

**SOWETO BREWING COMPANY (PROPRIETARY) LIMITED**  
**REGISTRATION NO: 2017/023746/07**  
**MANUAL PREPARED IN TERMS OF SECTION 51 OF**  
**THE PROMOTION OF ACCESS TO INFORMATION ACT (ACT 2 OF 2000)**

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## 1. INTRODUCTION

The Promotion of Access to Information Act 2 of 2000 (“**PAIA**”) came into operation on 9 March 2001, giving effect to the right of access to information in terms of section 32 of the Constitution of the Republic of South Africa 1996.

One of the main requirements specified in PAIA, is the compilation of a manual in terms of section 51 of PAIA, which contains information on how to use PAIA and how to access records under PAIA. This manual is prepared in accordance with section 51 of PAIA and to address the requirements of the Protection of Personal Information Act 4 of 2013 (“**POPIA**”). This document serves as Soweto Brewing Company’s manual and provides reference to the records held by Soweto Brewing Company and the process to request access to such records.

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## 2 SCOPE OF THE MANUAL

**Nature of Business:** Micro-manufacturer of alcohol beverages.

**Scope:** The scope of this manual is limited to the records held by Soweto Brewing Company.

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## 3 AVAILABILITY OF THE MANUAL

A copy of this manual is available to the public for inspection on Soweto Brewing Company’s website at [www.sowetobrewing.co.za](http://www.sowetobrewing.co.za) or on request from the designated person, details provided in this manual.

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## 4 DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10

The South African Human Rights Commission (SAHRC) has compiled a Guide in terms of Section 10 of PAIA. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages.

The Guide is available for inspection, *inter alia*, at the office of the South African Human Rights Commission at Braampark Forum 3, 33 Hoofd Street, Braamfontein, Johannesburg, Gauteng and at [www.sahrc.org.za](http://www.sahrc.org.za).

For further information please contact the SAHRC:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone Number:	+27-11-877 3600
Fax Number:	+27-11-403 0625
Email:	<a href="mailto:mnyuswa@sahrc.org.za">mnyuswa@sahrc.org.za</a>

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## 5 RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records available in terms of other legislation (and applicable regulations, codes and notices) are set out in Annexe A below.

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## 6 RECORDS AUTOMATICALLY AVAILABLE

Some information is readily available without a person having to request access in terms of PAIA. No notice has been submitted by the practice to the Minister of Justice and Constitutional Development regarding the categories of records, which are available without a person having to

request access in terms of Section 52(2) of PAIA. However, the information on the website of the business is automatically available without having to request access in terms of PAIA.

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## **7 SUBJECTS AND CATEGORIES OF RECORDS HELD BY SOWETO BREWING COMPANY**

General information about Soweto Brewing Company can be accessed on internet on [www.sowetobrewing.co.za](http://www.sowetobrewing.co.za), which is available to all persons who have access to the internet.

The subjects on which the private body holds records and the categories on each subject in terms of Section 51(1)(e) are as listed below. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Sections 62 to 69 of PAIA:

### **Companies Act Records**

Registration documents; names of directors; names of company secretaries; memorandum of incorporation; minutes of meeting of the Board of Directors; Minutes of meetings of Shareholders; Proxy forms; share register and other statutory registers and/or records and/or documents; record of shareholding; share certificates; resolutions passed at board meeting or shareholder meetings; notices and agendas; records relating to the appointment of auditors, directors; public officer, secretary

### **Financial Records**

Accounting Records; annual financial statement and reports; asset registers; bank statements; banking details and bank accounts; banking records; debtors / creditors statements and invoices; general ledgers and subsidiary ledgers; general reconciliation; invoices; cheques; policies and procedures; tax returns; credit application information

### **Income Tax Records**

PAYE Records; documents issued to employees for income tax purposes; records of payments made to SARS on behalf of employees; all other statutory

compliances such as VAT, Regional Services Levies, Skills Development Levies, UIF and Workmen's Compensation

### **Personnel Documents and Records**

Accident books and records; address lists; disciplinary code and records; employee benefits arrangements rules and records; employment contracts; employment equity plan; forms and applications; grievance procedures; leave records; medical aid records; payroll reports/ wage register; pension fund records; safety, health and environmental records; salary records; SETA records; standard letters and notices; training manuals; training records; workplace and union agreements and records

### **Procurement Department**

Standard Terms and Conditions for supply of services and products; contractor, client and supplier agreements; lists of suppliers, products, services and distribution; and policies and procedures; rental agreements

