website	enquiries@inforegulator.org.za www.inforegulator.org.za

- 4.4. A copy of the guide may also be requested from the Information Officer at privacy@laeveld.co.za.

5. GUIDE ON HOW TO OBTAIN ACCESS TO INFORMATION

- 5.1. Where information is required for the exercise or protection of a legitimate right, PAIA provides that a person may request the information.
- 5.2. The Company will therefore make information available when:
 - 5.2.1. A person provides sufficient particulars to enable the Company to identify the right that the requester is seeking to protect; and

- 5.2.2. An explanation is provided as to why the requested information is required for the exercise or protection of that right; and
- 5.2.3. The request is justifiable, subject to limitations, such as the reasonable protection of privacy, commercial confidentiality, and effective, efficient and good governance.
- 5.3. PAIA and the request procedure contained in this Manual may not be used for access to records for criminal or civil proceedings, nor should information be requested after the commencement of such proceedings.
- 5.4. Requests for access to records held by the Company must be made on the request forms that are prescribed by the Act and are available from the Information Regulator's website (www.inforegulator.org.za). For the convenience of a requester, a copy of the **Form 2: Request For Access To Record [Regulation 7]** is enclosed with this manual as **Annexure "A"**.
- 5.5. Requests for access to records must be made to the Information Officer at the physical address or electronic mail address provided for above. Personal information related requests must be directed to privacy@laeveld.co.za
- 5.6. The requester should also indicate which form of access is required and indicate if the requester wishes to be informed in any other manner and state the necessary particulars to be so informed.
- 5.7. The Act provides that a requester is only entitled to access to a record if the record is required for the exercise of a right. Only requests for access to a record, where the requester has satisfied the Information Officer that the record is required to exercise a right, will be considered. The requester must accordingly identify the right that the requester is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.
- 5.8. If the request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

6. GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION AND/OR RECORDS

- 6.1. Requests may be refused on the following grounds, as set out in the Act:
 - 6.1.1. Mandatory protection of privacy of a third party who is a natural person;
 - 6.1.2. Mandatory protection of privacy of commercial information of a third party;
 - 6.1.3. Mandatory protection of certain confidential information of a third party;
 - 6.1.4. Mandatory protection the safety of individuals, and the protection of property;
 - 6.1.5. Mandatory protection of records privileged from production in legal proceedings;
 - 6.1.6. Commercial Information of the Company; and
 - 6.1.7. Mandatory protection of research information of a third party and of the Company.

7. PRESCRIBED FEES

- 7.1. Please note that a requester may be required to pay a prescribed fee for record requests as well as a prescribed fee for access to the relevant record. The list detailing the **prescribed fees** in respect of requests and access to records is attached as **Annexure B**.

8. INFORMATION OF LAEVELD AGROCHEM (PTY) LTD, WHICH IS AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

- 8.1. Information for inspection that is available on the Company's website, without following the formal request procedure, are the following categories of records:
 - 8.1.1. Mission and Vision statements;

- 8.1.2. Product range;
- 8.1.3. Services;
- 8.1.4. Suppliers;
- 8.1.5. Brochures;
- 8.1.6. Publications;
- 8.1.7. Press releases; and
- 8.1.8. Various marketing and promotional material.

9. DESCRIPTION OF THE RECORDS OF LAEVELD AGROCHEM (PTY) LTD WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

APPLICABLE LEGISLATION
<ul style="list-style-type: none"> • Basic Conditions of Employment Act 75 of 1997 • Broad-Based Black Economic Empowerment Act 53 of 2003 • Close Corporations Act 69 of 1984 • Companies Act 61 of 1973 • Companies Act 71 of 2008 • Compensation for Occupational Injuries and Health Diseases Act 130 of 1993 • Competition Act 89 of 1998 • Consumer Protection Act 68 of 2008 • Constitution of South Africa, Act no 108 of 1996 • Copyright Act 98 of 1978 • Customs and Excise Act 91 of 1964 • Customs Duty Act 30 of 2014 • Debt Collectors Act 114 of 1998 • Electronic Communications and Transactions Act 25 of 2002 • Electronic Communications Act, 36 of 2005 • Employment Equity Act 55 of 1998 • Financial Intelligence Centre Act 38 of 2001T • General Data Protection Regulation (EU) 2016/679 • Income Tax Act 58 of 1962 • Insolvency Act No. 24 of 1936 • Labour Relations Act 66 of 1995 • Merchandise Marks Act 17 of 1941 • National Credit Act 34 of 2005 • Occupational Health & Safety Act 85 of 1993 • Pension Funds Act 24 of 1956 • Prevention of Organised Crime Act 121 of 1998 • Prevention and Combating of Corrupt Activities Act 12 of 2004 • Protection of Personal Information Act 4 of 2013 • Promotion of Access to Information Act 2 of 2000 • Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 • Protected Disclosures Act 26 of 2000 • Skills Development Act 97 of 1998 • Skills Development Levies Act 9 of 1999 • Stamp Duties Act 77 of 1968 • Trade Marks Act, No 194 of 1993 • Unemployment Contributions Act 4 of 2002 • Unemployment Insurance Act 30 of 1966

- Value Added Tax Act 89 of 1991
- Any other legislation as may from time to time be applicable

9.1. Although we have used our best endeavours to supply a complete list of applicable legislation it is possible that the list above may be incomplete. We will update the list should any new or other applicable legislation come to our attention.

