



Est. 1892

# TongaatHulett®

## MANUAL

COMPILED IN TERMS OF  
THE PROMOTION OF ACCESS  
TO INFORMATION ACT,  
NO.2 OF 2000 (“**PAIA**”)  
AND  
THE PROTECTION OF  
PERSONAL  
INFORMATION ACT, NO 4  
OF 2013 (“**POPIA**”)



We succeed  
through  
excellence and  
innovation



We grow and  
win in teams



We take  
accountability



Integrity and  
ethics guide  
our way



We care and do  
our best



Safely home  
every day

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## 1. Introduction

- 1.1. Tongaat Hulett Limited (“the Company”) is a business that strives to conduct business in accordance with high ethical standards and in compliance with all relevant legislation.
- 1.2. It is expected that all employees, contractors and other third parties which have a business relationship with the company must adhere to the same high ethical standards and compliance standards.
- 1.3. PAIA seeks to give effect to the constitutional right to access information as contained in section 32 of the Bill of Rights. PAIA seeks to advance the values of transparency and accountability.
- 1.4. PAIA establishes certain statutory rights of requesters to access records of a private body if:
  - 1.4.1. that record is required for the exercise or protection of any rights;
  - 1.4.2. that requester complies with all the procedural requirements; and
  - 1.4.3. access is not refused in terms of any ground referred to in PAIA.
- 1.5. POPIA seeks to give effect to the constitutional right to privacy as contained in section 14 of the Bill of Rights. POPIA seeks to safeguard personal information by regulating the manner in which it may be processed by public and private bodies.
- 1.6. POPIA provides that data subjects have the right to have their personal information processed in accordance with the conditions for the lawful processing of personal information, which are set out in POPIA.
- 1.7. One of the requirements specified in PAIA, is the compilation of an information manual that provides information on which includes the types and categories of records are held by a private body (this relates to PAIA) as well as certain information relating to the processing of personal information (this relates to POPIA).
- 1.8. PAIA and POPI are collectively referred to in this document as “the Acts”.

## 2. Purpose

- 2.1. The purpose of this Manual is to:
  - 2.1.1. Comply with the obligations imposed by POPIA in protecting Personal Information which the Company processes (including the processing of information to and from the additional jurisdictions in which the Company operates).

- 2.1.2. Comply with the obligations imposed by PAIA and protecting the Constitutional Right of access to information held by the Company which may be required by persons for the exercise or protection of any rights.

### 3. Objective

- 3.1. The primary objectives of this Manual are:
  - 3.1.1. To set out the procedure to be followed by a Requester and the manner in which a Request for Access to Information will be facilitated;
  - 3.1.2. To provide details on the purpose for which Personal Information may be processed;
  - 3.1.3. To provide a description of the categories of Data Subjects for whom the Company Processes Personal Information as well as the categories of Personal Information relating to such Data Subjects; and the recipients to whom Personal Information may be supplied.

### 4. Definitions

Capitalised terms used in this Manual have the meanings ascribed thereto in in the relevant sections of POPIA and PAIA as the context specifically requires, unless otherwise defined as follows :

- 4.1. **Company** - means Tongaat Hulett Limited (registration number 1892/000610/06), a company duly registered and incorporated in accordance with the company laws of the Republic of South Africa and having its principal place of business situated at 1 Amanzimnyama Hill, Tongaat, Kwa-Zulu Natal, Republic of South Africa together with its subsidiaries;
- 4.2. **Conditions for Lawful Processing** - means the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of POPIA;
- 4.3. **Constitution** - means the Constitution of the Republic of South Africa, 1996;
- 4.4. **Customer** – means any natural or juristic person that the Company provides services and/or products to and/or who provides services and/or products to the Company;
- 4.5. **Data Subject** - has the meaning ascribed thereto in section 1 of POPIA;
- 4.6. **Information Officer** - means the Company's Group Compliance Manager or Group Legal Counsel;
- 4.7. **Information Regulator** – means the Information Regulator established in terms of section 39 of POPIA;

- 4.8. **Manual** - means this manual prepared in accordance with section 51 of PAIA and regulation 4(1) (d) of the POPIA Regulations;
- 4.9. **PAIA** - means the Promotion of Access to Information Act No 2 of 2000;
- 4.10. **Personal Information** - has the meaning ascribed thereto in section 1 of POPIA;
- 4.11. **Personnel** – means any person who works for, or provides services to or on behalf of the Company, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Company, which includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff as well as contract workers or seasonal workers;
- 4.12. **POPIA** - means the Protection of Personal Information Act No 4 of 2013;
- 4.13. **POPIA Regulations** - mean the regulations promulgated in terms of section 112(2) of POPIA;
- 4.14. **Private Body** has the meaning ascribed thereto in sections 1 of both PAIA and POPIA;
- 4.15. **Processing** has the meaning ascribed thereto in section 1 of POPIA;
- 4.16. **Responsible Party** has the meaning ascribed thereto in section 1 of POPIA;
- 4.17. **Record** has the meaning ascribed thereto in section 1 of PAIA and includes Personal Information;
- 4.18. **Requester** has the meaning ascribed thereto in section 1 of PAIA;
- 4.19. **Request for Access** has the meaning ascribed thereto in section 1 of PAIA; and
- 4.20. **SAHRC** means the South African Human Rights Commission.

