



**NATURE FRESH HEALTH PRODUCTS CC**

# **PAIA MANUAL**

**Prepared in terms of section 51 of the  
Promotion of Access to Information  
Act 2 of 2000 (as amended)**

**DATE OF COMPILATION: 21/06/2023**

**NOTE: THIS POLICY REVOKES ALL PREVIOUS POLICIES WHICH ARE DIRECTLY OR INDIRECTLY LINKED TO THE SUBJECT MATTER OF THIS POLICY, AS AT THE DATE OF IMPLEMENTATION.**

**APPROVED BY:**

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**Jimke Visser**

**Member**

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**Sue Visser**

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## 1. LIST OF ACRONYMS AND ABBREVIATIONS

- |     |                    |   |
|-----|--------------------|---|
| 1.1 | <b>“CEO”</b>       | Chief Executive Officer   |
| 1.2 | <b>“DIO”</b>       | Deputy Information Officer;                                       |
| 1.3 | <b>“IO“</b>        | Information Officer;  |
| 1.4 | <b>“Minister”</b>  | Minister of Justice and Correctional Services;                    |
| 1.5 | <b>“PAIA”</b>      | Promotion of Access to Information Act No. 2 of 2000( as Amended; |
| 1.6 | <b>“POPIA”</b>     | Protection of Personal Information Act No.4 of 2013;              |
| 1.7 | <b>“Regulator”</b> | Information Regulator; and  |
| 1.8 | <b>“Republic”</b>  | Republic of South Africa  |

## 2. LIST OF DEFINITIONS

2.1 In this manual, the following words shall have the following meaning unless the context clearly indicates otherwise:

2.1.1 **“Company”** means Nature Fresh Health Products CC with registration number: 1997/067130/23

2.1.2 **“Manual”** means this Promotion of Access to Information manual, as amended from time to time.

2.1.3 **“Requester”** means any person making a request for access to a record of the company.

2.1.4 “**Personal Requester**” means a requester who is seeking access to a record containing personal information about the requester.

2.1.5 “**Other requester**” means a Requester (other than a Personal Requester), who is entitled to request access to information pertaining to third parties.

### 3. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 3.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 3.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 3.3 know the description of the records of the body which are available in accordance with any other legislation;
- 3.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 3.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 3.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 3.8 know the recipients or categories of recipients to whom the personal information may be supplied;

- 3.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the **recipients** or categories of recipients to whom the personal information may be supplied; and
- 3.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

#### 4. **GUIDE OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION**

- 4.1 A guide has been compiled in terms of Section 10 of the PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right contemplated by the PAIA. It is available in all of the official languages.
- 4.2 The guide is available for inspection, inter alia, at the offices of the Human Rights Commission at:

Head Office: Braampark Forum 3, 33 Hoofd Street, Braamfontein

Tel: +27 11 877 3600

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

#### **5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF NATURE FRESH HEALTH PRODUCTS CC**

##### 5.1. **Chief Information Officer**

Name: Jimke Visser  
Tel: +27 21 7090050  
Email: [info@naturefresh.co.za](mailto:info@naturefresh.co.za)

##### 5.2. **Deputy Information Officer**

Name: Susan Visser  
Tel: +27 21 709 0050  
Email: [sue@naturefresh.co.za](mailto:sue@naturefresh.co.za)

5.3 Access to information general contacts

Email: [michelle@naturefresh.co.za](mailto:michelle@naturefresh.co.za)

5.4 National or Head Office

Postal Address: Postnet Suite 123, Private Bag X16,  
Constantia, 7848

Physical Address: 16 Boulevard Way, Capricorn Park,  
Muizenberg, 7945

Telephone: +27 21 709 0050

Email: michelle@naturefresh.co.za

Website: [www.naturefresh.co.za](http://www.naturefresh.co.za)

## 6. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

6.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

6.2. The Guide is available in each of the official languages and in braille.

6.3. The aforesaid Guide contains the description of-

6.3.1. the objects of PAIA and POPIA;

6.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

6.3.2.1. the Information Officer of every public body, and

- 6.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA<sup>1</sup> and section 56 of POPIA<sup>2</sup>;
- 6.3.3. the manner and form of a request for-
  - 6.3.3.1. access to a record of a public body contemplated in section 11<sup>3</sup>; and
  - 6.3.3.2. access to a record of a private body contemplated in section 50<sup>4</sup>;
- 6.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 6.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 6.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
  - 6.3.6.1. an internal appeal;
  - 6.3.6.2. a complaint to the Regulator; and
  - 6.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal

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<sup>1</sup> Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

<sup>2</sup> Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

<sup>3</sup> Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

<sup>4</sup> Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*



appeal or a decision by the Regulator or a decision of the head of a private body;

- 6.3.7. the provisions of sections 14<sup>5</sup> and 51<sup>6</sup> requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 6.3.8. the provisions of sections 15<sup>7</sup> and 52<sup>8</sup> providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 6.3.9. the notices issued in terms of sections 22<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access; and
- 6.3.10. the regulations made in terms of section 92<sup>11</sup>.

