MANUAL

in terms of section 51 of the Promotion of Access to Information Act 2 of 2000
(hereinafter referred to as "the Act")

(Registration number 1906/000622/06)

INTRODUCTION

Illovo Sugar Limited ("the Company") is a manufacturer of sugar and related downstream products.

Public information on Illovo Sugar Limited and its subsidiaries can be found on Illovo Sugar Limited's website www.illovosugar.com

1 INFORMATION REQUIRED UNDER SECTION 51 (1) (a) OF THE ACT

1.1 **Head of the Company:**

Mr G J Clark

1.2. **Postal Address**:

PO Box 194, Durban, 4000

1.3. **Street Address** (no mail delivery)

Illovo Sugar Park, 1 Montgomery Drive, Mount Edgecombe, Durban.

1.4. **Telephone Number**: 031 508 4300

1.5. **Telefax Number**: 031 508 4525

1.6. **Email address**: gclark@illovo.co.za

2. **GUIDE ON HOW TO USE THE ACT: (SECTION 51(1)(b))**

A Guide has been compiled in terms of Section 10 of the Act by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by the Act. It is available in all of the official languages. The Guide is available for inspection, *inter alia*, at the office of the Human Rights Commission at 29 Princess of Wales Terrace, cnr York and St. Andrews Street, Parktown, and on its website at www.sahrc.org.za

3. **LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY)**:

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of the Act.

4. **SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE COMPANY – RECORDS THAT MAY BE REQUESTED**: **SECTION 51(1)(e))**

Note that in terms of the Act there are a number of grounds for refusal of access to records (see eg, sections 7, 61 and 63 to 70).

COMPANIES ACT RECORDS

Records kept in terms of the Companies Act, 1973 and 2008, including: memorandum and articles of association / memorandum of incorporation, records relating to appointment of directors/auditor/secretary/public officer and other officers, share register and other statutory registers, asset register, minute books

FINANCIAL RECORDS

Annual financial statements, tax returns, accounting records, banking records, documents issued to employees for income tax purposes, records of payments made to SARS, all other statutory records including VAT records, regional services levies, skills development levies and UIF payments

EMPLOYMENT/EMPLOYEE RECORDS

Employment contracts, other agreements with employees, contracts between the Company and its employees, employee records, medical aid records, pension fund records, provident fund records, employment equity plan, disciplinary records, salary records, Seta records, leave records, training records, training manuals

IMMOVABLE PROPERTY

Records relating to ownership of immovable property, including title deeds, mortgage bonds, sale agreements, leases, subleases and cross-options.

MOVABLE PROPERTY

Documents relating to movable property including fixed asset register, instalment sale agreements, leases, rental agreements, notarial bonds, pledges and cessions

INTELECTUAL PROPERTY

Documents relating to trademarks and logos, designs and formulae, copyright materials

CUSTOMER / SUPPLIER RECORDS

Customer lists, credit application forms, suretyships and documents relating to security furnished by customers, supplier lists, stock purchase records, records recording security furnished to suppliers, credit application forms

OTHER RECORDS

Records kept in terms of the legislation referred to below.

5. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(d))

Records are kept and are available upon specified conditions in accordance with the provisions of the legislation mentioned hereunder, as may be applicable to the Company.

- Atmospheric Pollution Prevention Act 45 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Companies Act, 1973 and Companies Act, 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1998
- Employment Equity Act 55 of 1998
- Environment Conservation Act 73 of 1989
- Environmental Health and Safety Act of 1989
- National Health Act 61 of 2003
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995

- National Environmental Management Act 107 of 1998
- National Water Act 36 of 1998
- Occupational Health and Safety Act 85 of 1993
- Pension Funds Act 24 of 1956
- Skills Development Act 97 of 1998
- Skills Development Act 9 of 1999
- Unemployment Insurance Act of 2001
- Value Added Tax Act 89 of 1991

6. REQUESTS FOR ACCESS TO RECORDS

Requests for access to the records available for inspection, or other relevant information must be made in the prescribed form (Form C of Annexure B to the Regulations to the Act, a copy of which is annexed hereto) together with the request fee (if applicable) to the Group Legal Services Manager by hand delivery at Illovo Sugar Limited, 1 Montgomery Drive, Mount Edgecombe, Durban (at which address a copy of this Manual is available for inspection), or by mail at Illovo Sugar Limited, PO Box 194, Durban, 4000, or by email to apitts@illovo.co.za

The form must provide sufficient particulars to enable the head of the Company to identify the record/s requested and to identify the requester, indicate which form of access is required, specify a postal address or fax number of the requester in the Republic, identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right. If in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, the requester must state that manner and the necessary particulars to be informed in the other manner. If the request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the head of the Company.

FEES

A requester who seeks access to a record containing personal information about that requester, is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee of R50,00 (Fifty Rand) plus VAT thereon. If a request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure. The fees for reproduction of documents / information are those referred to in regulation 11 of the Regulations to the Act.

ILLOVO SUGAR LIMITED

30 DECEMBER 2011

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.*
(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: ……..……..……..
Email 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 ONLY if a request for information is made on behalf of another person.

Full names and surname: …….
Identity number:……..

D. **Particulars of record**

(a)	*Provide full particulars of the record to which access is requested, including reference number if that is known to you, 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.***

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.*
(c)	*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:
Mark the appropriate box with an **X**. 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 case you will be informed if access will be granted in another form.				
(c)	The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.				
1.	**If the record is in written or printed form**:				
	Copy of record*		Inspection of record		
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*
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)		
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)
*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 the aforementioned 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