## 5. Scope

- 5.1. This Manual applies to all information (including Personal Information) processed by or on behalf of the Company and to the following persons:
- 5.1.1. all employees of the Company who, for purposes of this Manual include all permanent, fixed term, temporary staff, executive directors and executives, secondees, any third-party representatives, volunteers, interns, agents, contract workers, sponsors and seasonal workers engaged with the Company in South Africa or any other jurisdictions in which the Company operates.

- 5.1.2. all employees employed by any of the Company's subsidiaries or associated companies.
- 5.1.3. all operators, service providers, contractors and agents acting for or on behalf of the Company, provided they have been made aware of this Manual.

## 6. Regulatory Framework

This Manual is drafted in accordance Tongaat Hulett policies, procedures and best practice to ensure compliance with the provisions of PAIA and POPIA.

## 7. Availability of the Manual

This Manual is available for inspection on the Tongaat Hulett Limited website at [www.tongaat.com](http://www.tongaat.com).

## 8. Company Details

- 8.1. The responsibility for the administration of, and compliance with the Acts, has been delegated to the Group Compliance Officer of Tongaat Hulett Limited.
- 8.2. Requests pursuant to the provisions of the Acts should be directed as follows:
  - 8.2.1. **Information Officer:** Group Legal Counsel (Evashni Govender)
    - Postal address:** P.O Box 3  
Tongaat  
4400
    - Business phone:** + 27 (0)32 439 4310
    - Business fax:** + 27 (0)32 945 3333
    - E-mail address:** [Compliance@tongaat.com](mailto:Compliance@tongaat.com)
    - Website Address:** [www.tongaat.co.za](http://www.tongaat.co.za)

## 9. SAHRC / Information Regulator Guide

- 9.1. The SAHRC has compiled a guide in terms of Section 10 of PAIA. The guide contains information required by a person wishing to exercise any right contemplated by PAIA.
- 9.2. The Guide is available for inspection, at the offices of the SAHRC at Braampark Forum 3, 33 Hoofd Street, Braamfontein, South Africa and on its website at [www.sahrc.org.za](http://www.sahrc.org.za).

## 10. Records Automatically available to the public

- 10.1. The following categories of information is automatically available for inspection or photocopying. It is not necessary to request this information in terms of the PAIA and it may be obtained by contacting the Information Officer:
  - 10.1.1. Public statutory records as kept by the Companies and Intellectual Property Commission of South Africa;
  - 10.1.2. The following information about Tongaat Hulett Limited as provided at [www.tongaat.com](http://www.tongaat.com):
    - 10.1.2.1. Overview - Group Profile, Business Model, and Board of Directors, History and Operational Presence;
    - 10.1.2.2. Investors - Tongaat Hulett Limited's Annual Financial Reports, Integrated Annual Reports and SENS Announcements;
    - 10.1.2.3. Governance and Sustainability – Governance, Board Committees and Sustainability;
    - 10.1.2.4. Links to the websites of Tongaat Hulett Limited 's various operations;
    - 10.1.2.5. Contact details; and
    - 10.1.2.6. Legal Notices (including this Manual).

## 11. Records held in accordance with other Legislation

- 11.1. The Company retains records which are required in terms of legislation other than PAIA or POPIA. Legislation that may be consulted to establish whether the Requester has the right of access to a record other than in terms of the procedure set out in PAIA are set out in Annexure A to this Manual (as amended from time to time).
- 11.2. Note that the information will only be provided in accordance with the requirements stipulated in the relevant legislation. If a Requester believes that a right to access to a record exists in terms of the legislation above, 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 to consider the request in light thereof.

## 12. Records Categories and Subjects of Records

- 12.1. The information contained in this section is intended to identify the main categories of records held by the Company and to assist the Requester to gain a better understanding of the main business activities of the Company.
- 12.2. Records to which access will be provided in accordance with PAIA (subject to the restrictions and right of refusal to access provided for in PAIA) are available in respect of the following aspects of the Company's businesses and operations:
  - 12.2.1. Companies Act Records:
    - 12.2.1.1. Documents of incorporation;
    - 12.2.1.2. Memorandum and Articles of Association or Memorandum of Incorporation (as applicable);
    - 12.2.1.3. Records relating to the appointment of directors / auditors / secretary;
    - 12.2.1.4. Public officer and officers; and
    - 12.2.1.5. Share Register and other statutory registers.
  - 12.2.2. Financial Records
    - 12.2.2.1. Annual Financial Statements;
    - 12.2.2.2. Tax Returns;
    - 12.2.2.3. Accounting Records;
    - 12.2.2.4. Banking Records;
    - 12.2.2.5. Bank Statements;
    - 12.2.2.6. Electronic banking records;
    - 12.2.2.7. Asset Register;
    - 12.2.2.8. Rental Agreements;
    - 12.2.2.9. Invoices; and
    - 12.2.2.10. Income Tax Records.



