

ACCESS TO INFORMATION MANUAL

*As required by Section 51 of the
Promotion to Access of Information Act No 2 of 2000
(“PROATIA”)*



KLK LANDBOU LIMITED (the Holding Company) and all its subsidiaries
(hereinafter referred to as “KLK”
(Registration number 1997/015589/06))

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05 December 2011

ACCESS TO INFORMATION MANUAL

1 INTRODUCTION

The object of PROATIA is to give you access to the records of the Company under certain circumstances. PROATIA seeks to promote a society in which you have access to information to enable you to exercise and protect your rights, and to promote a culture of transparency and accountability. Section 51 of PROATIA requires all private bodies to compile a manual containing various details including the Company details, a description of the records of the Company, as well as the means by which a record may be accessed. The Company is a private body and therefore this manual has been compiled in terms of and in order to comply with Section 51 of PROATIA.

This manual is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in the Act. Requesters are advised to familiarise themselves with the provisions of the Act before making any request to KLK in terms of the Act. KLK makes no representation and gives no undertaking or warranty that the information in this manual or any information provided by it to a requester is complete and accurate, or that such information is fit for any purpose. All users of any such information shall use such information entirely at their own risk, and KLK shall not be liable for any loss, expense, liability or claims howsoever arising, resulting from the use of this manual or of any information provided by KLK or from any error therein.

All users irrevocably agree to submit exclusively to the law of the Republic of South Africa in respect of any dispute arising out of the use of this manual or any information provided by KLK.

2 COMPANY DETAILS

The Company details are as follows:

NAME OF THE COMPANY	KLK LANDBOU LIMITED
REGISTRATION NUMBER	1997/015589/06
CEO & INFORMATION OFFICER	Stephen Dill-Franzen van Huyssteen
E-MAIL ADDRESS	svh@klk.co.za
DEPUTY - INFORMATION OFFICER	Grandville Marquard
POSTAL ADDRESS	PO Box 86 Upington 8800
PHYSICAL ADDRESS	14 Karakoel Street Upington 8801
TELEPHONE NUMBER	054-3376200
FACSIMILE NUMBER	054-3324580
E-MAIL ADDRESS FOR COMPANY	grandville@klk.co.za
WEBSITE	www.klk.co.za

This manual applies to all entities listed in Annexure A hereto.

Information on KLK is available on the KLK website: www.klk.co.za

3 HUMAN RIGHTS COMMISSION PROATIA GUIDE

In terms of Section 10 of PROATIA, the South African Human Rights Commission ("SAHRC") is required to compile a guide, in each official language, containing information for any person who wishes to exercise any right contemplated in

PROATIA. This guide is available from the SAHRC. Should you wish to obtain access to the abovementioned guide, the SAHRC can be contacted via mail, e-mail, telephone and website:

Human Rights Commission
PAIA Unit
PO Box 2700
Houghton
2041

E-mail: PAIA@sahrc.org.za
Telephone: 0860 120 120
Website, www.sahrc.org.za

4 RECORDS OF THE COMPANY

A description of the records held by the Company as required by section 51 (1) (e) of PROATIA, is set out in under “Subjects and Categories of Records”.

5 REQUEST FOR ACCESS TO A RECORD

In order to comply with our obligations in terms of PROATIA the Company has authorized and designated Stephen Dill-Franzen van Huyssteen and Grandville Marquard to deal with all matters relating to PROATIA. In order to request access to a record please complete the Request for Access Form which is attached to this manual as Annexure B, and submit it to the Company at its physical address, to its fax number or by e-mail to the e-mail address provided above.

