



**INFORMATION MANUAL
OF
PIONEER FOOD GROUP PROPRIETARY LIMITED
(Registration Number 1996/017676/07)**

*Prepared in accordance with section 51 of the Promotion of Access to Information Act
2 of 2000*

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1. INTERPRETATION

In this Manual, clause headings are for convenience purposes only and shall not be used in its interpretation, unless the context clearly indicates a contrary intention—

- 1.1. any reference to Pioneer Foods, will also include all its Affiliates.
- 1.2. An expression which denotes –
 - 1.2.1. any gender includes the other genders;
 - 1.2.2. a natural person includes an artificial or juristic person and vice versa;
 - 1.2.3. the singular includes the plural and vice versa;
- 1.3. The following expressions shall bear the meanings assigned to them below and cognate expressions bear corresponding meanings –
 - 1.3.1. "**Act**" means the Promotion of Access to Information Act No. 2 of 2000, as amended from time to time, including the regulations promulgated in terms of the Act;
 - 1.3.2. "**business day**" means - any day other than a Saturday, Sunday or official public holiday in the Republic of South Africa;
 - 1.3.3. "**Manual**" means this Manual together with all of its annexures as amended from time to time;
 - 1.3.4. "**Head**" means the Chief Executive Officer of Pioneer Foods;
 - 1.3.5. "**Designate Information Officer**" means - the person duly authorised and appointed by the Head, to facilitate and assist the Head with any request in terms of the Act, whose details are set out in clause 6 below;
 - 1.3.6. "**Pioneer Foods**" means Pioneer Food Group Proprietary Limited registered and incorporated in the Republic of South Africa with registration number 1996/017676/07), situated at Glacier Place, 1 Sportica Crescent, Tygervalley, 7530, Western Cape, South Africa;
- 1.4. Any reference to any statute, regulation and/or other legislation shall be a reference to that statute, regulation or other legislation as at the signature date, and as amended or substituted from time to time;
- 1.5. If any provision in a definition is a substantive provision conferring a right or imposing an obligation on any party then, notwithstanding that it is only in a definition, effect shall be given to that provision as if it was a substantive provision in the body of this Manual;
- 1.6. Reference to a party shall include a reference to that party's successors and assigns;
- 1.7. Reference to a document, includes a reference to an amendment or supplement to or to a replacement or notation of that document;
- 1.8. Where any term is defined within a particular clause other than this, that term shall bear the meaning ascribed to it in that clause wherever it is used in this Manual;
- 1.9. Where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day;
- 1.10. Any reference to days (other than a reference to business days), months or years shall be a reference to calendar days, months or years, as the case may be;

- 1.11. The use of the word "including" followed by a specific example/s, shall not be construed as limiting the meaning of the general wording preceding it and the *eiusdem generis* rule shall not be applied in the interpretation of such general wording or such specific example/s; and
- 1.12. Insofar as there is a conflict in the interpretation of or application of this Manual and the Act, the Act shall prevail.

2. OBJECTIVE OF PAIA AND THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (“POPIA”)

- 2.1 The objective of PAIA is to give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights.
- 2.2 The objective of POPIA includes to promote the protection of personal information processed by public and private bodies and to introduce certain conditions so as to establish minimum requirements for the processing of personal information.
- 2.3 Section 51 of the Act requires that Pioneer Foods, , compile a manual giving information to the public regarding the procedure to be followed in requesting information from Pioneer Foods for the purpose of exercising and/or protecting rights.
- 2.4 This Manual is intended to fulfil this requirement.
- 2.5 Accordingly, this Manual provides a reference to the records that Pioneer Foods holds and the process that needs to be adopted, to access such records. All requests for access to information should be addressed to the Designated Information Officer.
- 2.6 Please refer to the External Privacy Notice on our website should you have any queries or requests regarding requests or queries in respect of your Personal Information in terms of POPIA.

3. SCOPE OF THIS MANUAL

- 3.1 Pioneer Foods compiled this Manual not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in its business environment and to ensure that members of the public have effective access to information in its possession, which will assist them in exercising and protecting their rights.
- 3.2 Recorded in this Manual, you will be able to view the categories of information which Pioneer Foods holds. You will also be guided with regards to the correct procedure to follow should you require access to any of this information.

