



silvertreebrands

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COMPANY PROMOTION OF ACCESS TO INFORMATION MANUAL
COMPILED IN TERMS OF SECTION 51 OF THE PROMOTION OF ACCESS
TO INFORMATION ACT, 2 OF 2000

Approved by:	Signatures:
<u>Peter Allerstorfer</u> Director	
<u>Paul Cook</u> Director	
Version 2	November 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.

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1. Definitions

1.1 In this Policy, the following words shall have the following meaning unless the context clearly indicates otherwise:

1.1.1 **"Company"** means Silvertreebrands (Pty) Ltd with registration number 2013/202303/07.

1.1.2 **"Company"** means the Company and its direct and indirect subsidiaries;

1.1.3 **"Company Entity"** means any entity within the Company;

1.1.4 **"Manual"** means this Promotion of Access to Information Manual, as amended from time to time;

1.1.5 **"PAIA"** means Promotion of Access to Information Act No 2 of 2000;

1.1.6 **"Requester"** means any person making a request for access to a record of the Company;

1.1.7 **"Personal Requester"** means a Requester who is seeking access to a record containing personal information about the Requester;

1.1.8 **"Other Requester"** means a Requester (other than a Personal Requester) who is entitled to request access to information pertaining to the third parties.

2. Introduction to PAIA

2.1 The Promotion of Access to Information Act, 2 of 2000 grants private and public bodies the right to request access to records. Private bodies (such as individuals) that request access to records will have to demonstrate that the record is required for the exercise or protection of a right. Public bodies (such as government departments) that request access to records must be able to demonstrate that the request is in the interest of the public.

2.2 Requests in terms of the PAIA must be made in accordance with the prescribed procedures and accompanied by payment of the prescribed fees. The prescribed procedure outlining how request to access a record is detailed in 10 below.

3. About Silvertreebrands

3.1 Silvertreebrands (Pty) Ltd is incorporated in the Republic of South Africa with registration number 2013/202303/07.

3.2 Silvertreebrands is an entrepreneurial company with holding interests in various successful start-ups.

4. Scope and Purpose of this Manual

- 4.1 This document serves as Silvertreebrands' PAIA Manual and provides reference to the records held by the Company as well as the personal information processed by the Company from time to time.
- 4.2 This Manual applies to the entire Company, including all business units, operational units, and affiliate companies, wherever located.

5. Availability of this Manual

- 5.1 This Manual is available for inspection on the Silvertreebrands (Pty) Ltd website at <http://www.silvertreebrands.com> and during normal business hours at the office of the Information Officer, at 3rd Floor, 125 Buitengracht street, Cape Town, 8001.

6. Guide of the South African Human Rights Commission

- 6.1 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.
- 6.2 The Guide is available for inspection, *inter alia*, at the office of the offices of the Human Rights Commission at:

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

Tel: +27 (0)11 877 3600

Website: www.sahrc.co.za

7. The latest Notice in terms of Section 52(2) of PAIA

- 7.1 No Notice has been published on the categories of records automatically available without a person having to request access in terms of Section 52(2) of PAIA.

8. The Company Legislative Universe

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

No	Act
1	Basic Conditions of Employment Act 75 of 1997
2	Broad Based 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

9. Categories of Records held by the Company

9.1 Records available on Request

9.1.1 The Company has under its control or in its possession the following categories of records detailed in the table below. The categories of records are not exhaustive and are subject to amendment. A request made for access to these records will not be automatically granted but will be evaluated in accordance with PAIA, any other legal requirements and Company policies.

Record Category	Description
Accounting	<ul style="list-style-type: none"> • Annual Financial Statements • Tax Returns • Accounting Records • Banking Records • Bank Statements • Electronic Banking Records • Asset Register • Rental Agreements • Debtors/Creditors Statements and Invoices • General Ledges and Subsidiary Ledges • General Reconciliation
Company	<ul style="list-style-type: none"> • Documents of Incorporation • Memorandum of Incorporation • Minutes of Board of Directors Meetings • Minutes of Shareholder Meetings • Records relating to appointment of directors, auditors, company secretary, public officer, and other officers • Share Register and other Statutory Registers • Share certificates
Income Tax	<ul style="list-style-type: none"> • PAY Records • Documents issued to employees for income tax purposes • Records of payments made to SARS • All other Statutory compliances • VAT records • UIF Records
Personnel Documents and Records	<ul style="list-style-type: none"> • Address Lists • Disciplinary Code and Records • Employee Benefits Arrangements Rules and Records

