



ACCOLADE WINES SOUTH AFRICA (PTY) LTD PAIA MANUAL

**Prepared in terms of section 51 of the Promotion of Access
to Information Act 2 of 2000 (as amended)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|-----|--------------------|--|
| 1.1 | “IO“ | Information Officer; |
| 1.2 | “Minister” | Minister of Justice and Correctional Services; |
| 1.3 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000(as Amended); |
| 1.4 | “POPIA” | Protection of Personal Information Act No.4 of 2013; |
| 1.5 | “Regulator” | Information Regulator; and |
| 1.6 | “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 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 ACCOLADE WINES SOUTH AFRICA

3.1. Information Officer

Name: James Reid

Designation: General Manager

Tel: +27 21 882 8177

Email: james.reid@accoladewines.com

3.3 Access to information general contacts

Email: privacy@accoladewines.com

3.4 National or Head Office

Postal Address: Flagstone Winery,
Paardevlei,
WR Quinan Boulevard,
Somerset West,
Cape Town, Western Cape, South Africa

Physical Address: Flagstone Winery,
Paardevlei,
WR Quinan Boulevard,
Somerset West,
Cape Town, Western Cape, South Africa

Telephone: +27 218 828177

Email: customers.awines@accoladewines.com

Website: www.accoladewines.com/PAIA

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (“Guide”), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

4.2. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of-

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

- 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
- 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

decision by the Regulator or a decision of the head of a private body;

4.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

4.3.10. the regulations made in terms of section 92¹¹.

4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

4.5. The Guide can also be obtained-

4.5.1. upon request to the Information Officer;

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

4.5.2. from the website of the Regulator (info regulator.org.za).

4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

4.6.1 English

4.6.2 Afrikaans

5. CATEGORIES OF RECORDS OF ACCOLADE WINES SOUTH AFRICA WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

5.1. Statutory

5.1.1. Statutory records and returns

5.2. Companies Act records

5.2.1. Documents of incorporation

5.2.2. Records relating to the appointment of directors/ auditor / secretary/ public officer and other officers

5.3. Income Tax records

5.3.1. Skill Development Levies

5.3.2. Workmen's Compensation

6. DESCRIPTION OF THE RECORDS OF ACCOLADE WINES SOUTH AFRICA (WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION)

- 6.1. Basic Conditions of Employment Act No.75 of 1997;
- 6.2. Broad Based Black Economic Empowerment Act, 53 of 2003;
- 6.3. Companies Act, No 71 of 2008;
- 6.4. Compensation for Occupational Injuries and Health Diseases Act, No130 of 1993;
- 6.5. Competition Act, 89 of 1998;
- 6.6. Consumer Protection Act, 2008;
- 6.7. Copyright Act, No 98 of 1978;
- 6.8. Currency and Exchanges Act No.9 of 1993;
- 6.9. Customs and Excise Act, 91 of 1964;
- 6.10. Electronic Communications and Transactions Act, 25 of 2002;
- 6.11. Employment Equity Act, No 55 of 1998;
- 6.12. Financial Intelligence Centre Act, No 38 of 2001;
- 6.13. Income Tax Act, No 95 of 1967;
- 6.14. Liquor Act No.59 of 2003;
- 6.15. Labour Relations Act, No 66 of 1995;
- 6.16. National Credit Act No34 of 2005;
- 6.17. National Environmental Management Act No 107 of 1998;
- 6.18. Occupational Health and Safety Act, 85 of 1993;
- 6.19. Patents Act, 57 of 1978;
- 6.20. Prevention of Organised Crime Act No.121 of 1998;
- 6.21. Promotion of Access to Information Act, No.2 of 2000;
- 6.22. Protection of Personal Information Act, No. 4 of 2013;
- 6.23. Skills Development Act, No 97 of 1988;
- 6.24. Skills Development Levies Act, No 9 of 1999;
- 6.25. Tax Administration Act No.28 of 2011;
- 6.26. Trademarks Act, No 194 of 1993;
- 6.27. Transfer Duty Act No40 of 1949;
- 6.28. Unemployment Insurance Act, No 30 of 1966
- 6.29. Unemployment Insurance Contributions Act No.4 of 2002; and
- 6.30. Value Added Tax Act, No 89 of 1991.

It is possible that the above list may be incomplete.

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY ACCOLADE WINES SOUTH AFRICA.

The below is not exhaustive and may change over time. When this happens, we will update this manual.

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	<ul style="list-style-type: none"> - HR policies and procedures - Advertised posts - Employees records - General terms of employment - Leave records - Performance management records - Staff personnel information - Health and safety records - Training records
Companies Act Records	Records kept in terms of the Companies Act, 1973 and 2008, including: <ul style="list-style-type: none"> - Memorandum and articles of association - Memorandum of incorporation - Records relating to appointment of directors/auditor/secretary/public officer and other officers - Share register - Other statutory registers, asset register, minute books, mandates and resolutions.

