



# TOKARA

STELLENBOSCH

## PAIA MANUAL

THIS MANUAL WAS PREPARED IN ACCORDANCE WITH SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 ("PAIA") AND TO ADDRESS THE REQUIREMENTS OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 ("POPIA")

FOR

TOKARA Wines (Pty) Ltd  
TOKARA Olives (Pty) Ltd  
TOKARA Highlands (Pty) Ltd

DATE OF COMPILATION: 01/10/2021  
DATE OF REVISION: 10/06/2025

## TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
1. LIST OF ACRONYMS AND ABBREVIATIONS.....	3
2. PURPOSE OF PAIA MANUAL.....	3
3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF TOKARA.....	4
4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE.....	5
5. CATEGORIES OF RECORDS OF TOKARA WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS .....	5
6. DESCRIPTION OF THE RECORDS OF TOKARA WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION.....	5
7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY TOKARA .....	6
8. PROCESSING OF PERSONAL INFORMATION .....	8
9. REQUEST PROCEDURE.....	11
10. FEES .....	12
11. DECISION .....	13
12. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST .....	13
13. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS.....	13
14. UPDATING OF THE MANUAL.....	14
Annexure A.....	14

## **1. LIST OF ACRONYMS AND ABBREVIATIONS**

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

## **2 PURPOSE OF PAIA MANUAL**

This PAIA Manual is useful for the public to:

- 2.1** check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2** 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;
- 2.3** know the description of the records of the body which are available in accordance with any other legislation;
- 2.4** 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;
- 2.5** know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6** 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;
- 2.7** know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8** know the recipients or categories of recipients to whom the personal information may be supplied;

**2.9** 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

**2.10** know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

### **3 KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF TOKARA**

#### **Chief Information Officer**

Name: Karl David Lambour

Tel: +27 21 808 5900

Email: wine@tokara.com

#### **Deputy Information Officer**

Name: Catherina Petra Heunis

Tel: +27 21 808 5900

Email: wine@tokara.com

#### **Access to information general contacts**

Email: wine@tokara.com

#### **National or Head Office**

Physical Address: TOKARA Farm, Helshoogte Road, Stellenbosch, 7600

Telephone: +27 21 808 5900

Email: wine@tokara.com

Website: <https://www.tokara.com/>

#### **4 GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE**

In terms of section 10 of the Act, the IR is required to compile within three years, in each official language update and make available a guide to the Act, to assist people in exercising their rights under the Act. This guide is available from the IR upon request. Any enquiry regarding this guide should be directed to the IR at:

The Information Regulator:

The PAIA Unit (The Research and Documentation Department)

Postal address: P.O Box 31533, Braamfontein, 2017

Telephone: +27 (0) 10 023 5200

Fax: +27 (0) 10 023 5200

Website: [www.justice.gov.za/inforeg/index.ht](http://www.justice.gov.za/inforeg/index.ht)

E-mail: [inforeg@justice.gov.za](mailto:inforeg@justice.gov.za)

#### **5 CATEGORIES OF RECORDS OF TOKARA WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

5.1 Information that is obtainable via the TOKARA website about TOKARA is automatically available and need not be formally requested in terms of this Manual.

5.2 The following categories of records are automatically available for inspection, purchase or photocopying:

5.2.1 Brochures;

5.2.2 Press releases;

5.2.3 Publications;

5.2.4 Various other marketing and promotional materials.

#### **6 DESCRIPTION OF THE RECORDS OF TOKARA WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

Information is available in terms of certain provisions of the following legislation to the persons or entities specified in such legislation:

6.1 Administration of Estates Act 66 of 1965

6.2 Basic Conditions of Employment Act 75 of 1997

6.3 Companies Act 71 of 2008

6.4 Consumer Protection Act 63 of 2008

6.5 Compensation for Occupational Injuries and Health Diseases Act 130 of 1993

6.6 Employment Equity Act 55 of 1998

- 6.7 Income Tax Act 58 of 1962
- 6.8 Insolvency Act No. 24 of 1936
- 6.9 Labour Relations Act 66 of 1995
- 6.10 Occupational Health & Safety Act 85 of 1993
- 6.11 Pension Funds Act 24 of 1956
- 6.12 Protection of Personal Information Act 4 of 2013
- 6.13 Skills Development Act 97 of 1998
- 6.14 Skills Development Levies Act 9 of 1999
- 6.15 Unemployment Contributions Act 4 of 2002
- 6.16 Unemployment Insurance Act 63 of 2001
- 6.17 Value Added Tax Act 89 of 1991