6 RECORDS AVAILABLE IN TERMS OF LEGISLATION

The Company holds information as required in terms of certain legislation and regulations. From to time, the Company may hold information in accordance with the following legislation:

1. Companies Act, Act No. 8 of 2000
2. Income Tax Act, Act No 58 of 1962
3. Value-Added Tax Act, Act No. 89 of 1991
4. Securities Transfer Tax Act, Act No. 25 of 2007
5. Securities Transfer Tax Administration Act, Act 26 of 2007
6. Customs and Excise Act, Act No. 91 of 1964
7. Electronic Communications and Transactions Act, Act No. 25 of 2002
8. Unemployment Insurance Act, Act No. 63 of 2001
9. Unemployment Insurance Contributions Act, Act No. 4 of 2002
10. Basic Conditions of Employment Act, Act No. 75 of 1997
11. Labour Relations Act, Act No. 66 of 1995
12. Employment Equity Act, Act No. 55 of 1998
13. Skills Development Levies Act, Act No. 9 of 1999
14. Pension Funds Act, Act No. 24 of 1956
15. Compensation for Occupational Injuries and Diseases Act, Act No. 130 of 1993
16. Medical Schemes Act, Act No. 131 of 1998
17. Occupational Health and Safety Act, Act No. 85 of 1993
18. The Usury Act, Act No. 73 of 1968

19. Consumer Protection Act, Act No. 68 of 2008
20. Financial Intelligence Centre Act, Act No. 38 of 2001
21. Financial Services Board Act, Act No. 97 of 1990
22. Financial Advisory and Intermediary Services Act, Act No. 37 of 2002
23. Competition Act, Act No. 89 of 1998
24. National Credit Act, Act No. 34 of 2005
25. Second Hand Goods Act, Act No. 23 of 1955
26. National Road Traffic Act, Act No. 93 of 1996
27. Firearms Control Act, Act No. 60 of 2000
28. Hazardous Substances Act, Act No. 15 of 1973
29. Plant Improvement Act, Act No. 53 of 1976
30. Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, Act No. 36 of 1947
31. Marketing of Agricultural Products Act, Act No. 47 of 1996
32. Petroleum Products Act, Act No. 120 of 1977
33. Gas Act, Act No. 48 of 2001
34. Prevention and Combating of Corrupt Activities Act, Act No. 12 of 2004
35. Animal Identification Act, Act No. 6 of 2002
36. Animal Health Act, Act No. 7 of 2002
37. Animal Protection Act, Act No. 71 of 1962
38. Meat Safety Act, Act No.40 of 2000
39. Abattoir Hygiene Act, Act No. 121 of 1992
40. Animal Diseases Act, Act No. 35 of 1984

7 INFORMATION AVAILABLE IN TERMS OF LEGISLATION

Inspection of the Company registers and records pertaining to:

Directors and officers

Interest of directors

Shareholders

Minutes of meetings of members (shareholders)

Licenses and permits

Annual reports

Interim reports

8 SUBJECTS AND CATEGORIES OF RECORDS

The description of the subjects and categories of records held by KLK are the following:

Incorporation documents

- Articles of association of KLK
- Memorandum of association of KLK
- KLK company registration forms

Secretarial records

- Share register of KLK
- Shareholders agreements
- Minutes of general meetings
- Register or list of directors of KLK
- Statutory registers of KLK

Financial records of KLK

- Accounting records, books and documents of KLK
- Interim and annual financial reports of KLK
- Auditor's reports in respect of audits conducted on KLK
- Tax returns of KLK
- Financial records of KLK
- Banking records of KLK

Human resources

- List of employees
- Employee contracts of employment
- Employee benefit records
- Attendance records
- Leave records

Pension and provident funds

- Rules of KLK pension and provident fund
- List of employees who belong to respective funds
- Company and member's contribution list
- Minutes of meetings of trustees
- Financial records of the pension and provident funds

Immovable and movable property

- Asset register
- Title deeds of any land owned by KLK
- Agreements for the lease or sale of land
- Agreements for the lease of moveable property by KLK
- Mortgage bonds, liens, notarial bonds or security interest on property

Insurance records

- Cover in respect of assets (physical damage to buildings, machines, contents and equipment)
- Cover in respect of electronic equipment
- Legal liability
- Fidelity guarantee
- Motor vehicle insurance

Client agreements

- Agreements for the supply of trading credit
- Security agreements, deeds, guarantees, cession and bonds for credit
- Details of clients and correspondence
- Invoices, receipts, credit and debit notes