6.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

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<sup>5</sup> Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

<sup>6</sup> Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

<sup>7</sup> Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

<sup>8</sup> Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

<sup>9</sup> Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>10</sup> Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>11</sup> Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

6.5. The Guide can also be obtained-

- 6.5.1. upon request to the Information Officer;
- 6.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/>).

## 7. THE COMPANY LEGISLATIVE UNIVERSE

7.1 The table below outlines the applicable pieces of legislation to which the Company must adhere.

1.	Basic Conditions of Employment Act 75 of 1997
2.	Broad Base Black Economic Empowerment Act 53 of 2003
3.	Companies Act 71 of 2008
4.	Compensation for Occupational Injuries and Diseases Act 130 of 1993
5.	Consumer Protection Act 68 of 2008
6.	Electronic Communications and Transactions Act 25 of 2002
7.	Employment Equity Act 55 of 1998
8.	Financial Intelligence Centre Act 38 of 2001
9.	National Credit Act 34 of 2005
10.	Occupational Health and Safety Act 85 of 1993
11.	Prevention and Combating of Corrupt Activities Act 12 of 2004
12.	Prevention of Organised Crime Act 121 of 1998
13.	Promotion of Access to Information Act 2 of 2000
14.	Protected Disclosures Act 26 of 2000
15.	Protection of Constitutional Democracy Against Terrorist and Related Activities Act 33 of 2004
16.	Protection of Personal Information Act, 2013
17.	Skills Development Act 97 of 1998
18.	Unemployment Insurance Act 63 of 2001

## 8. CATEGORIES OF RECORDS OF NATURE FRESH HEALTH PRODUCTS CC WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

8.1 Records relating to any promotional material for public viewing, posters, campaigns, and product information are available for inspection on payment of prescribed fees.

**9. DESCRIPTION OF THE RECORDS OF NATURE FRESH HEALTH PRODUCTS CC WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000

**10. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY NATURE FRESH HEALTH PRODUCTS CC AND AVAILABLE ON REQUEST.**

<b>Record Category</b>	<b>Description</b>
Accounting	<ul style="list-style-type: none"> <li>- Accounting Records</li> <li>- Annual Financial Statements</li> <li>- Banking Records</li> <li>- Bank Statements</li> <li>- Debtors/creditors Statement and Invoices</li> <li>- Electronic Banking Records</li> <li>- General Ledgers and Subsidiary Ledgers</li> <li>- General reconciliation</li> <li>- Tax returns</li> </ul>
Company	<ul style="list-style-type: none"> <li>- Documents of Incorporation</li> <li>- Memorandum of Incorporation</li> <li>- Minutes of Board of Directors Meeting</li> </ul>
Income Tax	<ul style="list-style-type: none"> <li>- PAYE Records</li> <li>- Documents issued to Employees for Income Tax purposes</li> <li>- Records of payments made to SARS</li> <li>- All other Statutory compliances</li> <li>- VAT records</li> </ul>

	<ul style="list-style-type: none"> <li>- UIF records</li> </ul>
Personnel Documents and Records	<ul style="list-style-type: none"> <li>- Address lists</li> <li>- Disciplinary Code and Records</li> <li>- Employee Contracts</li> <li>- Leave Records</li> <li>- Safety Health and Environment Records</li> <li>- Salary Records</li> </ul>
Procurement	<ul style="list-style-type: none"> <li>- Standard Terms and Conditions for Supply of Services and Products</li> <li>- Contractor, Client and Supplier Agreements</li> <li>- List of Suppliers, Products, Services and Distribution</li> <li>- Policies and Procedures</li> </ul>
Sales	<ul style="list-style-type: none"> <li>- Customer Details</li> <li>- Credit Application Information</li> <li>- Information and Records provided by Third Parties</li> </ul>
Marketing	<ul style="list-style-type: none"> <li>- Advertising and Promotional Material</li> </ul>
Information Technology	<ul style="list-style-type: none"> <li>- Hardware Asset Registers</li> <li>- Information Technology Systems and Manuals</li> <li>- Software Licensing</li> </ul>

