

**Cape Natural Tea Products (Pty) Ltd**

**(Registration number:**

**1996/018192/07)**

**MANUAL PREPARED IN TERMS OF SECTION 51 OF  
THE PROMOTION OF ACCESS TO INFORMATION ACT**

**No. 2 OF 2000**

**(the "ACT")**

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## **1. INTRODUCTION**

The following words will bear the following meaning in this manual:

“the Act”	shall mean the Promotion of Access of Information Act, No. 2 of 2000, together with all relevant regulations published;
“the/this manual”	shall mean this manual together with all annexures thereto as available at the offices of Cape Natural Tea Products from time to time;
“Cape Natural Tea Products”	shall mean “Cape Natural Tea Products (Pty) Ltd” and such entities as set out in paragraph 2 of this manual;
“Information Regulator”	shall mean the Information Regulator established in terms of section 39 of POPIA;
“POPIA”	shall mean the Protection of Personal Information Act, No. 4 of 2013, together with all relevant regulations published;
“record”	shall mean any recorded information, regardless of form or medium, in the possession or under Cape Natural Tea Product’s control.
“SAHRC”	shall mean the South African Human Rights Commission.

The Act gives effect to Section 32 of the Constitution of the Republic of South Africa, Act 108 of 1996, which provides for the right to access to information held by public and private bodies when such information is requested for the exercise or protection of rights. The Act sets out the procedural requirements for requesting information, as well as the grounds for refusal of a request.

Section 51 of the Act requires all private bodies to compile an information manual (defined herein as “this manual”).

This manual has been compiled in accordance with the Act and the template as provided by the SAHRC. In addition, this manual complies with the requirements of section 10 of the Act and recognizes that as of 1 July 2020 (being the commencement date of POPIA) the Information Regulator will be responsible to regulate compliance with the Act and its regulations by public and private bodies.

The purpose of this manual is to set out the procedures to be followed when requesting access to records, in a quick, easy and accessible manner.

## **2. OVERVIEW OF CAPE NATURAL TEA PRODUCTS**

Cape Natural Tea Products was founded in 1996 with one clear goal in mind: to introduce stability and trust into the South African herbal tea industry. 25 years later, we are a leading supplier of herbal teas, having built strong partnerships with all our clients, farmers, and employees.

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Our products include Rooibos, Rosehips, Honeybush, and other African botanicals

In this manual, any reference to Cape Natural Tea Products shall include the following entities:

- Cape Natural Tea Products (Pty) Ltd;
- Cape Natural Agri Services (Pty) Ltd;
- Cape Natural Properties (Pty) Ltd;
- Graafwater Teeverwerkers (Pty) Ltd

### **3. COMPANY CONTACT DETAILS**

Cape Natural Tea Products (Pty) Ltd will handle all requests for information relating to the entities listed in this manual.

Name of private body: Cape Natural Tea Products (Pty) Ltd  
Website: [www.rooibostea.co.za](http://www.rooibostea.co.za)  
Physical address: 27 Range Road, Blackheath, 7580  
Postal address: 27 Range Road, Blackheath, 7580  
Telephone number: (021) 982 5030

### **4. INFORMATION OFFICER**

- 4.1 The Act prescribes the appointment of an Information Officer which person is responsible to (inter alia) assess requests for access to information.
- 4.2 The Information Officer appointed in terms of the Act also refers to the Information Officer as referred to in POPIA. As such, the Information Officer will oversee the functions and responsibilities set out in the Act as well as those set out in section 55 of POPIA once registered with the Information Regulator.

4.3 Cape Natural Tea Products has appointed the IT Manager as its Information Officer who will assess requests for information as well as oversee compliance with the Act.

4.4 Contact details of the Information Officer:

Chief Information Officer: Jan Botha  
Physical address: 27 Range Road, Blackheath, 7580  
Postal address: 27 Range Road, Blackheath, 7580  
Telephone number: (021) 982 5030  
E-mail address: [bismanager@rooibostea.co.za](mailto:bismanager@rooibostea.co.za)

## 5. GUIDE ON HOW TO USE THE ACT

5.1 Section 50 of the Act grants a requester access to records of a private body, if the record is required for:

- 5.1.1 the exercise or protection of any rights;
- 5.1.2 that person complies with the procedural requirements in the Act; and
- 5.1.3 access to that record is not refused in terms of any ground for refusal as set out in Chapter 4 of the Act.

5.2 In addition to 5.1 above, if a public body lodges a request, the public body must be acting in the public interest.

5.3 Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Regulations to the Act.

5.4 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the SAHRC, which includes all the relevant information as may be reasonably required by a person who wishes to exercise any right contemplated in this Act, as well as POPIA. The Guide is available from the SAHRC.

The contact details of the SAHRC are:

PAIA Unit  
Postal Address: Private Bag X2700, Houghton, 2041  
Telephone Number: +27-11-877 3803  
Fax Number: +27-11-403 0625  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
Email: [section51.paia@sahrc.org.za](mailto:section51.paia@sahrc.org.za)

## **6. CAPE NATURAL TEA PRODUCTS PRIVACY PRACTICES**

6.1 Cape Natural Tea Products collects information from its business or its website which information may be of a personal information and which information is protected under POPI Act.

6.2 Cape Natural Tea Products collects personal information where it has obtained the consent of the person to whom the information belongs and where it:

6.2.1 has a legitimate requirement to use or process such information; or

6.2.2 meet its responsibilities to customers, employees and other natural or juristic persons.