4. GUIDELINE FOR REQUESTS TO ACCESS INFORMATION

- 4.1 In accordance with Section 10 of the Act, the Information Regulator established in terms of POPIA (“Information Regulator”) must update and make available the existing Guide that has been compiled by the South African Human Rights Commission (“SAHRC”) on how to use the Act.
- 4.2 This Guide can be obtained from the office of the SAHRC and is also published on their website listed below.

- 4.3 Enquiries regarding the Guide can be addressed to the Information Regulator the contact details of which are as follows:

Physical address Telephone	<u>Information Regulator</u> JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001	<u>SAHRC</u> 27 Stiemens Street, Braamfontein Tel: 011 877 3600 Fax: 0864100149
email	infoereg@justice.gov.za and paia@justice.gov.za	paia@sahrc.org.za and tsebulela@sahrc.org.za
website	https://www.justice.gov.za/infoereg/index.html	https://www.sahrc.org.za/

5. ADMINISTRATION OF THE ACT

- 5.1 The Head of Pioneer Foods has appointed Mr. Ulrich von Willingh as the authorised designate Information Officer to administrate the requirements of the Act.

- 5.2 All Requests for access to records must be addressed to the Designated Information Officer: -

5.2.1 **Postal Address**

Information Officer for Pioneer Foods Group Proprietary Limited
Ulrich von Willingh
P.O. Box 20
Huguenot
7645
Republic of South Africa

5.2.2 **Physical Address**

Information Officer for Pioneer Food Group Proprietary Limited
Ulrich von Willingh
Glacier Place
1 Sportica Crescent
Tygervalley
7530
Republic of South Africa

5.2.3 **Telephone Details**

Tel: 021 974 4000
Fax: 0860 407 0222

5.2.4 **E-Mail Address**

ssaprivacyoffice@pepsico.com

5.2.5 **Website**

<http://www.pioneerfoods.co.za>

6. SUBJECTS AND CORRESPONDING CATEGORIES OF RECORDS

- 6.1 To facilitate the easy identification of the records that Pioneer Foods holds, we have categorised our records per subject area.

6.1.1 **RECORDS THAT ARE AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 51(1)(c) OF THE ACT**

The following records are available without a person having to request access in terms of the Act and are available on Pioneer Foods website:

6.1.1.1 General information pertaining to Pioneer Foods

The following records are available at the Companies and Intellectual Properties Commission:

6.1.1.2 Memorandum of Incorporation

6.1.1.3 Directors of Pioneer Foods

6.1.2 RECORDS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION IN TERMS OF SECTION 51(1)(d)

6.1.2.1 Records are available in accordance with the following current South African legislation (only to the extent that the relevant Act makes disclosure of records compulsory and only to the extent that it is applicable to Pioneer Foods

- The Companies Act (Act No. 71 of 2008)
- The Stock Exchange Control Act (Act No. 1 of 1985)
- The Occupational Health and Safety Act (Act No. 85 of 1993);
- The Constitution of the Republic of South Africa No.3 of 1994
- The Value-Added Tax Act (Act No. 89 of 1991);
- Income Tax Act (Act No. 58 of 1962);
- Basic Conditions of Employment Act (Act No. 75 of 1997);
- Employment Equity Act (Act No. 55 of 1998);
- Labour Relations Act (Act No. 66 of 1995);
- The Medical Schemes Act (Act No. 131 of 1998);
- The Compensation for Occupational Injuries and Diseases Act (Act No. 130 of 1993);
- The Atmospheric Pollution Prevention Act (Act No. 45 of 1965);
- The Health Act (Act No. 63 of 1977);
- Consumer Affairs (Unfair Business Practices Act), (Act No. 71 of 1988);
- Customs and Excise Amendment Act, Act No. 45 of 1995;
- Skills Development Act 97 of 1998;
- Skills Development Levies Act 9 of 1999;
- Unemployment Insurance Act 63 of 2001; and
- South African Revenue Services Act, (Act No. 34 of 1997).