Miscellaneous agreements of KLK

- Surety ship agreements
- Agreements for the trading activities of KLK
- Agency, management and distribution agreements
- Agreements with suppliers of KLK
- Agreements with clients of KLK
- Credit facilities and letters of credit

Published information

- External Newsletters and Circulars
- Internal Newsletters and Circulars
- Information on the Company published by third parties

Correspondence

- Correspondence with clients of KLK

9 THE MANNER IN, WHICH THE ABOVE RECORDS WILL BE MADE AVAILABLE

The above-mentioned records are available for public inspection at the offices of KLK during office hours, by prior arrangement with the Information Officer, subject to the grounds of refusal mentioned in the Act.

10 REMEDIES AVAILABLE WHEN KLK REFUSES A REQUEST FOR INFORMATION

Internal Remedies

KLK does not have internal appeal procedures; the Courts will have to be approached if the request for information is refused. This would apply to any situation in which the requester wishes to appeal a decision made by the Information Officer.

External Remedies

A requester who is dissatisfied with an Information Officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a Court for relief. Likewise, a third party dissatisfied with an information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status and the Magistrates Court.

11 REQUEST PROCEDURE

The requester must comply with all the procedural requirements contained in the Act relating to the request for access to a record. The requester must complete the prescribed form, as well as payment of a request fee. KLK will process the request within 30 days. The requester shall be informed whether access is granted or denied. The requester must indicate that he/she requires the information in order to exercise or protect a right.

12 ACCESS TO RECORDS HELD BY KLK

Records held by KLK may be accessed by request only once the prerequisite requirements for access have been met. A requester is any person making a request for access to a record of KLK.

13 REQUESTER

A personal requester is a requester who is seeking access to a record containing personal information about the requester. KLK will voluntarily provide the requested information, or give access to any record with regard to the requester's personal information. The prescribed fee for the reproduction of the information requested will be charged.

The requester (other than a personal requester) is entitled to request access to information on third parties. However, KKK is not obliged to voluntarily grant access. The requester must fulfill the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

14 REQUEST

A request for access to a record must be made on the prescribed form to the Information Officer at his/her address, facsimile number or e-mail address. The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record requested and the requester. When completing a request on the prescribed form, the requester should also indicate:

- The preferred language if applicable;
- Whether the requester wishes to be informed of the decision in another manner in addition to a written reply; and
- A facsimile number and/or postal address.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request verbally.

A request must be directed to the Information Officer or any authorised persons. The prescribed form must be sent to KKK via mail, facsimile or may be provided to the requester by KKK. The requester must pay the prescribed fee, before any further processing can take place. The form must be adequately completed, with sufficient information particularly so that the official of KKK can identify:

- From where and from whom the request is made;
- What record(s) are being requested;
- What the access fee will be should access be granted.

15 FEES

The Act provides for two types of fees, namely:

- A request fee, which will be a standard fee; and
- An access fee, which must be calculated by taking into account reproduction cost, search and preparation time and cost, as well as postal cost.

When the Information Officer receives the request, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed fee (if any) before further processing of the request.

If the search for the record has been made and the preparation of the record for disclosure, including arrangement in the regulations for this purpose, the information officer shall notify the requester to pay the access fee, which would be payable if the request is granted. The Information Officer shall withhold a record until the requester has paid the required fees.

The access fee cover the cost for reproduction and for search and preparation, and for any time reasonably required in access of the prescribed hours to search for and

prepare the record for disclosure including making arrangements to make it available in the request form.

16 DECISION

KLK will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons to that effect.

The 30 day period within which KLK has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the request is for a large number of information, or the request requires a search for information held at another office of KLK and the information cannot reasonably be obtained within the original 30 day period. KLK will notify the requester in writing should an extension be sought.