- 12.2.3. PAYE Records;
  - 12.2.3.1. Documents issued to employees for income tax purposes;
  - 12.2.3.2. Records of payments made to SARS on behalf of employees;
- 12.2.4. All other statutory compliances:
  - 12.2.4.1. VAT;
  - 12.2.4.2. Skills Development Levies;
  - 12.2.4.3. UIF; and
  - 12.2.4.4. Workmen's Compensation.
- 12.2.5. Personnel / Employee Documents and Records
  - 12.2.5.1. Employment contracts;
  - 12.2.5.2. Employment Equity Plan;
  - 12.2.5.3. Medical Aid records;
  - 12.2.5.4. Pension Fund records;
  - 12.2.5.5. Disciplinary records;
  - 12.2.5.6. Salary records;
  - 12.2.5.7. Disciplinary code;
  - 12.2.5.8. Leave records;
  - 12.2.5.9. Training records; and
  - 12.2.5.10. Training Manuals.
- 12.2.6. Safety, Health And Environment (SHE) Records
  - 12.2.6.1. SHE Policy; and
  - 12.2.6.2. Mandatory SHE Records.

## 13. Protection of Personal Information processed by the Company

- 13.1. Chapter 3 of POPIA provides the minimum conditions for Processing of Personal Information by a Responsible Party. These conditions may not be deviated from unless specific exclusions apply as outlined in POPIA.
- 13.2. The Company needs Personal Information relating to both individual and juristic persons in order to carry out its business and organisational functions.
- 13.3. The reasons as to why Personal Information is Processed and the purpose for which it is Processed is determined by the Company. The Company is accordingly a Responsible Party for the purposes of POPIA and will ensure that the Personal Information of a Data Subject:
  - 13.3.1. is processed lawfully, fairly and transparently. This includes the provision of appropriate information to Data Subjects when their data is collected by the Company, in the form of privacy or data collection notices. The Company must also have a legal basis to process Personal Information;
  - 13.3.2. is processed only for the purposes for which it was collected;
  - 13.3.3. will not be processed for a secondary purpose unless that processing is compatible with the original purpose.
  - 13.3.4. is adequate, relevant and not excessive for the purposes for which it was collected;
  - 13.3.5. is accurate and kept up to date;
  - 13.3.6. will not be kept for longer than necessary;
  - 13.3.7. is processed in accordance with integrity and confidentiality principles; this includes physical and organisational measures to ensure that Personal Information, in both physical and electronic form, are subject to an appropriate level of security when stored, used and communicated by the Company, in order to protect against access and acquisition by unauthorised persons and accidental loss, destruction or damage;
  - 13.3.8. is processed in accordance with the rights of Data Subjects, where applicable.
- 13.4. Data Subjects have the right to:
  - 13.4.1. be notified that their Personal Information is being collected by the Company;
  - 13.4.2. be notified in the event of a data breach;

- 13.4.3. know whether the Company holds Personal Information about them, and to access that information. Any request for information must be handled in accordance with the provisions of this Manual;
- 13.4.4. request the correction or deletion of inaccurate, irrelevant, excessive, out of date, incomplete, misleading or unlawfully obtained Personal Information;
- 13.4.5. object to the Company's use of their Personal Information and request the deletion of such Personal Information (deletion would be subject to the Company's record keeping requirements);
- 13.4.6. object to the processing of Personal Information for purposes of direct marketing by means of unsolicited electronic communications; and
- 13.4.7. complain to the Information Regulator regarding an alleged infringement of any of the rights protected under POPIA and to institute civil proceedings regarding the alleged non-compliance with the protection of his, her or its personal information.

13.5. Purpose of the Processing of Personal Information by the Company.

Personal Information may only be Processed for a specific purpose. The purposes for which the Company Processes or will Process Personal Information is set out in clause 13.12 below.

13.6. Categories of Data Subjects and Personal Information/special Personal Information relating thereto.

As per section 1 of POPIA, a Data Subject may either be a natural or a juristic person. Clause 13.13 sets out the various categories of Data Subjects that the Company Processes Personal Information on and the types of Personal Information relating thereto.

13.7. Recipients of Personal Information

Internal departments within the Company, its Affiliates and their respective representatives are all recipients to whom the Company may provide a Data Subject's Personal Information to.

13.8. Cross-border flows of Personal Information

- 13.8.1. Section 72 of POPIA provides that Personal Information may only be transferred out of the Republic of South Africa if the:

- 13.8.1.1. recipient country can offer such data an “adequate level” of protection. This means that its data privacy laws must be substantially similar to the Conditions for Lawful Processing as contained in POPIA; or
  - 13.8.1.2. Data Subject consents to the transfer of their Personal Information; or
  - 13.8.1.3. transfer is necessary for the performance of a contractual obligation between the Data Subject and the Responsible Party; or
  - 13.8.1.4. transfer is necessary for the performance of a contractual obligation between the Responsible Party and a third party, in the interests of the Data Subject; or
  - 13.8.1.5. the transfer is for the benefit of the Data Subject, and it is not reasonably practicable to obtain the consent of the Data Subject, and if it were, the Data Subject, would in all likelihood provide such consent.
- 13.9. Description of information security measures to be implemented by the Company.
- 13.9.1. Annexure B sets out the types of security measures which will be and/or have been implemented by the Company in order to ensure that Personal Information is protected.
  - 13.9.2. A preliminary assessment of the suitability of the information security measures implemented or to be implemented by the Company may be conducted in order to ensure that the Personal Information that is processed by the Company is safeguarded and Processed in accordance with the Conditions for Lawful Processing.
- 13.10. Objection to the Processing of Personal Information by a Data Subject
- Section 11 (3) of POPIA and regulation 2 of the POPIA Regulations provides that a Data Subject may, at any time object to the Processing of his/her/its Personal Information in the prescribed form attached to this manual as Annexure C subject to exceptions contained in POPIA.
- 13.11. Request for correction or deletion of Personal Information
- Section 24 of POPIA and regulation 3 of the POPIA Regulations provides that a Data Subject may request for their Personal Information to be corrected/deleted in the prescribed form attached as Annexure D to this Manual.

## 13.12. Purpose of Processing

13.12.1. The purpose for which personal information is processed by the Company will depend on the nature of the information. In general, personal information is processed by the Company for business administration purposes, including:

13.12.1.1. to carry out actions for the conclusion or performance of a contract;

13.12.1.2. for risk assessment, information security management, statistical, trend analysis and planning purposes;

13.12.1.3. to monitor and record calls and electronic communications with the Customer for quality, training, investigation and fraud prevention purposes;

13.12.1.4. for crime detection, prevention, investigation, prosecution and comply with any other obligation imposed by law;

13.12.1.5. to protect the legitimate interests of the Data Subjects; or

13.12.1.6. where it is necessary for pursuing the legitimate interests of the Company.

## 13.13. Categories of Data Subjects and Categories of Personal Information relating thereto.

13.13.1. The Company process Personal Information relating to the following categories of Data Subjects and information:

13.13.1.1. Personnel/employees;

13.13.1.1.1. Name; employee ID number; Home Address, name of spouse and contact details of spouse;

13.13.1.1.2. regulatory identifiers (e.g. tax identification number, name);

13.13.1.1.3. Bank Account details – incl Bank Account ID, Bank Account Name, Bank Account Type); transaction details and branch details; photographs; other identification and

verification data as contained in images of ID card, passport and other ID documents);

13.13.1.2. Corporate Clients, Farmers, Consultants, Suppliers, Service Providers;

13.13.1.2.1. Customer Profile information including - name, account details, payment information, corporate structure, customer risk rating and other customer information including to the extent the categories of information relate to individuals or representatives of customers (e.g, shareholders, directors, etc.) required for the above-mentioned purposes;

13.13.1.2.2. regulatory identifiers (e.g. tax identification number);

13.13.1.2.3. Bank Account information (Bank Account Currency Code, Bank Account Id, Bank Account Name, Bank Account Number, Bank Account Type); transaction details and branch details; photographs; other identification and verification data as contained in images of ID card, passport and other ID documents; images of customer signatures);

13.13.1.3. Other third parties with whom the Company conduct business.

## 14. Access Requests

14.1. Access Request Procedure

14.1.1. To facilitate a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form:

14.1.1.1. The Access Request Form, attached as Annexure E hereto, must be completed.

14.1.1.2. Proof of identity is required to authenticate the identity of the Requester – in addition to the Access Request Form, Requesters

will be required to supply a certified copy of their identification document or a valid passport.

- 14.1.1.3. Type or print in block letters and answer every question.
  - 14.1.1.4. If a question does not apply, state "N/A" in response to that question.
  - 14.1.1.5. If there is insufficient space on the printed form, additional information may be provided on an additional attached page.
  - 14.1.1.6. When the use of an additional page is required, precede each answer with the applicable title.
- 14.1.2. 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 PAIA.
- 14.1.3. 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.
- 14.1.4. Submission of Access Request Form
- 14.1.4.1. The completed Access Request Form, together with a certified copy of the Requester's identity document, must be submitted either via conventional mail or e-mail and must be addressed to the Information Officer as indicated above.
  - 14.1.4.2. An initial request fee of R57.00 (including VAT) is payable on submission of the Access Request Form.
- 14.1.5. Payment of Fees
- 14.1.5.1. Payment details can be obtained from the Information Officer 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 provided.
  - 14.1.5.2. 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 based on the Prescribed Fees as

set out in Annexure E hereto. The access fee must be paid prior to access being given to the requested record.

#### 14.1.6. Notification

- 14.1.6.1. The Information Officer will, within 30 (thirty) business days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 14.1.6.2. This 30 (thirty) day period may be extended for a further period of not more than 30 (thirty) days, if the request is for a large volume of information, or the request requires a search for information held at other offices of one or more of the Company and the information cannot reasonably be obtained within the original 30 (thirty) day period.
- 14.1.6.3. The Requester will be notified in writing should an extension be sought.