	<ul style="list-style-type: none"> • Employee Contracts • Employment Equity Plan • Grievance Policies and Procedures • Leave Records • Payroll Reports/Wage Register • Pension Fund Records • Safety Health and Environment Records • Salary Records • Training Manuals • Training Records
Procurement	<ul style="list-style-type: none"> • Standard Terms and Conditions for Supply of Services and Products • Contractor, Client and Supplier Agreements • List of Suppliers, Products, Services and Distribution • Policies and Procedures
Sales	<ul style="list-style-type: none"> • Customer Details • Credit Application Information • Information and Records provided by Third Parties
Marketing	<ul style="list-style-type: none"> • Advertising and Promotional Material
Risk Management and Audit	<ul style="list-style-type: none"> • Audit Reports • Risk Management Frameworks • Risk Management Plans
Information Technology	<ul style="list-style-type: none"> • Computer/ Mobile Device Usage Policies • Disaster Recovery Plans • Hardware Asset Registers • Information Security Policies, Standards and Procedures • Information Technology Systems and User Manuals • Information Usage Policy Documentation • Policy Implementation Plans

	<ul style="list-style-type: none"> • Software Licensing • System Documentation and Manuals
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9.2 **Records Automatically Available**

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

9.2.2 These records can be requested by emailing paul@silvertreebrands.com.

10. **Access to Records held by the Company**

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

10.2 **Request Procedure**

10.2.1 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 paul@silvertreebrands.com.

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

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

- 10.2.3.1 Details of the record that is requested;
- 10.2.3.2 A certified copy of a valid South African Identity Document of the Requester;
- 10.2.3.3 A copy of a Power of Attorney (if applicable);
- 10.2.3.4 A description of the right the Requester seeks to exercise or protect;
- 10.2.3.5 Details of how the information is to be provided to the Requester if the request is granted; and
- 10.2.3.6 The Requester's contact details.

11. **Timelines for Consideration of Request**

11.1 The Requests will be processed within 30 days, unless the request contains considerations that are of such a nature that an extension of the 30-day time limit is needed.

- 11.2 If an extension is necessary, the Requester will be notified with reasons for the extension.

12. Grounds for Refusal of Access to Records

- 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 without limitation:

12.1.6.1 trade secrets;

12.1.6.2 financial, commercial, scientific, or technical information, the disclosure of which would likely harm the financial or commercial interests of 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 computer programs and related information technology software that are owned by the Company and that are protected by copyright; and

12.1.6.5 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. Remedies available to a Requester on Refusal of Access

13.1 Internal Remedies

13.1.1 The Company does not have internal appeal procedures. As such, the decision of the Information Officer pertaining to the request is final, and the Requester will have to exercise such external remedies at their disposal if a request is refused, and the Requester is not satisfied with the response provided by the Information Officer.

13.2 **External Remedies**

13.2.1 A Requester that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a court for relief.

13.2.2 For the purpose of the Act, courts that have jurisdiction over these applications are the Constitutional Court, the High Court, or any other court of similar status.

14. Company Contact Person in terms of Section 51(1)(A)(I) of PAIA

14.1 The contact details of the Company Information Officer are:

Paul Cook

Physical Address: 48 Auckland street, Paarden Eiland, 7405

Postal Address: 48 Auckland street, Paarden Eiland, 7405

Email: paul@silvertreebrands.com

Website: <http://www.silvertreebrands.com>

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

(Address)

E-mail address:

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Fax number:

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Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made (when made on behalf of another person)				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile: <table border="1"><tr><td></td></tr></table>	
Cellular:				
Full names of person on whose behalf request is made (if applicable):				
Identity Number				
Postal Address				

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<p align="center">PARTICULARS OF RECORD REQUESTED</p> <p><i>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 page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<p align="center">TYPE OF RECORD</p> <p align="center"><i>(Mark the applicable box with an "X")</i></p>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	

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

FEES	
a)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE
[Regulation 8]

Note:

1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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OR

2. You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language: (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)	

Kindly note that your request has been:

☐ Approved

☐ Denied, for the following reasons:

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4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

☐

Yes

☐

No

Hours of search		Amount of deposit (calculated on one third of total amount per request)	
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The amount must be paid into the following Bank account:

Name of Bank: _____

Name of account holder: _____

Type of account: _____

Account number: _____

Branch Code: _____

Reference Nr: _____

Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

Information officer