## 11. ACCESS TO RECORDS HELD BY NATURE FRESH HEALTH PRODUCTS CC

11.1 Records held by the Company may be accessed on request only once the requirements for access have been met.

### 11.2 Request Procedure

11.2.1 To be granted access to a record in terms of Section 51 of PAIA, the Requester must complete the prescribed form (Annexure A) and submit it to [info@naturefresh.co.za](mailto:info@naturefresh.co.za)

11.2.2 Details of the fees payable for the access to records are indicated in Annexure B.

11.2.3 All fields contained in Annexure A are to be completed in full, ensuring that the Requester provides the Company with the following information:

11.2.3.1 Details of the record that is requested;

- 11.2.3.2 A certified copy of a valid South African Identity Document of the Requester;
- 11.2.3.3 A copy of Power of Attorney (if applicable)
- 11.2.3.4 A description of the right the Requester seeks to exercise or protect;
- 11.2.3.5 Details of how the information is to be provided to the Requester, if the request is granted; and
- 11.2.3.6 The Requester's contact details

## **12. TIMELINES FOR CONSIDERATION OF REQUEST**

12.1 The main grounds on which the Company may refuse access to records relate to:

12.1.1 the privacy of a third party, who is a natural person;

12.1.2 the commercial information of a third party;

12.1.3 confidential information of a third party;

12.1.4 the safety of individuals and property;

12.1.5 legally privileged records, and

12.1.6 commercial information of the Company, which may include but is not limited to:

12.1.6.1 trade secrets;

12.1.6.2 financial, commerce, scientific or technical information, the disclosure of which would likely harm the financial or commercial interests of the Company;

12.1.6.3 information that, if disclosed, could put the Company at a disadvantage in negotiations or commercial competition;

12.1.6.4 research information compiled by the Company or a third party, if disclosure would expose the third party researcher or subject matter of the research and therefore seriously disadvantage the Company.

### **13. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS**

13.1 The main grounds on which the Company may refuse access to records relate to:

13.1.1 the privacy of a third party who is a natural person;

13.1.2 the commercial information of a third party;

13.1.3 confidential information of a third party;

13.1.4 the safety of individuals and property;

Legally privileged records; and

13.1.5 commercial information of the Company, which may include but not limited to:

13.1.5.1 trade secrets;

13.1.5.2 financial, commercial, scientific, or technical information, the disclosure of which would likely harm the financial or commercial interest of the Company;

13.1.5.3 information that, if disclosed, could put the Company at a disadvantage in negotiations or commercial competition.

13.1.5.4 research information compiled by the Company or a third party, if disclosure would expose the third party, researcher or subject matter of the research and therefore disadvantage the Company.

### **14. REMEDIES AVAILABLE TO THE REQUESTER**

13.1 The Company does not have internal appeal procedures and as a result the Information Officer's decision is final and external remedies would need to be exercised, if a request is refused.

13.2 A requester that is dissatisfied with the Information Officer's decision, may within 30 days apply to the relevant court for relief. The courts that have jurisdiction for

### **15. PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION**

15.1 The Company has not planned Transborder flows of personal information. However, should it become necessary to transfer personal information to another country for any lawful purposes, the Company will ensure that anyone to whom it pass personal information is subject to a law, binding

corporate rules or corporate agreement which provides an adequate level of protection and the third party agrees to treat that personal information with the same level of protection as the Company is obliged under POPIA.

15.2 Any transfer of personal information cross border shall be with the data subject's consent, however should it not be reasonably practicable to obtain data subject's consent, the regulator shall transfer the personal information if:

15.2.1 It will be for the data subject's benefit; and

15.2.2 the data subject would have given consent should it have been reasonably practicable to obtain such consent.

## **16. GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES TO BE IMPLEMENTED BY THE RESPONSIBLE PARTY TO ENSURE THE CONFIDENTIALITY, INTEGRITY AND AVAILABILITY OF THE INFORMATION**

16.1 The Company continuously establishes and maintains appropriate reasonable technical and organisational measures by taking appropriate reasonable technical and organisational measures to prevent:

16.1.1 loss of, damage to or unauthorised destruction of personal information; and

16.1.2 unlawful access to or processing of personal information.