## 15. Grounds for Refusal of Access to Records

- 15.1. The following are the grounds on which the Company may, subject to the exceptions contained in Chapter 4 of PAIA, refuse a request of access in accordance with chapter 4 of PAIA:
  - 15.1.1. Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of Personal Information of that natural person;
  - 15.1.2. Mandatory protection of the commercial information of a third party, if the record contains:
    - 15.1.2.1. Trade secrets of that party;
    - 15.1.2.2. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that party;
    - 15.1.2.3. Information disclosed by a third party to any of the Company's if the disclosure could put that third party at disadvantage in negotiations or commercial competition.
  - 15.1.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;



- 15.1.4. Mandatory protection of the safety of individuals and the protection of property;
- 15.1.5. Mandatory protection of records which could be regarded as privileged in legal proceedings;
- 15.1.6. Protection of the commercial activities of the Company, which may include:
  - 15.1.6.1. Trade secrets of the Company; and
  - 15.1.6.2. Financial, commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of the Company.
  - 15.1.6.3. Information which, if disclosed, could put the Company at a disadvantage in contractual or other negotiations or prejudice the Company in commercial competition; and/or
  - 15.1.6.4. Computer programs which are owned by the Company, and which are protected by copyright and intellectual property laws;
  - 15.1.6.5. Research information of the Company or a third party, if such disclosure would place the research or the researcher at a serious disadvantage; and
  - 15.1.6.6. Requests for Records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

## 16. Information or Records not found

If the Company cannot find the records that the Requester is looking for despite reasonable and diligent search and it believes either that the records are lost or that the records are in its possession but unattainable, the Requester will receive a notice in this regard from the Information Officer in the form of an affidavit setting out the measures taken to locate the document and accordingly the inability to locate the document.

## 17. Appeal Against Refusal to Grant Access

- 17.1. The Company does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and the Requesters will have to exercise such external remedies at their disposal if the Request for Access is refused.
- 17.2. If a Requester is aggrieved by the refusal of the Information Officer to grant a request for a record, the requester may, upon notification of the Information Officer's decision (or upon deemed refusal in terms of Section 58 of PAIA), lodge a complaint to the

Information Regulator or apply to court for appropriate relief within the timeframes as prescribed by PAIA.

## 18. Manual Review

This policy shall be reviewed every 2 (two) years and as and when required to factor in any changes in legal frameworks, organisational development and economic trends.

## 19. Implementation date

This Manual will come into effect on the date of signature by the Chief Executive Officer.



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**SIGNATURE**  
**CHIEF EXECUTIVE OFFICER**

3 May 2023  
**DATE**

# PAIA AND POPIA MANUAL

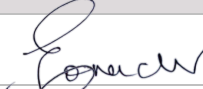
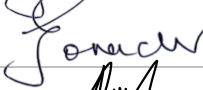

## DOCUMENT CONTROL DATA

VERSION 2

LAST REVISION DATE: 03/05/2023

FIRST IMPLEMENTATION DATE: 04/05/2023

### APPROVAL RECORD

|                    | DESIGNATION              | SIGNATURE  | DATE       |
|--------------------|--------------------------|--|------------|
| <b>AUTHOR</b>      | Group Compliance Officer |  | 03/05/2023 |
| <b>REVIEWED BY</b> | Group Legal Counsel      |  | 03/05/2023 |
| <b>APPROVED BY</b> | Company Secretary        |  | 03/05/2023 |

## ANNEXURE A

### LIST OF APPLICABLE LEGISLATION

1. Administration of Adjudication of Road Traffic Offences Act 46 of 1998
2. Advertising on Roads & Ribbon Development Act 21 of 1940
3. Agricultural Pests Act 36 of 1983
4. Agricultural Products Standards Act 119 of 1990
5. Alienation of Land Act 68 of 1981
6. Arbitration Act 42 of 1965
7. Attorneys Act 53 of 1979
8. Auditing Profession Act 26 of 2005
9. Basic Conditions of Employment Act 75 of 1997
10. Bills of Exchange Act 34 of 1964
11. Broad-Based Black Economic Empowerment Act 53 of 2003
12. Broadcasting Act 4 of 1999
13. Businesses Act 71 of 1991
14. Carbon Tax Act, 15 of 2019
15. Carriage of Goods by Sea Act 1 of 1986
16. Children's Act 38 of 2005
17. Civil Aviation Act 13 of 2009
18. Civil Union Act 17 of 2006
19. Close Corporations Act 69 of 1984
20. Collective Investment Schemes Control Act 45 of 2002
21. Community Schemes Ombud Service Act 9 of 2011
22. Communal Property Associations Act 28 of 1996
23. Companies Act 71 of 2008
24. Compensation for Occupational Injuries and Diseases Act 130 of 1993

25. Competition Act 89 of 1998
26. Constitution of South Africa Act 108 of 1996
27. Consumer Protection Act 68 of 2009
28. Contingency Fees Act 66 of 1997
29. Convention on Agency in the International Sale of Goods Act 4 of 1986
30. Conventional Penalties Act 15 of 1962
31. Co-operatives Act 14 of 2005
32. Copyright Act 98 of 1978
33. Counterfeit Goods Act 37 of 1997
34. Credit Rating Services Act 24 of 2012
35. Criminal Procedure Act 51 of 1977
36. Cross-Border Insolvency Act 42 of 2000
37. Currency & Exchanges Act 9 of 1933
38. Customs and Excise Act 91 of 1964
39. Customs Control Act 31 of 2014
40. Customs Duty Act 30 of 2014
41. Dangerous Weapons Act 15 of 2013
42. Debt Collectors Act 114 of 1998
43. Deeds Registries Act 47 of 1937
44. Designs Act 195 of 1993
45. Development Bank of Southern Africa Act 13 of 1997
46. Documentary Evidence from Countries in Africa Act 62 of 1993
47. Drugs and Drug Trafficking Act 140 of 1992
48. Electricity Regulation Act 4 of 2006
49. Electronic Communications and Transactions Act 2 of 2000
50. Employment Equity Act 55 of 1998

51. Employment Services Act 4 of 2014
52. Employment Tax Incentive Act 26 of 2013
53. Enforcement of Foreign Civil Judgments Act 32 of 1988
54. Environment Conservation Act 73 of 1989
55. Exchange Control Amnesty and Amendment of Taxation Laws Act 12 of 2003
56. Export Credit and Foreign Investments Insurance Act 78 of 1957
57. Expropriation Act 63 of 1975
58. Extension of Security of Tenure Act 62 of 1997
59. Fencing Act 31 of 1963
60. Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947
61. Films and Publications Act 65 of 1996
62. Financial Intelligence Centre Act 38 of 2001
63. Financial Markets Act 19 of 2012
64. Financial Services Ombud Schemes Act 37 of 2004
65. Financial Advisory & Intermediary Services Act 37 of 2002
66. Financial Intelligence Centre Act 38 of 2001
67. Firearms Control Act 60 of 2000
68. Fire Brigade Services Act 99 of 1989
69. Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972
70. Formalities In Respect of Leases of Land Act 18 of 1969
71. Fund-raising Act 107 of 1978
72. Gas Act 48 of 2001
73. General Pensions Act 29 of 1979
74. Genetically Modified Organisms Act 15 of 1997
75. Geoscience Act 100 of 1993
76. Hazardous Substances Act 15 of 1973

77. Identification Act 68 of 1997
78. Immigration Act 13 of 2002
79. Income Tax Act 58 of 1962
80. Infrastructure Development Act 23 of 2014
81. Insolvency Act 24 of 1936
82. Institution of Legal Proceedings against certain Organs of State Act 40 of 2002
83. Insurance Act 18 of 2017
84. International Arbitration Act 15 of 2017
85. International Trade Administration Act 71 of 2002
86. Interpretation Act 33 of 1957
87. Justices of the Peace and Commissioners of Oaths Act 16 of 1963
88. KwaZulu-Natal Planning and Development Act, 6 of 2008
89. Labour Relations Act 66 of 1995
90. Legal Metrology Act 9 of 2014
91. Legal Practice Act 28 of 2014
92. Liquor Products Act 60 of 1989
93. Local Government: Municipal Property Rates Act 6 of 2004
94. Long-term Insurance Act 52 of 1998
95. Lotteries Act 57 of 1997
96. Magistrates' Courts Act 32 of 1944
97. Marketing of Agricultural Products Act 47 of 1996
98. Matrimonial Property Act 88 of 1984
99. Measurement Units and Measurement Standards Act 18 of 2006
100. Medical Schemes Act 131 of 1998
101. Medicines and Related Substances Control Act 101 of 1965
102. Merchandise Marks Act 17 of 1941

103. Mineral and Petroleum Resources Development Act 28 of 2002
104. National Building Regulations and Building Standards Act 103 of 1997
105. National Credit Act 34 of 2005
106. National Energy Act 34 of 2008
107. National Environmental Management Act 107 of 1998
108. National Environmental Management: Air Quality Act 39 of 2004
109. **National Environmental Management: Biodiversity Act 10 of 2004**
110. **National Environmental Management: Integrated Coastal Management Act 24 of 2008**
111. **National Environmental Management: Protected Areas Act 57 of 2003**
112. National Environmental Management: Waste Act 59 of 2008
113. **National Health Act 61 of 2003**
114. **National Land Transport Act 5 of 2009**
115. **National Minimum Wage Act 2018**
116. **National Payment System Act 78 of 1998**
117. **National Qualifications Framework Act 67 of 2008**
118. **National Regulator for Compulsory Specifications Act 5 of 2008**
119. National Water At 36 of 1998
120. National Road Traffic Act 93 of 1996
121. **National Veld and Forest Fire Act 101 of 1998**
122. **Nursing Act 33 of 2005**
123. Occupational Health and Safety Act 85 of 1993
124. Patents Act 57 of 1987
125. Pension Funds Act 24 of 1956
126. **Plant Breeders' Rights Act 15 of 1976**
127. **Plant Breeders' Rights Act, 12 of 2018**
128. **Plant Improvement Act, 11 of 2018**



129. **Preferential Procurement Policy Framework Act 5 of 2000**
130. **Prescribed Rate of Interest Act 55 of 1975**
131. **Prescription Act 68 of 1969**
132. Prevention & Combating of Corrupt Activities Act 12 of 2004
133. Prevention of Constitutional Democracy Against Terrorist & Related Activities Act 33 of 2004
134. **Prevention of Counterfeiting of Currency Act 16 of 1965**
135. Prevention of Organised Crime Act 121 of 1998
136. **Prevention of and Treatment for Substance Abuse Act 70 of 2008**
137. Private Security Industry Regulation Act 56 of 2001
138. Promotion of Access to Information Act 2 of 2000
139. Promotion of Administrative Justice Act 3 of 2000
140. Protection of Businesses Act 99 of 1978
141. Protection of Investments Act 22 of 2015
142. Protection of Personal Information Act 4 of 2013
143. Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
144. Property Valuation Act 17 of 2014
145. Protected Disclosures Act 26 of 2000
146. Protection from Harassment Act 17 of 2011
147. Public Administration Management Act 11 of 2014
148. Public Holidays Act 36 of 1994
149. Public Investment Corporation Act 23 of 2004
150. Recognition of Customary Marriages Act 120 of 1998
151. Regulation of Interception of Communications and Provisions of Communication Related
152. Restitution of Land Rights Act 22 of 1994
153. Road Accident Fund Act 56 of 1996
154. Safety at Sports and Recreational Events Act 2 of 2010

155. Security by Means of Movable Property Act 57 of 1993
156. Second-Hand Goods Act 23 of 1955
157. Securities Services Act 36 of 2004
158. Securities Transfer Act 25 of 2007
159. Short-Term Insurance Act 53 of 1998
160. Skills Development Act 97 of 1997
161. Skills Development Levies Act 9 of 1999
162. South African Citizenship Act 88 of 1995
163. South African Reserve Bank Act 90 of 1989
164. Spatial Planning and Land Use Management Act 16 of 2013
165. Special Economic Zones Act 16 of 2014
166. Standards Act 8 of 2008
167. State Liability Act 20 of 1957
168. Sugar Act 9 of 1978
169. Superior Courts Act 10 of 2013
170. Tax Administration Act 28 of 2011
171. The South African National Roads Agency Limited & National Roads Act 7 of 1998
172. Tobacco Products Control Act 12 of 1999
173. Trade Marks act 194 of 1993
174. Traditional Health Practitioners Act 22 of 2007
175. Transfer Duty Act 40 of 1949
176. Trust Property Control Act 57 of 1988
177. Unemployment Insurance Act 63 of 2001
178. Unemployment Insurance Fund Contributions Act 4 of 2002
179. Value-Added Tax Act 89 of 1991
180. Vexatious Proceedings Act 3 of 1956

181. Water Research Act 34 of 1971
182. Water Services Act 108 of 1997

## ANNEXURE B

### DESCRIPTION OF INFORMATION SECURITY MEASURES

The Company undertakes to institute and maintain the data protection measures to accomplish the following objectives outlined below. The details given are to be interpreted as examples of how to achieve an adequate data protection level for each objective. The Company may use alternative measures and adapt to technological security development, as needed, provided that the objectives are achieved.

#### 1. Access Control of Persons

The Company shall implement suitable measures in order to prevent unauthorized persons from gaining access to the data processing equipment where the data is processed.

#### 2. Data Media Control

The Company undertakes to implement suitable measures to prevent the unauthorized manipulation of media, including reading, copying, alteration or removal of the data media used by the Company and containing personal data of Customers.

#### 3. Data Memory Control

The Company undertakes to implement suitable measures to prevent unauthorized input into data memory and the unauthorized reading, alteration or deletion of stored data.

#### 4. User Control

The Company shall implement suitable measures to prevent its data processing systems from being used by unauthorized persons by means of data transmission equipment.

#### 5. Access Control to Data

The Company represents that the persons entitled to use the Company's data processing system are only able to access the data within the scope and to the extent covered by their respective access permissions (authorization).

#### 6. Transmission Control

The Company shall be obliged to enable the verification and tracing of the locations / destinations to which the personal information is transferred by utilization of the Company's data communication equipment / devices.

#### 7. Transport Control

The Company shall implement suitable measures to prevent Personal Information from being read, copied, altered or deleted by unauthorized persons during the transmission thereof.

8. Organization Control

The Company shall maintain its internal organization in a manner that meets the requirements of this Manual

## ANNEXURE C

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF PAIA AND ITS REGULATIONS.**

1. Affidavits or other documentary evidence as applicable in support of the objection may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete where applicable.

| <b>PART 1</b>                                | <b>DETAILS OF DATA SUBJECT</b>      |
|--|-------------------------------------|
| Name(s) and surname/ registered name of data |                                     |
| Subject:                                     |                                     |
| Unique Identifier/ Identity Number           |                                     |
| Residential, postal or business address:     |                                     |
| Contact number(s):                           |                                     |
| E-mail address                               |                                     |
|  |                                     |
| <b>PART 2</b>                                | <b>DETAILS OF RESPONSIBLE PARTY</b> |
| Name(s) and surname/ registered name of data |                                     |
| subject:                                     |                                     |
| Residential, postal or business address:     |                                     |
| Contact number(s):                           |                                     |
|  |                                     |
| <b>Part C – Reasons for Objection</b>        |                                     |
|  |                                     |

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Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_

\_\_\_\_\_  
**Signature of Data Subject/Designated Person**

ANNEXURE D

**REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013**

**REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**

**Note:**

1. Affidavits or other documentary evidence as applicable in support of the request may be attached.
2. If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.
3. Complete as is applicable and mark the appropriate box with an "x

**REQUEST FOR**

Correction or deletion of the Personal Information about the data subject which is in possession or under the control of the Responsible Party.

