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**FOREWORD****MANUAL OF SUNSPRAY FOOD INGREDIENTS (PTY) LTD (“SUNSPRAY”)**

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, No.2 of 2000  
(Private Body)

**INTRODUCTION**  
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On 9 March 2001, the Promotion of Access to Information Act, No.2 of 2000 ("the Act") became operative, giving effect to the section 32(2) Constitutional right of access to information.

One of the main requirements specified in the Act, is the compilation of an information manual that provides information on both the types and categories of records held by a private body.

This document serves as the SUNSPRAY information manual and provides reference to the records held by SUNSPRAY and the process to request access to such records.

**AVAILABILITY OF THE MANUAL**  
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A copy of this manual is available to the public for inspection on request from the designated contact person referred to in this manual.

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## **CONTACT DETAILS**

### SECTION 51(1)(a) **CONTACT DETAILS**

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The responsibility for administration of, and compliance with the Act, has been delegated by the Board of SUNSPRAY to the Information Officer. Requests pursuant to the provisions of the Act should be directed as follows:

Contact person: Fabio Matteucci  
Postal address: P O Box 43057, Industria, 2042  
Physical address: 92 Price Street Ext  
Industria  
Johannesburg

Phone number: +27 (11) 473 6800  
Fax number: +27 (11) 474 6533  
E-mail: [fabio.matteucci@sunspray.co.za](mailto:fabio.matteucci@sunspray.co.za)

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## **HRC GUIDE**

### SECTION 51 (1)(b) **GUIDE FOR REQUESTERS ON HOW TO USE THE ACT**

A Guide has been compiled in terms of Section 10 of the Act by the Human Rights Commission. It contains Information to assist a person wishing to exercise a right, in terms of the Act. The Guide is available for inspection, *inter alia*, as follows:

The South African Human Rights Commission:  
PAIA Unit  
Forum 3, Braampark Office Park  
Braamfontein  
Website: <http://www.sahrc.org.za>

Kindly direct any queries to:

Postal address: Private Bag 2700  
Houghton  
2041

Phone number: +27 (011) 877 3600

E-mail: [info@sahrc.org.za](mailto:info@sahrc.org.za)

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

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**AUTOMATIC DISCLOSURE****RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC**

A section 52(2) notice regarding the categories of records, which are available without a person having to request access in terms of the Act, has to date not been published.

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**LEGISLATIVE RECORDS****SECTION 51 (1) (d) RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION**

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Records are held in accordance with the following legislation:

Basic Conditions of Employment Act, No. 75 of 1997  
Broad Based Black Economic Empowerment Act, No. 53 of 2003  
Companies Act, No. 61 of 1973  
Companies Act, No 71 of 2008  
Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993  
Constitution of South Africa Act, No. 108 of 1996  
Electronic Communications and Transactions Act, No. 2 of 2000  
Employment Equity Act, No. 55 of 1998  
Financial Advisory and Intermediary Services Act, No. 37 of 2002  
Financial Intelligence Centre Act, No. 38 of 2001  
Income Tax Act, No.58 of 1962  
Labour Relations Act, No. 66 of 1995  
Occupational Health and Safety Act, No. 85 of 1993  
Promotion of Access to Information Act, No.2 of 2000  
Promotion of Equality and Prevention of Unfair Discrimination Act, No.4 of 2000  
Skills Development Act, No.97 of 1997  
Skills Development Levy Act, No.9 of 1999  
Transfer Duty Act, No.40 of 1949  
Unemployment Insurance Act, No.63 of 2001  
Value-added Tax Act, no.89 of 1991

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**RECORDS HELD****SECTION 51 (1)(e) RECORDS SUBJECT AND CATEGORIES**

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Annexure A to this Manual provides a description of the subjects and categories of the records held by the company.

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## ACCESS REQUESTS

*It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.*

*If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.*

### COMPLETION OF ACCESS REQUEST FORM

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In order to facilitate a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form(Annexure B):

The Access Request Form must be completed.

Proof of identity is required to authenticate the identity of requester. Therefore in addition to the access form, requestors will be required to supply a copy of their identification document.

Type or print in BLOCK LETTERS an answer to every question.

If a question does not apply, state "N/A" in response to that question.

If there is nothing to disclose in reply to a particular question state "nil" in response to that question.

If there is insufficient space on a printed form, additional information may be provided on an additional attached folio.

When the use of an additional folio is required, precede each answer with the applicable title.