### **Sales Department**

Customer details; information and records provided and collected from third parties

### **Marketing Department**

Advertising and promotional material; promotional terms and conditions; consumer information

### **Safety, Security, Health and Environment**

Complete safety, health and environment risk assessment; environmental management plans; inquiries, inspections, examinations by environmental authorities

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## **8 PURPOSE OF PROCESSING OF PERSONAL INFORMATION**

Soweto Brewing Company processes personal information for number of reasons and these include:

- Compliance with applicable laws and regulations, codes of conducts and notices
- Safety purposes, control and incident management purposes
- Regulation and management of internal and external relationships
- Strategic decisions and engagement with external parties
- Promotional purposes
- Support sales and marketing activities
- Support recruitment and management of staff
- Engagement with suppliers, regulatory authorities, consumers, customers, employees and business partners
- Engagement with the general public
- Engagement with investors and the media
- Response to information requests
- Audit and claims processes

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## 9 DATA SUBJECTS CATEGORIES AND THEIR PERSONAL INFORMATION

**Customers:** record of customer life cycle and engagements

**Employees:** record of employee life cycle and engagements

**Suppliers:** record of supplier life cycle and engagements

**General public:** tracking general enquiries and web site visits

**Investors/Shareholders:** records as maintained by the Company Secretary

**Media:** records of media interactions

**Consumers:** record of consumer life cycle and engagements

**Business Partners:** record of business partner life cycle and engagements

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## 10 PLANNED RECIPIENTS OF PERSONAL INFORMATION

Statutory authorities

Law enforcement authorities

Tax authorities

Financial institutions

Medical schemes

Employee pension and provident funds

Industry bodies

Related entities such as group companies and subsidiaries

Service providers

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## 11 PLANNED TRANS-BORDER FLOWS OF PERSONAL INFORMATION

Flows to service providers/operators

Flows to business partners

Flows to customers

Flows to suppliers

Flows through the use of social media

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## 12 SECURITY MEASURES TO PROTECT PERSONAL INFORMATION

Physical security measures

Cyber security measures

### 13 ACCESS REQUEST PROCEDURE AND OTHER REQUESTS

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application to access to record is subject to certain limitations if the requested record falls within a certain category as specified in Part 3 and Chapter 4 of PAIA. In order to facilitate a timely response to requests for access, all requesters should take note of and comply with the following:

- The requester must complete Form C in BLOCK LETTERS and in legible writing.
- All questions must be answered. If a question does not apply state N/A in response to that question.
- The form must be submitted to the Head of Legal at his or her address, fax number, or electronic mail address as stated earlier in this manual. The complete form must be submitted together with a request fee. Records may be withheld until the fees have been paid.
- Proof of identity is required to authenticate the identity of the requester. Therefore, in addition to the Form C, requesters will be required to supply a copy of their identification document.
- If there is nothing to disclose in reply to a particular question, state “nil”.

Form of request:

- The requester must use the prescribed Form C, as attached on this manual below, to make the request for access to a record. This form is also available on the website of the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za). The request must be made to the Head of Legal. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the designated head to identify the record and the requester.
- The requester should indicate which form of access is required.
- The requester should indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the designated head of the private body [s 53(2)(f)].
- 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.
- The designated head must notify the requester (other than a personal request) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [s 54(1)].
- The fee that the requester must pay to a private body is currently R50,00. The requester may lodge an application to the court against the tender or payment of the request fees 54(3)(b)].

- After the designated head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the 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 [s 54(6)].

#### **Grounds for refusing a request:**

Soweto Brewing Company has the right to reject any request for information submitted in terms of Sections 62 to 70 of Chapter 4 of the PAIA Act.

Other requests as provided in the POPIA i.e. the rights to object to the processing of personal information and to the correction or deletion of personal information or destruction or deletion of record of personal information should be made on Form 1 and Form 2, respectively, as provided in the POPIA Regulations and sent to the Information Officer using the contact details provided below. If the requester does not have copies of Form 1 and Form 2, the requester may request the forms from the Information Officer using the contact details below.

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#### **14 FEES IN RESPECT OF PRIVATE BODIES**

The breakdown of the fees structure for the purposes of determining the manner in which fees relating to a request for access to a record of a private body are to be calculated is available on the website of the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za).

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#### **15 AVAILABILITY OF THE MANUAL**

This manual is available for inspection at the Soweto Brewing Company office free of charge.

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#### **16 CONTACT DETAILS OF SOWETO BREWING COMPANY**

**Designated Head:** Josef Schmid

**Postal Address:** 11846 Senokoanyana Street, Orlando West, Soweto 1804

**Street Address:** 11846 Senokoanyana Street, Orlando West, Soweto 1804

**Tel. No:** 011 982 1093

The responsibility for administration of and compliance with PAIA has been delegated to the Information Officer. Requests should therefore be directed as follows:

**Contact Person:** 011 982 1093

**Email Address:** Josef@sowetogold.co.za

**Tel. No:** 011 982 1093

**Publication date of this manual: 18 June 2021**

## ANNEXE A: RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

*Advertising on Roads and Ribbon Development Act 21 of 1940*  
*Agricultural Products Standards Act 119 of 1990*  
*Basic Conditions of Employment Act 75 of 1997*  
*Broad-based Black Economic Empowerment Act 53 of 2003*  
*Companies Act No 71 of 2008*  
*Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993*  
*Competition Act No. 89 of 1998*  
*Consumer Protection Act 68 of 2008*  
*Continuing Education and Training Act 16 of 2006*  
*Copyright Act No. 98 of 1978*  
*Currency and Exchanges Act No .9 of 1933*  
*Customs and Excise Act 91 of 1964*  
*Debt Collector's Act No. 114 of 1998*  
*Electronic Communications Act No. 36 of 2005*  
*Electronic Communications and Transactions Act No 25 of 2002*  
*Employment Equity Act. No. 55 of 1998*  
*Environment Conservation Act 73 of 1989*  
*Financial Intelligence Centre Act No. 38 of 2001*  
*Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972*  
*Hazardous Substances Act 15 of 1973*  
*Income Tax Act No 58 of 1962*  
*Interception and Monitoring Prohibition Act 127 of 1992*  
*Insurance Act No. 27 of 1943*  
*Intellectual Property Laws Amendment Act No. 38 of 1997*  
*International Trade Administration Act 71 of 2002*  
*Labour Relations Act No 66 of 1995*  
*Legal Metrology Act 9 of 2014*  
*Long Term Insurance Act No. 52 of 1998*  
*Medical Schemes Act 131 of 1998*  
*National Credit Act No. 34 of 2005*  
*National Building Regulations and Building Standards Act 103 of 1977*  
*National Environmental Management Act 107 of 1998*  
*National Environmental Management: Air Quality Act 39 of 2004*  
*National Environmental Management: Waste Act 59 of 2008*  
*National Health Act 61 of 2003*  
*National Ports Act 12 of 2005*  
*National Water Act 36 of 1998*  
*Nuclear Energy Act 46 of 1999*  
*Occupational Health and Safety Act No. 85 of 1993*  
*Pension Funds Act No 24 of 1956*  
*Prevention and Combating of Corrupt Activities Act No 12 of 2004*  
*Prevention of Organised Crime Act No. 121 of 1998*  
*Promotion of Access to Information Act No. 2 of 2000*  
*Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000*  
*Protected Disclosures Act No. 26 of 2000*  
*Protection of Personal Information Act 4 of 2013*  
*Public Holidays Act 36 of 1994*  
*Regulation of Interception of Communication and Provision of Communications Act No.2 of 2000*  
*Short Term Insurance Act of 1998*  
*Securities Services Act No. 36 of 2004*  
*Securities Transfer Tax Act 25 of 2007*  
*Skills Development Act 97 of 1998*  
*Skills Development Levies Act No 9 of 1999*  
*South African Revenue Services Act of 1997*  
*Standards Act 8 of 2008*  
*Tax Administration Act 28 of 2011*  
*Tax on Retirement Funds Act of 1996*  
*Trade Marks Act 194 of 1993*  
*Trust Property Control Act No. 57 of 1988*  
*Unemployment Insurance Act No. 63 of 2001*  
*Unemployment Insurance Contributions Act No 4 of 2002*  
*Value Added Tax Act No 89 of 1991*

**FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

In terms of 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 (name of body): \_\_\_\_\_

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**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: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person: \_\_\_\_\_

\_\_\_\_\_

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**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: \_\_\_\_\_

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**D. Particulars of record**

- (a) *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.*
- (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: \_\_\_\_\_

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**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.
- (d) 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: \_\_\_\_\_

### 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.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

Mark the appropriate choice with an **X**.

#### 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 file)
- 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

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**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: \_\_\_\_\_

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**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 \_\_\_\_\_

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**SIGNATURE OF REQUESTER / PERSON ON WHOSE  
BEHALF REQUEST IS MADE**