Subjects on which the body holds records	Categories of records
Financial Records	<ul style="list-style-type: none"> - Annual financial statements - Tax returns - Accounting records - Banking records - BBBEE audit 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, information stored on fleet cards, travel related expenses and information, insurance records and UIF payments.
Information Technology	<ul style="list-style-type: none"> - IT Application systems - IT Infrastructure - Websites and Webstores - Contracts and agreements - Asset manager/registers - Information policies, standards, procedures and guidelines - Access control records - Network and security architectures - Applications architecture - Applications register - Integrations register - Project documentation - Support documentation - IT Metric reports
Intellectual Property	<ul style="list-style-type: none"> - Documents relating to trademarks, logos, designs, formulae and materials
Marketing and Communication	<ul style="list-style-type: none"> - New business development - Marketing strategies - Communication strategies

Subjects on which the body holds records	Categories of records
	<ul style="list-style-type: none"> - Marketing brochures - Client contact details - Media releases - Client business information
Secretarial and Governance	<ul style="list-style-type: none"> - Codes of conduct - Meetings of minutes - Legal compliance records - Licences - Policies and procedures

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

8.1.1 Accolade Wines South Africa uses personal information under its care in the following ways:

8.1.1.1. Rendering services according to contractual agreements;

8.1.1.2. Marketing and advertising;

8.1.1.3. Administration;

8.1.1.4. Staff administration;

8.1.1.5. Recruitment;

8.1.1.6. Security purposes;

8.1.1.7. Keeping accounts and records;

8.1.1.8. Compliance with tax laws / fulfilling its statutory obligations in

terms of applicable legislation; and

8.1.1.9. Historical record keeping / recording statistics necessary to fulfil Accolade Wines South Africa's business objectives.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	<p>Nature of the personal information processed in respect of the categories of data subjects, includes, in relation to:</p> <ul style="list-style-type: none"> - Natural persons: name, gender, medical information, biometric information, pregnancy, marital status, race, age, date of birth, language, education information, financial information, employment history, identity number, physical and postal addresses, contact details, criminal behaviour, disability, personal opinions, views, views and opinions of another individual about the data subject. - Juristic persons / entities: names of contact persons, name of legal entity, physical and postal addresses, contact details, registration number, founding documents, tax related information, authorised signatories and financial information. - Service providers: names of contact persons, name of legal entity, physical and postal addresses, contact details, registration number, founding documents, tax related information,
Service Providers and Suppliers	
Existing and former employees and job applicants	
Directors and officers within Accolade Wines South Africa	
Shareholders	

Categories of Data Subjects	Personal Information that may be processed
	authorised signatories, and financial information.

8.3 The recipients or categories of recipients to whom the personal information may be supplied

8.3.1 Accolade Wines South Africa may supply personal information to the following recipients:

- 8.3.1.1. Within Accolade Wines globally;
- 8.3.1.2. Regulatory, statutory and government bodies;
- 8.3.1.3. Service providers;
- 8.3.1.4. Suppliers;
- 8.3.1.5. Customers;
- 8.3.1.6. Professional advisors;
- 8.3.1.7. Employees of Accolade Wines South Africa;
- 8.3.1.8. Shareholders and other stakeholders;
- 8.3.1.9. A potential acquirer of Accolade Wines South Africa or any of its divisions as part of a due diligence process; and
- 8.3.1.10. Banks and other financial institutions.

Disclosures will be made subject to applicable law. We require all third parties to respect the security of your personal data and to treat it in accordance with the law.

8.4 Planned transborder flows of personal information

- 8.4.1 Accolade Wines South Africa intends to transfer personal information, subject to applicable law, to third parties in other countries who provide us with data hosting services on foreign cloud-based servers. We require such third parties to adhere to applicable law in respect of such cross-border transfer of personal information, and to respect the security of your personal information and to treat it in accordance with the law.
- 8.4.2 As part of an international group, we may sometimes have to send personal information to other countries for the purposes of fulfilling our contractual obligations or to meet business needs. If this is the case, we require that all third parties undertake to protect your personal information to the same level that we do.

8.5 General description of Information Security Measures to be implemented by Accolade Wines South Africa (Pty) Ltd to ensure the confidentiality, integrity and availability of the information

- 8.5.1 Accolade Wines South Africa has established and maintains appropriate, reasonable technical and organisational measures to ensure the integrity of personal information in its care and control, and to ensure that such personal information is protected against unauthorised or unlawful processing, accidental loss, destruction or damage, alteration or access by having regard to the requirements of POPIA.
- 8.5.2 Accolade Wines has defined policies, process and technical controls designed to maintain appropriate levels of Confidentiality, Integrity and Availability (CIA) within the organisation.

8.5.2.1 **Confidentiality:** we protect information from unauthorised disclosure, through the use of people (employee security awareness), process (information security policies, standards and guidelines) and technical controls (Forcepoint, Mimecast and CloudStrike).

8.5.2.2 **Integrity:** we protect information from improper modification, through both inadvertent and deliberate means:

8.5.2.2.1 users of information assets are uniquely identified as a person with rights to access the information.

8.5.2.2.2 information is only be divulged on a need-to-know basis.

8.5.2.2.3 access to information is be granted and controlled based on the principle of Least Privilege.

8.5.2.3 **Availability:** our business and disaster recovery process and technical controls minimise the loss of system or service functionality or operational effectiveness due to an unforeseen event.

9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 on <https://www.accoladewines.com/PAIA>;

9.1.2 head office of Accolade Wines South Africa for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The Information Officer of Accolade Wines South Africa will on a regular basis update this manual.

Issued by



James Reid

Information Officer and General Manager