The legislation referred to above is not exhaustive. Information and records held by the company in terms of any legislation in terms of which the company is obliged to hold records will be made available in terms of the provisions of the relevant legislation, but without prejudice to the provisions of the Act.

**7 DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY TOKARA**

7.1 TOKARA maintains records on the categories and subject matters listed below. Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honored. All requests for access will be evaluated on a case by case basis in accordance with the provisions of PAIA.

7.2 Please note further that many of the records held by TOKARA are those of third parties, such as clients and employees, and TOKARA takes the protection of third party confidential information very seriously. In particular, where TOKARA acts as professional advisors to clients, many of the records held are confidential and others are the property of the client and not of TOKARA. For further information on the grounds of refusal of access to a record please see paragraph 13 below. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.

<b>Subjects on which the body holds records</b>	<b>Categories of records</b>
Human resources	Accounting and payroll records, BBBEE statistics, personnel information, employment equity reports, general terms of employment, letters of employment, leave records, clock-in records, indemnity records, record of bank details, disciplinary records, school fees records, criminal checks records,

	curriculum vitae, PAYE records and returns, policies and procedures, medical certificates, UIF returns and other internal records and correspondence.
Finance and administration	Accounting records, annual financial statements, agreements, bank records, correspondence, annual reports, statutory documentation, memorandum of incorporation, share registers, share certificates, statutory returns to relevant authorities, minutes, invoices and statements, management reports, tax records and returns, financial policies and procedures, Value-added tax returns and records, customer account application forms, supplier account application forms, fixed asset register, court case judgement records, insurance records, certificates and other internal records and correspondence.
Information technology and security	Agreements, equipment register, policies, procedures and guidelines, licensing and software documents, employee access request forms, CCTV footage, organizational structure safety records, biometric information records, accident investigation reports, employee user access information and other internal records and correspondence.
Operations and production	Access control records, agreements, administration documentation, correspondence, quality control records, production records, material handling equipment records, inventory records, good receipt notes, vehicle registration documentation and other internal records and correspondence.
Marketing and sales	Price information, customer delivery schedule, customer records, invoices, debit and credit notes, account application forms, delivery notes, event records and other internal records and correspondence.
Safety, Health, Environment and Quality - SHEQ	Health and safety records, audit records, quality control records, specification and related documents, agreements, system and procedure documents and other internal records and correspondence.
Third party records	Records held by the company relating to third parties, including, without limitation, financial records, correspondence, contractual records, records provided by the third party, and records third parties have provided about the company.

## 8 PROCESSING OF PERSONAL INFORMATION

Purpose of Processing Personal Information:

8.1 In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by TOKARA will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected. Please also refer to the TOKARA Privacy Policy for further information, which can be accessed at: <https://www.tokara.com/>

8.2 It is recorded that the accessibility of the records listed below, may be subject to the grounds of refusal.

8.3 TOKARA collects the following categories of personal information:

**“Personal information”** means information that may identify you or may be used to identify you. It may include your name; email and/or physical address; fixed or mobile phone number; location; online identifier; race or ethnic origin; gender; age; religious or philosophical beliefs; health or biometric information; culture; language; education; medical, financial, criminal or employment history, including allegations of commissioning offences and proceedings in respect of these allegations; your personal opinions, views or preferences; and another person’s views or opinions about you.

<b>Categories of Data Subjects</b>	<b>Personal Information that may be processed</b>
Customers / Clients (including potential and previous customers)	Personal information including for example: name and surname, address, contact details, registration numbers or identity numbers, employment status, bank details, biometric information (like photographs), surveillance information (e.g. CCTV footage), location information, data collected through cookies and tracking technologies, data collected through surveys and promotional competitions, other information which TOKARA may infer about customers based on their interaction with our products and services.
Service Providers, Suppliers or Contractors	Supplier and supplier representative information, including for example: names, registration number, vat numbers, address, trade secrets, bank details, surveillance information of supplier representatives (e.g. CCTV footage and security voice recordings), third-party information, such as Companies and Intellectual Property Commission (CIPC).