17 GROUNDS FOR REFUSAL

The main grounds for KLK to refuse a request for information relates to the:

- Mandatory protection of privacy of a third party who is a natural person;
- Mandatory protection of the commercial information of a third party;
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreements;
- Mandatory protection of the safety of individuals and protection of property;
- Mandatory protection of records which would be regarded as privileged in legal proceedings;
- Mandatory protection of the commercial activities of KLK;
- The research information of KLK or a third party, if its disclosure would disclose the identity of KLK, the researcher or the subject matter of the research and would place the research at a serious disadvantage; and
- Request for information that are clearly frivolous or which involve an unreasonable diversion of resources shall be refused.

18 AVAILABILITY OF THE MANUAL

This manual is made available for inspection during office hours, at no cost, at our head office, 14 Karakoel Street, Upington, 8801.

Should you wish to obtain a copy of this manual, or part thereof, such copy can be obtained from either:

- Our head office, at the prescribed fee or can be downloaded from our website www.klk.co.za
- The manual is available at the offices of the South African Human Rights Commission.

19 RECORDS THAT CANNOT BE FOUND

If KLK searches for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

20 PRESCRIBED FEES & FORMS

Once your request is made, you will receive notice from us to pay the prescribed fee of R50.00. This prescribed fee must be paid before your request will be processed. If you are making a request in your personal capacity, payment of the prescribed fee of R50.00 may not be required. We will then make a decision in respect of your request and will notify you of our decision. If your request is granted then you will have to pay a further access fee for the search, reproduction and preparation of the record as well as for any time, that has exceeded the prescribed hours, to search and in order to prepare the record for disclosure to you (in terms of section 54 (6) of the Act). The prescribed form and fees schedule can be downloaded from the Department of Justice website at www.doj.gov.za

Annexure A

SUBSIDIARIES OF KLK LANDBOU LIMITED

Reg No. 1997/015589/06

SUBSIDIARY	REGISTRATION NUMBER	% SHARES	STATUS
KLK Petroleum Verspreiders (Pty) Ltd	2003/027371/07	100	Active
Gordonia Motors (Pty) Ltd	1984/006455/07	100	Active
Oranje Meganies (Pty) Ltd	2000/020875/07	100	Active
Jaagvlak Motors (Pty) Ltd	1982/007914/07	100	Active
Upington Abattoir (Pty) Ltd	1946/022118/07	100	Active
Ramskop Abattoir (Pty) Ltd	1968/005117/07	100	Active
Carnarvon Abattior (Pty) Ltd	2004/010487/07	51.25	Active
Majestic Silver Trading 60 (Pty) Ltd	2005/009910/07	100	Active
UPT Meat (Pty) Ltd	2003/032033/07	100	Active
Gordonia Kenhardt Afslaers (Pty) Ltd	1971/008762/07	100	Dormant

Note:

UPT Meat (Pty) Ltd has a 50% interest in SA Dorper (Pty) Ltd

REQUEST FOR ACCESS FORM (IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT)

NAME OF THE COMPANY TO WHOM THE REQUEST IS MADE

Please insert the name of the entity:

PARTICULARS OF PERSON REQUESTING ACCESS TO INFORMATION

Surname:..... **First Names:**

Identity Number:..... **E-mail address:**

Telephone no: **Facsimile no:**.....

Postal address:

.....
.....

PARTICULARS OF RECORDS REQUESTED

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

FORM OF ACCESS TO RECORD

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 in certain circumstances. In such a case you will be informed if access will be granted in another form.

(Mark the appropriate shaded box with an X.)

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

- Copy of record
- Inspection of record

2. If the record consists of visual images (this includes photographs, slides video recordings, computer generated images, sketches, etc.)

- View the images
- Copy the images
- Transcription of the images

Annexure B.2

3. If the record consists of recorded words or information, which can be reproduced, in sound:

- Listen to soundtrack
- Transcription of soundtrack (written or printed)

4. If the 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 (compact disc or flash drive)

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

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 above, state your disability and indicate in which form the record is required.

Disability:.....

Form in which record is required:.....

Particulars of right to be exercised or protected:

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

Explanation of why record is required for exercise or protection of abovementioned right:

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

NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

Signed at..... **Date:**

Signature of Requester: