

1. THE PROMOTION OF ACCESS TO INFORMATION ACT – PURPOSE OF THIS MANUAL

- 1.1 Home Grown Rooted Living (Pty) Ltd is a private company duly incorporated in terms of the applicable company laws of the Republic of South-Africa under registration number 2018/535707/07 and with more full and particular details as below.
- 1.2 The Promotion of Access to Information Act, No 2 of 2000 ("**the Act**") was enacted on 3 February 2000, giving effect to the constitutional right in terms section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa 108 of 1996 ("**the Constitution**") of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights.
- 1.3 In terms of Section 51 of the Act, all Private Bodies are required to compile an Information Manual ("**PAIA Manual**"). This manual works in tandem with the Home Grown Rooted Living (Pty) Ltd POPI-Policy which is a policy formulated in terms of the POPI-Act and this manual sets out the terms and requirements for how such personal information can be requested from Home Grown Rooted Living (Pty) Ltd;
- 1.4 Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, subject to applicable legislative and / or regulatory requirements, except where the Act expressly provides that the information may or must not be released. The Act sets out the relevant procedure to be adopted when requesting information from Home Grown Rooted Living (Pty) Ltd
- 1.5 This PAIA Manual is developed in conjunction with Home Grown Rooted Living (Pty) Ltd's policy in terms of the POPI-Act with which policy this manual functions with. This manual will be made available on Home Grown Rooted Living (Pty) Ltd's website and sets out, when personal information has been gathered, how this information can be requested from Home Grown Rooted Living (Pty) Ltd.

2. HOME GROWN ROOTED LIVING (PTY) LTD STRUCTURE AND INFORMATION

- 2.1 The following table sets out the necessary and required particulars of Home Grown Rooted Living (Pty) Ltd:-

NAME	Home Grown Rooted Living (Pty) Ltd
REGISTERED & POSTAL ADDRESS:	342 Oklahoma Street, Faerie Glen. Pretoria East, Gauteng, 0084
EMAIL ADDRESS FOR INFORMATION PURPOSES:	adele@homegrownl.co.za
TELEPHONE & FAX NUMBERS:	082 656 6013
INFORMATION OFFICER:	Adele Oosthuizen

- 2.2 A guide has been compiled in terms of Section 10 of the Act by the South-African Human Rights Commission (the "**SAHRC**") which explains the use and Application of the PAIA-Act in more linguistic terms and in plain language. For more information, you can attend at the following website: www.sahrc.org.za

Or you can write to the SAHRC at the following particulars:-

The South African Human Rights Commission
 Braampark Forum 3, 33 Hoofd Street, Braamfontein
 Private bag x2700, Houghton, 2041
 Tel Number: 011 877-3600
 Fax Number: 011403-06680668
 E- mail: info@sahrc.org.za

3. RECORDS AVAILABLE IN TERMS OF SOUTH AFRICAN LEGISLATION [Section51(1)(d)]

Home Grown Rooted Living (Pty) Ltd keeps information as mandated in terms of the following legislation and as statutorily required. This list is subject to amendment.

- Alienation of Land Act 68 of 1981
- Basic Conditions of Employment Act No 57 of 1997
- Broad Based Black Economic Empowerment Act No 53 of 2003
- Companies Act No 71 of 2008 and Applicable Regulations
- Compensation for Occupational injuries and Diseases Act No 130 of 1993
- Competition Act No 89 of 1998
- Consumer Protection Act 68 of 2008
- Electronic Communications and Transactions Act No 25 of 2002
- Employment Equity Act No 55 of 1998
- Estate Agency Affairs Act 112 of 1976
- Financial Intelligence Centre Act No 38 of 2001
- Financial Intelligence Centre Act, Act 38 of 2001.
- Financial Markets Control Act, Act No. 55 of 1989
- Housing Development Schemes for Retired Persons Act 65 of 1988
- Income Tax Act No 58 of 1962
- King Report on Corporate Governance in South Africa (King III)
- Labour Relations Act No 66 of 1995
- Money Laundering and Terrorist Financing Control Regulations (“the MLTFC Regulations”)
- National Credit Act No 34 of 2005
- Occupational Health and Safety Act No 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Access to Information Act 2 of 2000
- Property Practitioner Act No. 22 of 2019
- Protection of Constitutional Democracy Against Terrorist and Related Activities Act 33 of 2004
- Protection of Personal Information Act, Act 2 of 2013
- Rental Housing Act 50 of 1999
- Sectional Titles Act 95 OF 1986
- Share Blocks Control Act 59 of 1980
- Skills Development Levies Act No 9 of 1999
- Trust Property Control Act, Act 57 of 1988
- Unemployment Insurance Act No 30 of 1966
- Value Added Tax Act No 89 of 1991

4. RECORDS (SECTION 51 & 52 OF THE ACT)

4.1 The following records are readily available and kept at the office of Home Grown Rooted Living (Pty) Ltd and there is no procedure for requesting them from Home Grown Rooted Living (Pty) Ltd:-

- 4.1.1 Any published literature such as magazines and advertising material and which information is available for download or review on the company's website;
- 4.1.2 Any documents that are required by statute to lie open for inspection at the offices of the company;
- 4.1.3 Any form of published annual reports and information that is publicly accessible by their nature;

4.2 The following records are held by Home Grown Rooted Living (Pty) Ltd but are only accessible by way of Application in terms of the provisions of this manual and the applicable request-procedures.

- 4.2.1 Information relating to the personnel and personnel records of Home Grown Rooted Living (Pty) Ltd inclusive of past, present and unsuccessful prospective personnel;
- 4.2.2 Information relating to the Directors of the company and insofar as such information has not been consented to for sharing by the applicable Director;
- 4.2.3 Unpublished records relating to the financial, operational, marketing, internal divisional documents and the company's procedures;
- 4.2.4 Commercial agreements with suppliers, transactional arrangements, service providers and other contractual agreements such as insurance and Intellectual Property information;
- 4.2.5 Minutes of meetings of Board meetings;
- 4.2.6 Databases kept subject to the provisions of the POPI-Act;
- 4.2.7 Information held of third-parties and held in accordance with the provisions of the POPI-Act;

5. REQUESTING INFORMATION FROM HOME GROWN ROOTED LIVING (PTY) LTD IN TERMS OF THIS MANUAL

5.1 A person making a request in terms of this manual is termed a "requester". The requester must, for any of the categories of information set out above and of which information is requested, fill out the prescribed form which is attached to this manual. The requester must furnish the following details in the request and provide the following information:-

- 5.1.1 Sufficient particularity with regards to the forms and documents requested;
- 5.1.2 Sufficient information to identify the requester and his / her / its interest in the documentation requested and by indicating whether the documents are requested to protect or exercise a right and what that right is
- 5.1.3 Sufficient contact information for the information officer to contact the requester and what such preferred method of contact is;

5.2 The Act makes provision for a fee to be charged for the copies of any of such documents as the requester may request and which is, after consideration, furnished to the requester and the following are the applicable fees pertaining to such copies, whether made physically or digitally transmitted;

5.3 Home Grown Rooted Living (Pty) Ltd will, through the Information Officer, assess and make a value-judgment as to whether the requester is entitled to the information requested and with reference to the nature of the request, any

prejudice and confidentiality applicable thereto and any further such considerations as Home Grown Rooted Living (Pty) Ltd may, in writing, advise. Such considerations may include:-

- 5.3.1 Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information about that natural person [Section 63]. A record will not be refused in so far as:-
 - 5.3.1.1 it consists of information about an individual who has consented to the disclosure of the record;
 - 5.3.1.2 or which is already publicly available; that was given to Home Grown Rooted Living (Pty) Ltd by the individual to whom it relates and the individual was informed by or on behalf of the private body, before it is given, that the information belongs to a class of information that would or might be made available to the public;
 - 5.3.1.3 about an individual's physical or mental health, or well-being, who is under the care of the requester and who is -under the age of 18 years; or incapable of understanding the nature of the request, and if giving access would be in the individual's best interests;
 - 5.3.1.4 about an individual who is deceased and the requester is the individual's next of kin; or making the request with the written consent of the individual's next of kin; or about an individual who is or was an official of a private body and which relates to the position or functions of the individual, including, but not limited to - the fact that the individual is or was an official of that private body; the title, work address, work phone number and other similar particulars of the individual;
 - 5.3.1.5 the classification, salary scale or remuneration and responsibilities of the position held or services performed by the individual; and the name of the individual on a record prepared by the individual in the course of employment.
- 5.3.2 Mandatory protection of the commercial information of a third party, if the record contains:
 - 5.3.2.1 Trade secrets of that third party;
 - 5.3.2.2 Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - 5.3.2.3 Information disclosed in confidence by a third party to Home Grown Rooted Living (Pty) Ltd, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition [Section 64].
- 5.3.3 Mandatory protection of confidential information of third parties if it is protected in terms of any agreement [Section 65];
- 5.3.4 Mandatory protection of the safety of individuals and the protection of property [Section 66]. The head of a private body must refuse a request for access to a record of the body if its disclosure could reasonably be expected to endanger the life or physical safety of an individual.
- 5.3.5 Mandatory protection of records which would be regarded as privileged in legal proceedings [Section 67];

5.4 Home Grown Rooted Living (Pty) Ltd, through the Information Officer, will endeavour to provide the requested documentation within THIRTY (30) business days to the requester and after payment of the prescribed fees. The Information Officer may also advise that a longer period is required if:-

5.4.1 the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of the private body concerned;

5.4.2 the request requires a search for records in, or collection thereof from, an office of the private body not situated in the same town or city as the office of the head that cannot reasonably be completed within the original period;

5.4.3 consultation among divisions of Home Grown Rooted Living (Pty) Ltd or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;

5.4.4 more than one of the circumstances contemplated in the paragraphs above exist in respect of the request making compliance with the original period not reasonably possible;

6. REMEDIES AVAILABLE WHEN HOME GROWN ROOTED LIVING (PTY) LTD REFUSES A REQUEST FOR INFORMATION

6.1 Internal Remedies

Home Grown Rooted Living (Pty) Ltd does not have an internal appeals procedure for this purpose. As such, the decision made by the Designated Information Officer is final. The requesters will have to exercise such external remedies at their disposal, if the request for information is refused and the requester is not satisfied with the answer supplied by the Designated Information officer.

6.2 External Remedies [Section 78]

A requester that is dissatisfied with the Designated Information officer's refusal to disclose information may, within 30 days of notification of the decision, apply to a Court for relief.

7. APPLICABLE FEES

1.	The fee for a copy of the manual as contemplated in regulation 9(2) (c) - for every photocopy of a A4-size page or part thereof.	1,10
2.	The fees for reproduction referred to in regulation 11(1) are as follows: <ul style="list-style-type: none"> a. For every photocopy of an A4-size page or page thereof b. For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form c. For a copy in a computer-readable form on: <ul style="list-style-type: none"> i. Flash drive ii. compact disc d. For a transcription of visual images, for an A4-size page or part thereof e. For a copy of visual images f. For a transcription of an audio record, for an A4-size page or part thereof g. For a copy of an audio record 	1,10 0,75 7,50 70,00 40,00 60,00 20,00 30,00
3.	The request fee payable by a requester, other than a personal requester, referred to in Regulation 11(2)	50,00
4.	The access fees payable by a requester referred to in regulation 11(3) are as follows: <ul style="list-style-type: none"> a. For every photocopy of an A4-size page or part thereof b. For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form c. For a copy in a computer-readable form on: <ul style="list-style-type: none"> i. stifty disc ii. compact disc d. For a transcription of visual images, for an A4-size page or part thereof e. For a copy of visual images f. For a transcription of an audio record, for an A4-size page or part thereof g. For a copy of an audio record h. To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation. 	1,10 0,75 7,50 70,0 40,0 60,0 20,0 30,0
5.	For the purposes of section 54(2) of the Act, the following applies: <ul style="list-style-type: none"> a. six hours as the hours to be exceeded before a deposit is payable; and b. one third of the access fee is payable as a deposit by the requester. 	
6.	The actual postage is payable when a copy of a record must be posted to a requester.	

8. 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 HOME GROWN ROOTED LIVING (PTY) LTD

Physical & Postal Address	342 Oklahoma Street, Faerie Glen. Pretoria East, Gauteng, 0084
Telephone Number	082 656 6013
Fax Number	N/A
E-mail Address	adele@homegrownrl.co.za

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD; THE “REQUESTER”

The particulars of the person who requests access to the record must be given below:	
The address and/or fax number in the Republic to which the information is to be sent:	
Proof of the capacity in which the request is made, if applicable, must be attached:	
Full Name and Surname:	
Identity Number:	
Postal Address:	
Fax Number:	
Telephone Number:	
Email Address:	
Proof of the capacity in which the request is made, if the request is made on behalf of another person :	

C. Particulars of person on whose behalf request is made

Full Name and Surname:	
Identity Number:	

D. **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:
Any Further Particulars of Record:

E. FEES

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. YOU WILL BE NOTIFIED OF THE AMOUNT REQUIRED TO BE PAID AS THE REQUEST FEE.

THE FEE PAYABLE FOR ACCESS TO A RECORD DEPENDS ON THE FORM IN WHICH ACCESS IS REQUIRED AND THE REASONABLE TIME REQUIRED SEARCHING FOR AND PREPARING A RECORD. IF YOU QUALIFY FOR EXEMPTION OF THE PAYMENT OF ANY FEE, PLEASE STATE THE REASON FOR EXEMPTION.

Reason for exemption from payment of fees:
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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 the record is required;
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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 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.

IF THE RECORD IS IN WRITTEN OR PRINTED FORM	
Copy of Record	Inspection of Record

IF THE RECORD CONSISTS OF VISUAL IMAGES [this includes photographs, slides, video recordings, computer-generated images, sketches, etc]	
View the Images	Copy of Images
Transcription of Images	

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 documents)

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* (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?	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.

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:

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

Signature of person on whose behalf
the request is made