Employees (prospective, previous and existing employees)	Employee personal information, including for example: education and psychometrics records, address, qualifications, gender, race, religion, trade union membership, employee medical information, employee disability information, pension and provident fund information, employee contracts, employee vehicle registration, employee performance records, electronic access records, physical access records, surveillance records, health and safety records, training records, background checks, criminal checks, employment history.
Visitors	Physical access records, electronic access records, scans and photographs, surveillance records (e.g. CCTV footage and security voice recordings)

#### **8.4 The purpose of processing personal information**

Depending on the categories of personal information which is collected, the purpose of processing may include:

- 8.4.1 the provision of information, products or services to data subjects;
- 8.4.2 communication with data subjects;
- 8.4.3 to improve our products or services;
- 8.4.4 provision of support services to data subjects;
- 8.4.5 preparing aggregated anonymised reports;
- 8.4.6 to manage accounts, receive services and process payments;
- 8.4.7 to assess the suitability of job applicants for employment;
- 8.4.8 meeting legal obligations in respect of employment equity and to comply with other applicable laws; and
- 8.4.9 provision of effective advertising, including direct marketing.

#### **8.5 The recipients or categories of recipients to whom the personal information may be supplied**

Depending on the nature of the personal information, TOKARA may supply information or records to the following categories of recipients:

- 8.5.1 Other companies within the TOKARA group;
- 8.5.2 TOKARA's business partners and affiliates;

- 8.5.3 Other parties in response to legal process or when necessary to conduct or protect legal rights;
- 8.5.4 Other parties in response to legal process or when necessary to conduct or protect legal rights;
- 8.5.5 Other parties in connection with certain business transactions. In the event that TOKARA restructures or sells any of its businesses or assets, TOKARA may disclose data subjects' personal information to the prospective buyer of such business or assets or other transacting party.
- 8.5.6 Companies that provide services to TOKARA or act on its behalf may have access to information about data subjects. These companies are limited in their ability to use information they receive in the course of providing services to TOKARA or data subjects; and
- 8.5.7 Third-parties where the data subject provides consent.

## **8.6 Planned transborder flows of personal information**

- 8.6.1 TOKARA may need to transfer a data subject's information to service providers in countries outside South Africa, in which case TOKARA will fully comply with applicable data privacy and protection legislation. This may happen if the TOKARA's servers or suppliers and service providers are based outside South Africa, or if the TOKARA's services are hosted in systems or servers outside South Africa and/or if a data subject uses TOKARA's services while visiting countries outside this area. These countries may not have data-protection laws which are similar to those of South Africa.
- 8.6.2 If TOKARA transfers personal information outside of South Africa, TOKARA will make sure that the information is protected in the same way as if it was being used in South Africa. TOKARA will use one of the following safeguards:
  - 8.6.2.1 transfer to another country whose privacy legislation ensures an adequate level of protection of personal information similar or equivalent to South Africa; or
  - 8.6.2.2 put in place a contract with the third-party that means they must protect personal information to the same standards as South Africa.

## **8.7 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information**

8.7.1 TOKARA takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in our possession. TOKARA takes appropriate technical and organisational measures designed to ensure that personal information remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.

## **9 REQUEST PROCEDURE**

9.1 Records held by the company may be accessed upon request once the requirements for access have been complied with.

9.2 A requester is any person making a request for access to a record of the company. There are two types of requesters, namely, a personal requester and an “other requester”. A personal requester is a requester who seeks access to a record containing personal information about the requester. An “other requester” is a requester who seeks access to information about third parties. The company is not obliged to automatically grant access to any information, and the requester (whether a personal or an “other requester”) must comply with the requirements for requesting access in terms of the Act excluding the payment of a fee. As described in the set regulations, a fee is only paid by the requested when:

9.2.1 The Information Officer has determined that the search for such a record will require more than six (6) hours to search. Form 3 is completed, and the requester is required to pay as a deposit a portion of the access fee as set out in Annexure B of the PAIA Regulations.