9.2. If a requester believes that a right to access to a record exists in terms of the legislation listed, 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.

10. DESCRIPTION OF THE SUBJECTS ON WHICH THE COMPANY HOLDS RECORDS AND WILL BE MADE AVAILABLE ON REQUEST

10.1. Recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.

10.2. Many of the records held are those of third parties, such as clients and employees. The protection of third-party confidential information is treated very seriously.

CATEGORIES OF RECORDS	RECORDS
Internal records	Memorandum of Incorporation Financial records Operational records Intellectual property Marketing records Internal correspondence Service records Statutory records Internal policies and procedures Minutes of meetings.
Human Resources “Personnel” in this context means any person working for or provides services to or on behalf of the Company and carrying out or conducting the business of the Company. This includes partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers.	Any personal records provided to us by our personnel. Any records a third party has provided to us about any of their personnel. Conditions of employment and other personnel-related contractual and <i>quasi</i> legal records. Employment policies and procedures. Internal evaluation and disciplinary records. Other internal records and correspondence.
Client-related records	Contracts with the client and between the client and other persons. Credit applications.
Other third-party records Records are kept in respect of other Parties and joint ventures where the Company is a party to and also suppliers and service providers.	Personnel, client, or records which are held by another party as opposed to being held by the Company. Records held by the Company pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers.
Other records	Information relating to the Company. Research information belonging to the Company or carried out on behalf of a third party.

11. PROCESSING OF PERSONAL INFORMATION

11.1. Purpose of Processing Personal Information

11.1.1. In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected. Please also refer to the Company's Privacy Statement for further information.

11.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto:

<p>Customers / Clients</p> <ul style="list-style-type: none"> • Performing duties in terms of any agreement with customers / clients • Make, or assist in making, credit decisions about clients • Operate and manage clients' accounts and manage any application, agreement or correspondence clients may have • Communicating (including direct marketing) with clients by email, SMS, letter, telephone or in any other way about the Company's products and services, unless clients indicate otherwise • To form a view of clients as individuals and to identify, develop or improve products, that may be of interest to clients related to the Company • Carrying out market research, business, and statistical analysis • Performing other administrative and operational purposes including the testing of systems • Recovering any debt clients may owe the Company • Complying with the Company's regulatory and other obligations • Any other reasonably required purpose relating to the Company's business <p>Prospective Customers / Clients</p> <ul style="list-style-type: none"> • Verifying and updating information • Pre-scoring • Direct marketing • Any other reasonably required purpose relating to the processing of a prospect's personal information reasonably related to the Company's business.
<p>Service Providers</p> <ul style="list-style-type: none"> • Verifying information and performing checks; • Purposes relating to the agreement or business relationship or possible agreement or business relationships between the parties; • Payment of invoices; • Complying with the Company's regulatory and other obligations; and • Any other reasonably required purpose relating to the Company's business.
<p>Employees</p> <ul style="list-style-type: none"> • The same purposes as for clients, above. • Verification of applicant employees' information during recruitment process. • General matters relating to employees: <ul style="list-style-type: none"> ➤ Pension; ➤ Medical aid ➤ Payroll ➤ Disciplinary action

- Training
- Any other reasonably required purpose relating to the employment or possible employment relationship.

11.3. The recipients or categories of recipients to whom the personal information may be supplied

- Any organisation or person that the Company uses to collect information, payments and recover debts or to provide a service on its behalf;
- Any organisation or person that/who provides the Company with products and/or services;
- Any person who the Company has reason to believe to be a data subject's/client's parent, carer or helper where he/she is unable to handle his/her own affairs because of mental incapacity or other similar issues;
- Any payment / accounting / data processing system the Company uses;
- Regulatory and governmental authorities or ombudsmen, or other authorities, including tax authorities, where the Company has a duty to share information;
- Credit bureaux;
- Third parties to whom payments are made on behalf of employees;
- Financial institutions from whom payments are received on behalf of data subjects;
- Any other operator not specified;
- Employees, contractors and temporary staff; and
- Agents.

12. PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION

- 12.1. All of the records may be stored in an online cloud server inside the Republic of South Africa. When making authorised transfers of Personal Information in terms of Section 72 of the Protection of Personal Information Act, 4 of 2013, Personal Information shall only be transferred to recipients which offer a level of protection, for data subject, as high as the level of protection offered in terms of the Protection of Personal Information Act, 4 of 2013.

13. INFORMATION SECURITY MEASURES

- 13.1. The Company takes extensive information security measures to ensure the security, confidentiality, integrity and availability of personal information in our possession. This is supported by appropriate technical and organisational measures designed to ensure that personal data remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.

14. AVAILABILITY OF THE MANUAL

- 14.1. A copy of the Manual is available:
- 14.1.1. On www.laeveld.co.za
 - 14.1.2. At the head office of Laeveld Agrochem (Pty) Ltd for public inspection during Company normal business hours;
 - 14.1.3. To any person upon request and upon the payment of a reasonable fee; and
 - 14.1.4. To the Information Regulator upon request.
- 14.2. A fee for a copy of the Manual, as contemplated in Annexure B of the PAIA Regulations, shall be payable.

15. UPDATING OF THE MANUAL

- 15.1. The head of the Social and Ethics Committee of the Company will on a regular basis update this manual.

Issued by the representative of Laeveld Agrochem (Pty) Ltd

(Ms L Allers - Information Officer)
(Mr NJ Liebenberg - Chief Executive Officer)

ANNEXURE “A”**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]

Particulars of private body
<i>The particulars of specific entity where access to the record is requested must be given below.</i>
Private Body:
The Information Officer:
Address:
Email Address:

Particulars of person requesting access to records	
<i>The particulars of the person who requests access to the record must be given below.</i>	
<i>The address and/or fax number in the Republic to which the information is to be sent must be given.</i>	
<i>Proof of the capacity in which the request is made, if applicable, must be attached.</i>	
Full Name and Surname:	
Identity Number:	
Postal Address:	
Street Address:	
Telephone Number:	
Email Address:	

Capacity in which request is made, when made on behalf of another person	
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Particulars of person on whose behalf request is made

*This section must be completed **ONLY** if a request for information is made on behalf of another person.*

Full Name and Surname:	
Identity Number:	
Postal Address:	
Street Address:	
Telephone Number:	
Email Address:	

Particulars of record

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.

*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.***

Description of record or relevant part of the record:
Reference number, if available:

Any further particulars of record:

Type of record

Mark the appropriate box with an 'X'.

Record is in written or printed form	
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

Form of access

Mark the appropriate box with an 'X'.

If you are prevented by a disability to read, view or listen to the record in the form of access provided, state your disability and indicate in which form the record is required.

Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recording, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	
Disability:	Form in which record is required:

Manner of access

Mark the appropriate box with an 'X'.

Compliance with your request in the specified form may depend on the form in which the record is available.

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.

The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

Personal inspection of record at registered address of private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Email of information (including soundtracks if possible)	
Cloud share/file transfer	

Particulars of right to be exercised or protected
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*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.***

Indicate which right is to be exercised or protected:

Explain why the record requested is required for the exercise or protection of the aforementioned right:

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:

--

Request Fee and costs

*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.*

You will be notified of the amount required to be paid as the request fee.

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.

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

If you request a record to be posted, postage or courier fees are payable before dispatch.

Reason for exemption:

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Signed at _____ on this ____ day of _____ 20__

Signature of Requester / Person on whose behalf request is made

FOR OFFICIAL USE	
Reference number:	
Request received by: (state rank and full name of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

ANNEXURE "B"**FEES IN RESPECT OF PRIVATE BODIES**

Item	Description	Amount
1	The request fee payable by every requester	R 140.00
2	Photocopy/printed black and white copy of A4 size page	R 2.00 per page or part thereof
3	Printed copy of A4 size page	R 2.00 per page or part thereof
4	For a copy in a computer-readable form on a Flash Drive (to be provided by requester)	R 40.00
5	For a copy in a computer-readable form on a Compact Disk (If provided by requester)	R 40.00
6	For a copy in a computer-readable form on a Compact Disk (If provided to the requester)	R 60.00
7	For a transcription of visual images per A4 size page	Service to be outsourced. Will depend on quotation from the service provider.
8	Copy of visual images	Service to be outsourced. Will depend on quotation from the service provider.
9	Transcription of an audio record, per A4 size page	R 24.00
10	Copy of an audio record on Flash Drive (to be provided by requestor)	R 40.00
11	Copy of an audio record on Compact Disk (If provided by requester)	R 40.00
12	Copy of an audio record on Compact Disk (If provided to the requester)	R 60.00
13	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. (To not exceed a total cost of R 435.00)	R 145.00
14	Deposit (If search exceeds 6 hours)	One third of amount per request calculated in terms of items 1 to 13
15	Postage, email or other electronic transfer	Actual expense, if any