6.1.2.2 Please note that whilst we have made every effort to identify all pertinent pieces of legislation, we cannot guarantee that all legislation has been included. Should you, hence, be aware of any specific piece of legislation that should be included in the abovementioned list and which has been omitted, please contact our Designate Information Officer. Your assistance in this regard will be most appreciated.

6.1.3 RECORDS HELD BY PIONEER FOODS AND AVAILABLE AS CONTEMPLATED IN SECTION 51(1)(e) OF THE ACT

6.1.3.1 For ease of reference, below is an indication of the subjects of information that we hold:

- Company Secretarial Records
- Financial Statements and Financial Records
- Income Tax Records
- Group Legal and Compliance Records
- Human Resources Records, Training Records and Personnel Information

- ICT (I.e. Information, Communication and Technology) Records
- Environmental Management Records
- Health and Safety Records
- Production Records
- Research and Development Records
- Food Safety and Quality Control Records
- Sales Records
- Logistics and Distribution Records

7. PROCEDURE FOR OBTAINING ACCESS TO INFORMATION

- 7.1 A request for access to a record that does not fall within the categories identified in Section 7 of this Manual must be done formally either via conventional mail, e-mail or fax.
- 7.2 A request for access to a record must be in the prescribed format as informed by the Act being *Form C* which is attached to this Manual marked **Annexure A**. A copy of *Form C* is also available from our offices. The prescribed request fee should be attached. Kindly refer to Section 9 of this Manual, for more details regarding the fee.
- 7.3 Our Designate Information Officer will respond to your request within 30 calendar days of receiving the request, by indicating whether your request for access has been granted.
- 7.4 Please note that an application for access to information can be refused for the grounds fully set out in the Act and in the event that the application does not comply with the procedural requirements of the Act. In addition, kindly be advised that the successful completion and submission of an access request form does not automatically allow the requestor access to the requested record and/or information.
- 7.5 The request form must be completed clearly and completely in block letters. Should there be insufficient space on the printed request form in which to answer a question, additional information must be provided on a separate page that is clearly marked and referenced accordingly.
- 7.6 If access to a record and/or information is granted, our response will include:
- 7.6.1 An indication of the access fee that should be paid upon gaining access (if any);
- 7.6.2 An indication of the form in which the access will be granted;
- 7.6.3 A notice that you may lodge a complaint to the Information Regulator or lodge an appeal with a court of competent jurisdiction against the access fee charged or the format in which access is to be granted, including guidance on the procedure for lodging the application.
- 7.7 If access to a record/information is denied, our response will include:
- 7.7.1 Adequate reasons for the refusal;
- 7.7.2 Notice that you may lodge a complaint to the Information Regulator or an application with a court of competent jurisdiction against the refusal and the procedure, (including the period) for lodging such an application; and
- 7.7.3 For details on the procedure, please refer to Chapter 2 of Part 4, of the Act.
- 7.8 If the Designate Information Officer fails to respond within thirty days after a request has been received, the request is deemed refused.
- 7.9 Designate Information Officer may extend the original period for another period of not more than thirty days if –
- 7.9.1 the request is for a large number of records;

- 7.9.2 the search for the records is to be conducted at premises not situated in the same town or city as the head office of Pioneer Foods;
- 7.9.3 consultation among divisions or departments, as the case may be, of Pioneer Foods is required;
- 7.9.4 the requester consents to such an extension in writing; or
- 7.9.5 the parties agree in any other manner to such an extension.

Should Pioneer Foods require an extension of time, the requester shall be informed in the manner stipulated in the Form of the reasons for the extension. The requester may lodge a complaint to the Information Regulator or make an application with a court of competent jurisdiction against any extension or against any procedure set out in this section 7.

- 7.10 If your request of access is granted, you will be able to gain access to the requested records as soon as is reasonably possible and once the relevant access fee has been paid.
- 7.11 Access will, however, only be granted to a record if the following criteria are fulfilled:
 - 7.11.1 The record is required for the exercise or protection of any right;
 - 7.11.2 The requestor complies with the procedural requirements in the Act relating to a request; and
 - 7.11.3 Access to the record is not refused in terms of any ground for refusal as contemplated in Chapter 4 of Part 3 of the Act.