9.3 The requester must comply with all the procedural requirements contained in the Act relating to the request for access to information.

9.4 The requester must complete the prescribed form attached as Form 2 and submit it,

9.5 The prescribed form must be completed with enough detail to enable the Information Officer to identify:

9.5.1 the record or records requested;

9.5.2 the identity of the requester;

9.5.3 what form of access is required if the request is granted; and

- 9.5.4 the postal address and/or email address of the requester.
- 9.6 The requester must state that he requires the information in order to exercise or protect a right and clearly state the nature of the right in question. In addition, the requester must clearly specify why the record is necessary to exercise or protect such right.
- 9.7 The requester will be informed in writing as to whether its request is granted or refused. If, in addition to a written reply, the requester wishes to be informed of the decision in any other manner, he must state the manner and necessary particulars to be so informed.
- 9.8 If a 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 Information Officer.
- 9.9 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally. The Information Officer must complete Form 2 on behalf of the requester and provide a copy to the requester.
- 9.10 This manual, or part thereof can be obtained from either -
- 9.11 The company head offices, at the prescribed fee as set out in Annexure A;
- 9.12 The IR, the details of which are set out in paragraph 4 above;
- 9.13 The Government Gazette; or
- 9.14 It can be downloaded from our websites referred to above.

## **9. FEES**

- 9.15 The Act provides for the payment of two types of fees, namely -
- 9.15.1 a request fee, which will be a standard fee; and
- 9.15.2 an access fee, which must be calculated by taking into account production costs, search and preparation time and cost, as well as postal costs.
- 9.16 When the Information Officer receives a request, such person shall by notice, require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing such request.
- 9.17 If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion (being not more than one third) of the access fee which would be payable if the request is granted.

9.18 The Information Officer is entitled to withhold access to a record until the requester has paid the applicable fees set out in Form 3.

9.19 A requester whose request for access to a record has been granted must pay an access fee for reproduction and for search and preparation time, and for any time reasonably required in excess of the prescribed hours, including making arrangements to make it available in the requested format.

## **10. DECISION**

10.1 The company will, within thirty days of receipt of the request, endeavor to determine whether or not to accept the request and notify the requester of such determination in writing.

10.2 The thirty-day period may be extended for a further period of not more than thirty days if the request is for a large amount of information, or the request requires a search for information held at another office of the company and the information cannot reasonably be obtained within the initial thirty-day period. The company will notify the requester in writing should an extension be sought.

## **11. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST**

If the company has conducted a search for a record and determines that the record does not exist or cannot be found, the requester will be notified in writing. This notification will detail the steps taken to locate the record.

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

12.1 The grounds on which the company may or must refuse a request for access to information are set out in sections 63 to 69 of the Act.

12.2 Access must be refused if disclosure would unreasonably reveal personal information about a third party, disclose confidential or privileged information, endanger an individual's safety, or reveal certain tax or research records. In addition, access may be refused if disclosure could prejudice national security, economic interests, or if the request is clearly unreasonable, trivial, or made only to cause disruption or inconvenience.

- 12.3 If a request is refused, the requester will be informed of the reasons and their right to appeal or lodge a complaint with the Information Regulator. Notwithstanding these grounds, access may be granted if the public interest in disclosure outweighs the potential harm.

### 13. UPDATING OF THE MANUAL

The head of TOKARA will on a regular basis update this manual.

Issued by  
Karl David Lambour  
General Manager - TOKARA

---

#### Annexure A

(Prescribed forms to be completed)

The forms listed below are available to download from the information regulator website:

<https://info regulator.org.za/paia/>

Form	Description	Regulation
01	Request for a Guide from the regulator	Regulation 2
01	Request for a Copy of the Guide from an Information Officer	Regulation 3
02	Request for Access to a record	Regulation 7
03	Outcome of request and fees payable	Regulation 8
04	Internal Appeal Form	Regulation 9
05	Complaint Form	Regulation 10
13	PAIA Request for Compliance Assessment Form	Regulation 14(1)