16.2 The Company has taken reasonable measures, as contained in paragraph 16.3 below, to:

16.2.1 identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control.

16.2.2 establish and maintain appropriate safeguards against the risks identified;

16.2.3 regularly verify that the safeguards are effectively implemented; and

16.2.4 ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

16.3 Measures taken by the Company includes, amongst others:

16.3.1 Access Control

- 16.3.2 Defensive Measures
- 16.3.3 Data Back ups
- 16.3.4 Anti-virus and Anti-malware Solutions;
- 16.3.5 Awareness and Vigilance; and
- 16.3.6 Agreements are concluded with Service Providers to implement security measures.

## **17. AVAILABILITY OF THE MANUAL**

17.1 A copy of the Manual is available-

17.1.1 on [www.naturefresh.co.za](http://www.naturefresh.co.za), if any;

17.1.2 head office of the Nature Fresh Health Products CC for public inspection during normal business hours;

17.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

17.1.4 to the Information Regulator upon request.

17.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

## **18 UPDATING OF THE MANUAL**

This manual will be updated as and when needed.



**ANNEXURE A: REQUEST FOR ACCESS TO RECORD OF A PRIVATE BODY** (Section 53(1) of the Promotion of Access to Information Act, 2 of 2000) [Regulation 10]

**Particulars of Private Body**

The Head:
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**Particulars of Person Requesting Access to the Record**

1. The particulars of the person who requests access to the record must be given below.		
2. The address and/or fax number in the Republic to which the information is to be sent must be given.		
3. Proof of the capacity in which the request is made, if applicable, must be attached.		
Full names and surname:	ID:	
Postal and code:		
Cell:	Tel:	Fax:
Email:		
Capacity in which request is made, when made on behalf of another person:		

**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:	ID:

**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.
Description of record or relevant part of the record
Reference number, if available:

Any further particulars of record:

Fees

1. 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. 2. You will be notified of the amount required to be paid as the request fee. 3. 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. 4. If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

**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 in 1 to 4 hereunder, state your disability and indicate in which form the record is required:

Disability:

Form in which record is required:

Compliance with your request in the specified form may depend on the form in which the record is available. 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. The fee payable for access to the record, will be determined partly by the form in which access is requested. Please choose the best option regarding how you prefer your access to the required information:

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 of the images   
Transcription of the images
3. If record consists of recorded words or information which can be reproduced in sound? Listen to soundtrack (audio disk)  Transcription of soundtrack (written or printed)
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 record  Copy in computer readable form (Compact disc)
5. If requested a copy or transcription of a record (above), do you wish the copy or transcription be posted to you (postage is payable)? Yes, I would want it to be posted and I understand that postage is payable by me

No, I do not want it posted

**Particulars of Right to be Exercised or Protected**

Indicate which right is to be exercised or protected:

Explain why the record requested is required for the exercise of protection of the aforementioned 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.

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

**Declaration**

The information contained herein is to the best of my knowledge both true and correct.

Signed at \_\_\_\_\_ on the \_\_\_\_\_ day of 202

Signature of Requester/Person on whose behalf request is made:

**ANNEXURE B: FEES PAYABLE**

<b>Reproduction of documents</b>	<b>Fees (R)</b>
For a copy of the manual as contemplated in regulation 9(2)(c) – for every photocopy of an A4-size page or part thereof	1,10
For every photocopy of an A4-size page or part thereof	1,10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75
For a copy in computer-readable form on – Compact disc	70,00
For a transcription of visual images, or an A4-size page or part thereof	40,00
For a copy of visual images	60,00
For a transcription of an audio record, for an A4-size page or part thereof	20,00
For a copy of an audio record	30,00
<b>Access to records</b>	<b>Fees (R)</b>
For every photocopy of an A4-size page or part thereof	1,10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic form	0,75
For a copy in a computer-readable form on – Compact disc	70,00
For a transcription of visual images, for an A4-size page or part thereof	40,00
For a copy of visual images	60,00
For a transcription of an audio record, for an A4-size page or part thereof	20,00
For a copy of an audio record	30,00
For a search for and prepare of the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation	

Additionally, for purposes of section 54(2) of the Act the following applies:

- A deposit is payable if the search for and preparation of the record would exceed six hours.
- One-third of the access fee is payable as a deposit by the requester.
- The postage for a copy of a record posted to a requester is payable. The postage fee payable by the requester will be the actual fee incurred by the Company.