6.3 Cape Natural Tea Products may disclose personal information lawfully to:

6.3.1 Any regulatory authority (i.e. the Financial Services Board) and the regulators they appoint for the various financial sectors;

6.3.2 Comply with any regulation passed under the relevant legislation, or any legal process

6.3.3 Protect and defend Cape Natural Tea Products rights and property (including its intellectual property);

6.3.4 Protect public interest;

6.3.5 Legal advisors or similar service providers with the appropriate undertakings to protect the information; or

6.3.6 Group companies and subsidiaries.

6.4 Cape Natural Tea Products may supply employee personal information to:

6.4.1 Pension/provident fund and/or their trustees;

6.4.2 Medical Aid funds;

6.4.3 Recruitment companies; or

6.4.4 Credit Bureau

6.5 Cape Natural Tea Products uses the services of third parties to process personal information, Cape Natural Tea Products will ensure that the necessary contractual measures are in place to protect against loss or disclosure of such personal information.

## **7. TYPES OF RECORDS HELD**

### **7.1 RECORDS HELD IN TERMS OF LEGISLATION**

All records kept and made available in terms of legislation applicable to any of the entities listed in this manual are available in accordance with said legislation. (Please note that this is not an exhaustive list)

Companies Act, 71 of 2008

Income Tax Act, 58 of 1962

Value-Added Tax Act, 89 of 1991

Consumer Protection Act, 68 of 2008

Labour Relations Act, 66 of 1995

Basic Conditions of Employment Act, of 1997  
 Employment Equity Act, 55 of 1998  
 Skills Development Levies Act, 9 of 1999  
 Occupational Health and Safety Act, 85 1993  
 Electronic Communications and Transactions Act, 25 of 2002  
 Protection of Personal Information Act of 2013

## 7.2 SCHEDULE OF RECORDS

Types of Records	Subject	Availability
Public	Product Information Media Releases	Freely available on web site <a href="http://www.rooibostea.co.za">www.rooibostea.co.za</a>
Financial	Financial Statements Financial and Tax Records Asset Register Management Accounts	Not Available Not Available Not Available Not Available
Marketing	Marketing Information Product Sales Records Customer Database	Limited information available on website Request in terms of PAIA Request in terms of PAIA

## **8. REQUEST PROCEDURE**

8.1 A person may request access to the records of a private body if:

- a record is required for the exercise or protection of any rights;
- a person complies with the procedural requirements in the Act relating to a request for access to such record; and
- access to such record is not refused in terms of any ground for refusal contemplated in Chapter 4, Part 3 of the Act.

8.2 A person who wants access to the records held by Cape Natural Tea Products must complete the prescribed form attached hereto as Annexure 1 (Form C) and submit the form together with the payment of the request fee (if applicable) and deposit (if applicable).

8.3 All prescribed sections of the request form must be completed fully, failing which the process be delayed while the Information Officer obtains such additional information.

8.4 The completed request form must be addressed and sent to the Information Officer at the address, email or fax number as provided in paragraph 3.

8.5 Please provide sufficient details to enable us to identify:

8.5.1 The record(s) requested;

8.5.2 The details of the requester (and if an agent is lodging the request, please include proof of the capacity in which the requester is acting, to the reasonable satisfaction of the Information Officer);

8.5.3 The form of access required;

8.5.4 (i) The postal address, email or fax number of the requester in the Republic;

(ii) If, in addition to a written reply, the requester wishes to be informed of the decision of the request in any other manner, and if so, the manner and particulars to be so informed;

8.5.5 The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.



## **9. REFUSAL OF A REQUEST FOR INFORMATION**

The Act recognizes that the right to information may be limited to the extent that such limitations are reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom as contemplated in Section 36 of the Constitution. As such, access to certain records may be or must be denied on the grounds set out in the Act.

Access to the following information may or must be denied:

9.1 Information for the protection of the privacy of individuals;

9.2 Information for the protection of commercial information and confidential information of third parties;

9.3 Information privileged from production in legal proceedings;

9.4 Commercial information of the company; and

9.5 Research information.

The decision made by the Information Officer is final. Should the requester be dissatisfied with the Information Officer's decision to refuse access to records, the requester may within 30 days after being informed of the refusal apply to court for the appropriate relief.

## **10. PRESCRIBED FEES**

The following applies to requests

10.1A requestor may be required to pay the prescribed fees before a request will be processed;

10.2A requestor may lodge an application with a court against the tender/payment of the requestfee and/or deposit;

10.3Records may be withheld until the fees have been paid;

10.4The fee structure is available on the website of the SAHRC at [www.sahrc.org.za](http://www.sahrc.org.za).

## **11. AVAILABILITY OF THIS MANUAL**

Copies of this manual are available for inspection, free of charge, at our offices as described in paragraph 3 above. Copies are also available from the SAHRC and on our website ([www.rooibostea.co.za](http://www.rooibostea.co.za)). This manual may be updated from time to time.

## 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]**

## A. Particulars of private body

The Head:

## B. Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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

## C. Particulars of person on whose behalf request is made

This section must be completed <i>ONLY</i> if a request <i>for information</i> is made on behalf of <i>another</i> person.
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Full names and surname:

Identity number:

## D. 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.<br>(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form.<br>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:

E. 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 paid 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 for exemption.

Reason for exemption from payment of fees:

F. 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
<p>Mark the appropriate box with an X.</p> <p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

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

	copy of record*		inspection of record
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**2. If 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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**4. If record is held on computer or in an electronic or machine-readable form:**

	printed copy of record*		printed copy of information derived from the record"		copy in computer readable form* (stiffy or compact disc)
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'If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO

**G 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.

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of theaforementioned 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 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 .....20

SIGNATURE OF REQUESTER / PERSON ON  
WHOSE BEHALF REQUEST IS  
MADE