8. FEES

- 8.1 There are two basic types of fees applicable in terms of the Act— “request fee” referred to in section 54(1) and “access” and/or “reproduction” fees referred to in section 52(3) and 54(7) respectively. The non-refundable request fee is payable on submission of the request for access to a record, unless the request is personal in which event there is no applicable fee.
- 8.2 An access fee is payable, prior to the actual gaining of access to the records in the required form.
- 8.3 The applicable fees are prescribed by the Minister of Justice and Constitutional Development

9. REQUEST FOR ACCESS TO INFORMATION ABOUT THIRD PARTIES

- 9.1 If you request access to a record that contains information about a third party, we are obliged to attempt to contact this third party to inform them of the request and to give them an opportunity to respond by either consenting to the access or by providing reasons why the access should be denied.
- 9.2 In the event that the third party furnishes reasons for the denial of access, our Designate Information Officer will consider these reasons in determining whether access should be granted.
- 9.3 You may appeal against a refusal of access by the Designated Corporate Information Officer. Please refer to Sections 74, 77 and 78 of the Act for further details on the Appeal Process.

10. AVAILABILITY OF THE MANUAL

- 10.1 A copy of the Manual will be available for inspection at:
 - 10.1.1 Our head office (refer to the address provided below) and

10.1.2 The South African Human Rights Commission/Information Regulator

10.2 The Manual will also be available on Pioneer Foods' external website (i.e. www.pioneerfoods.co.za).

11. DISCLAIMER

11.1 The Manual does not allege to be exhaustive of or to comprehensively deal with every procedure provided for in the Act.

11.2 A requester is advised to familiarise him/her/itself with the provisions of the Act, before lodging any request with Pioneer Foods



“FORM C”

REQUEST FOR ACCESS TO A RECORD OF PIONEER FOOD GROUP LIMITED

(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

[Regulation 10]

11.2.1 PARTICULARS OF PIONEER FOODS

The designate Information Officer: Ulrich von Willingh
Email: ssaprivacyoffice@pepsico.com
Glacier Place
1 Sportica Crescent Tygervalley
7530
Republic of South Africa

11.2.2 PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- (a) The particulars of the person who 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, 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:

Fax number:

Telephone number:

E-mail address:

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

11.2.3 PARTICULARS OF THE PERSON ON WHOSE BEHALF A REQUEST IS MADE

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

Full names and surname:
Identity number:
Postal address:
Fax number:
Telephone number (work):
Mobile number:
E-mail address:
Capacity in which request is made:

11.2.4 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 (the Requestor), 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 in full.

11.2.4.1 Description of the record or relevant part of the record:

11.2.4.2 Reference number; i.e. if available:

11.2.4.3 Any further particulars of record:

11.2.5 FEES

- (a) A request for access to a record, other *than* a record containing personal information about yourself (the Requestor), 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 an exemption *of* the payment *of* any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

11.2.6 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 of 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:			
<input type="checkbox"/>	A copy of record*	<input type="checkbox"/>	An inspection of record
2. IF THE RECORD CONSISTS OF VISUAL IMAGES This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*
3. IF THE RECORD CONSISTS OF RECORDED WORDS OR INFORMATION WHICH CAN BE REPRODUCED IN SOUND:			
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document
4. IF THE RECORD IS HELD ON A COMPUTER OR IN AN ELECTRONIC OR MACHINE-READABLE FORM:			
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"
<input type="checkbox"/>		<input type="checkbox"/>	copy in computer readable form* (compact disc, memory card)
<p>If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?</p> <p>Note: If "YES", postage is payable.</p>			<p>YES</p> <p>NO</p>

G PARTICULARS OF THE RIGHT TO BE EXERCISED OR PROTECTED

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

H. NOTICE OF THE DECISION REGARDING THE REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved or 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?
Kindly advise.

Signed at.....this.....day of20.....

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