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### SUBMISSION OF ACCESS REQUEST FORM

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The completed Access Request Form together with a copy of the identity document must be submitted either via conventional mail, e-mail or fax and must be addressed to the contact person as indicated above.

### PAYMENT OF FEES

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An initial, **request fee of R57.00 (incl. VAT)** is payable on submission.

This fee is **not applicable** to Personal Requesters, referring to any person seeking access to records that contain their personal information.

If the request for access is successful an **access fee** may be required for the search, reproduction and/or preparation of the record(s) and will be calculated in accordance with Annexure C to this Manual.

The access fee must be paid prior to access being given to the requested record.

Payment details can be obtained from the contact person as indicated above and can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied.

If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

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## **ANNEXURE A**

### **RECORDS SUBJECT AND CATEGORIES**

#### **STATUTORY RECORDS**

Certificate of Incorporation  
Memorandum & Articles of Association /Memorandum of Incorporation  
Certificate to Commence Business  
Minute Book & Resolutions passed at meetings  
Proxy Forms  
Register of Members and share certificates

#### **ACCOUNTING AND TAX RECORDS**

Annual Financial Statements  
Books of Account  
Invoices and statements  
Ledgers and Journals  
Banking records  
Records in terms of VAT, PAYE and Income tax  
Copies of tax returns  
VAT and PAYE registration certificate

#### **EMPLOYEE RECORDS**

List of employees names and occupations  
Wage/Salary records  
Letters of appointment to employees  
Human resources policy  
Disciplinary code  
Staff disciplinary records  
Records in terms of leave  
Rules and records relating to Medical Aid Fund  
Rules and records relating to Provident Fund  
Staff training records  
Records of staff vacancy advertisements  
Records of UIF contributions  
Records in terms of Skills Development Act

#### **RECORDS IN TERMS OF PROPERTY AND EQUIPMENT**

Leases  
Finance & lease agreements

#### **LEGAL RECORDS/CONTRACTS/AGREEMENTS**

Licenses and Permits  
Contracts with Suppliers and Customers

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**ANNEXURE B****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 4)****9.1.1 Particulars of private body**

The Head:


**9.1.2 Particulars of person requesting access to the record**

- a) *The particulars of the person who requests access to the records must be recorded below.*
- b) *Furnish an address and /or fax numbers in the Republic to which information must be sent.*
- c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full name and surname:

Identity number:

Postal Address:


Telephone number:

Fax number:

E-mail address

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

**A. 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 names and surname

Identity number

**B 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


**9.1.3 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 pad 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 therefore.*

Reason for exemption from payment of fees


**9.1.4 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”**

NOTES:

- (a) *Your indication as to the required form of access depends on the form in which the record is available.*
- (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.*
- (c) *The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.*

**1. If the record is in written or printed form:**

	Copy of record*		Inspection of record
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**2. If the 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*
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**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)
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<b>4. If record is held on computer or in an electronic or machine-readable form:</b>					
	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?				YES	NO
<b>A postal fee is payable.</b>					

**C 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.**

Indicate which right is to be exercised or protected:


1. Explain why the requested record is required for the exercising 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 thereof 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 of \_\_\_\_\_

\_\_\_\_\_  
**SIGNATURE OF REQUESTER/PERSON ON  
 WHOSE BEHALF REQUEST IS MADE**

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## **ANNEXURE C**

### **Reproduction fees**

Where a private body has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records, will be a fee for reproduction of the record in question.

The applicable fees for reproduction as referred to above are:

- |   |  |        |
|---|--|--------|
| * | For every photocopy of an A4-size page or part thereof   | R 1.10 |
| * | For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form | R 0.75 |
| * | For a copy in a computer-readable form on:   |        |
|   | - stiffy disc  | R 7.50 |
|   | - compact disc   | R70.00 |
| * | -A transcription of visual images, for an A4-size page or part thereof   | R40.00 |
|   | -For a copy of visual images   | R60.00 |
| * | -A transcription of an audio record, for an A4-size page or part thereof   | R20.00 |
|   | -For a copy of an audio record   | R30.00 |
| * | To search for a record that must be disclosed, R30,00 per hour or part of an hour reasonably required for search.      |        |
| * | Where a copy of a record needs to be posted the actual postal fee is payable.  |        |

### **Deposits**

Where a private body receives a request for access to information held on a person other than the requester himself/herself and the information officer upon receipt of the request is of the opinion that the preparation of the required record for disclosure will take more than 6 (six) hours, a deposit is payable by the requester. The amount of the deposit is equal to 1/3 (one third) of the amount of the applicable access fee.

The above fees may be amended from time to time.