Destroying or deletion of a Record of Personal Information about the data subject which is in possession or under the control of the Responsible Party and who is no longer authorised to retain the record of information.

| <b>PART 1</b>                                | <b>DETAILS OF DATA SUBJECT</b>      |
|--|-------------------------------------|
| Name(s) and surname/ registered name of data |                                     |
| subject:                                     |                                     |
| Unique Identifier/ Identity Number           |                                     |
| Residential, postal or business address:     |                                     |
| Contact number(s):                           |                                     |
| E-mail address:                              |                                     |
|  |                                     |
| <b>PART 2</b>                                | <b>DETAILS OF RESPONSIBLE PARTY</b> |
| Name(s) and surname/ registered name of data |                                     |
| subject:                                     |                                     |



|  |   |
|--|---|
| Residential, postal or business address: |   |
| Contact number(s):                       |   |
|  |   |
| PART 3                                   | <b>REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) (Please provide detailed reasons for the objection</b>   |
|  |   |
|  |   |
|  |   |
|  |   |
|  |   |
| PART 4                                   | <b>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. (Please provide detailed reasons for the request</b> |
|  |   |
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ANNEXURE E

ACCESS REQUEST FORM

ACCESS REQUEST FORM - RECORD OF PRIVATE BODY  
 (Section 53(1) of the Promotion of Access to Information Act, 2000)

[Regulation 10]

COMPLETION OF ACCESS REQUEST FORM

1. The Access Request Form must be completed.
2. Proof of identity is required to authenticate the identity of the requester. Attach a copy of the requester’s identification document.
3. Type or print in BLOCK LETTERS an answer to every question.
4. If a question does not apply, state “N/A”.
5. If there is nothing to disclose in reply to a question, state “nil”.
6. When there is insufficient space on a printed form, additional information may be provided on an attached folio, and each answer on such folio must reflect the applicable title.

Tongaat Hulett Limited  
 C/o The Information Officer:  
 Mr Zamile Qwemesha  
 Tongaat Hulett Limited  
 1 Amanzimnyama Hill Road  
 Tongaat  
 4400  
 Email: [Compliance@tongaat.com](mailto:Compliance@tongaat.com)

1. Particulars of Requester (if natural person)

- a) The particulars of the person who requests access to the record must be given below.
- b) The address and/or e-mail address to which the information is to be sent must be given.
- c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: .....

Identity number: .....

Postal address: .....

Telephone number: .....

Email address: .....

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

.....

1 Particulars of Requester (if a legal entity)

- a) The particulars of the entity that requests access to the record must be given below.
- b) The address and/or fax number in the Republic to which the information is to be sent.
- c) Proof of the capacity in which the request is made, if applicable, must be attached.

Name: .....

Registration number: .....

Postal address:.....

Telephone number:.....

Email address:.....

2. 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: .....

3. 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.**

.....  
.....  
.....

4. Description of record or relevant part of the record:

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.....  
.....  
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5. Reference number, if available:

.....  
.....

6. Any further particulars of record

.....  
.....  
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.....

7. Fees

a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a non-refundable request fee of R57,00 has been paid.  
b) 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.  
c) You will be notified of the amount required to be paid as the access fee.  
d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

8. Reason for exemption from payment of fees:

.....  
.....  
.....

9. Form of access to record

**Mark the appropriate box with an X.**  
**NOTES:**  
a) Compliance with your request in the specified form may depend on the form in which the record is available.  
b) Access in the form requested may be refused under certain circumstances. In such a case you will be informed whether 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 a record                              |
| 2. If record consists of visual images<br>(photographs, slides, video recordings, computer-generated images, sketches, etc):                            |  |  |     |   |
| view the images copy of<br>the images   |  | the images*  |     | transcription of                                    |
| 3. If record consists of recorded information that can be reproduced in sound:  |  |  |     |   |
| listen to the soundtrack (audio<br>cassette)  |  | transcription of soundtrack* (written or printed document)     |     |   |
| 4. If record is held on computer or in an electronic or machine-readable form:  |  |  |     |   |
| printed copy of record*   |  | printed copy of copy<br>information derived from<br>record* or |     | in computer readable form*<br>(stiffy compact disc) |
| *If you are requesting a copy or transcription of a record (above),<br>do you wish the copy or transcription to be posted to you?<br>Postage is payable |  |  | YES | NO  |

10. In the event of disability

**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: |
|-------------|-----------------------------------|

11. 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.**

12. Indicate which right is to be exercised or protected:

.....  
.....  
.....  
.....

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

.....  
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14. 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.**

15. How would you prefer to be informed of the decision regarding your request for access to the record?

.....  
.....  
.....

Signed at ..... on this ..... day of .....202...

SIGNATURE OF REQUESTER/ PERSON ON WHOSE BEHALF THE REQUEST IS MADE

.....

Name and Surname :.....