

**PROMOTION OF ACCESS TO INFORMATION ACT,
ACT 2 OF 2000 (“The Act”)**

**MANUAL IN TERMS OF SECTION 51 OF THE ACT FOR THE
MISCHA ESTATE GROUP OF COMPANIES**



INTRODUCTION

The Mischa Estate Group are property holding, vine nursery and wine making and processors, producers, and sellers servicing both the local and export markets.

The Group comprises of the following:

Holding Company

Vineyard Logistics (Pty) Ltd – Property Holding
Mischa Premier Vines CC – Vine Nursery
Mischa Wines CC - Winery

The Group was founded during the early mid-nineties and millenium and today owns and operates on farms on the borders of Wellington, Cape Town, in South Africa. Sectors of operation include various cultivars of vines, grapes and wines. The Group has its own infrastructure in terms of engineering and maintenance workshops supported by its' own administration, processing facilities, cold storage, sales and marketing network.

PARTICULARS IN TERMS OF SECTION 51 OF THE ACT

The reference, in this Manual, to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

1. Contact Details [Section 51(1)(a)]

Head	:	JA Barns
Information Officer :		E Meyer
Email address	:	admin@mischaestate.com
Postal address	:	PO Box 163, Wellington, 7654
Street Address	:	Mischa Estate, Oakdene Road, Voorgroenberg, Wellington 7654
Telephone	:	021 - 864 1020
Fax	:	086 – 514 9819

2. The guide as described in section 10 of the Act [Section 51(1)(b)]

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. 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 offices 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. **Categories of records of the Mischa Estate Group of Companies which are available without a person having to request access in terms of the Act, i.e. voluntary disclosure.** [Section 51(1)(c)]

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

4. **Records available in terms of other legislation** [Section 51(1)(d)]

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

Basic Conditions of Employment Act 75 of 1997
Companies Act No 71 of 2008
Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
Customs and Excise Act 91 of 1964
Employment Equity Act 55 of 1998
Income Tax Act 58 of 1962
Labour Relations Act 66 of 1995
Occupational Health & Safety Act 85 of 1993
SA Reserve Bank Act 90 of 1989
Skills Development Act 97 of 1998
Skills Development Levies Act 9 of 1999
Stamp Duties Act. 77 of 1968
Unemployment Contributions Act 4 of 2002
Unemployment Insurance Act 30 of 1966
Value Added Tax Act 89 of 1991

5. **How to request a record, a description of the subjects on which we hold records, and the categories of records held on each subject** [Section 51(1)(e)]

5.1 **How to request a record**

Requests for access to records held by the Mischa Estate Group of Companies must be made on the request forms that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development website (www.doj.gov.za) (under “regulations”). For the convenience of requestors, copies of these forms are included in the version of this Manual available at our offices and on our website (www.mischaestate.com).

Requests for access to records must be made using the prescribed form, to our Information Officer at the address, fax number or electronic mail address provided.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which company within the group the request for access relates to. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

It is vital that the requester identifies **the right that he or she is seeking to exercise or protect and provides an explanation of why the requested record is required for the exercise or protection of that right.**

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 our Information Officer.

If a requestor does not use the standard form, the request may be rejected for lack of procedural compliance, refused (if sufficient information is not provided, or otherwise) or delayed.

Please note that requestors are also required to pay the prescribed fees. The list of prescribed fees in respect of requests, and in respect of access to records (if the request is granted) can be obtained from the SAHRC.

The information officer must notify the requester (other than a personal requester) of the prescribed fee (if any) before further processing the request. The requester may lodge an internal appeal or an application to Court against the tender or payment of the request fee.

The information officer will then make a decision on the request and notify the requester in the required form.

If the request is granted then a further access fee must be paid for the reproduction and the search and preparation, and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

Kindly note that all requests to the Mischa Estate Group of Companies will be evaluated and considered in accordance with the Act. Publication of this Manual and describing the categories and subject matter of information held by the group does not give rise to any rights to access such information or records, except in terms of the Act.

5.2 Subjects and categories of records held by the Mischa Estate Group of Companies

We maintain records on the following categories and subject matters. **However, 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 honoured.** All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act. In particular, there may be applicable grounds of refusal of such a request, as set out in the Act.

5.2.1: Internal records

The following are records pertaining to the group's own affairs:

- Memoranda and Articles of Association
- Financial records
- Operational records
- Intellectual property
- Marketing records;
- Internal correspondence;
- Service records;
- Statutory records;
- Internal policies and procedures;
- Minutes of meetings;
- Charters, codes of conduct and policies (both internal and external) to which Mischa and its personnel subscribe; and
- Records held by officials of the group.

5.2.2: Personnel records:

For the purposes of this section, "personnel" means any person who works for the Mischa Group and receives or is entitled to receive any remuneration. This includes, without limitation, partners, directors, all permanent, temporary and part-time staff.

Personnel records include the following:

- Any personal records provided to us by our personnel;
- Any records a third party has provided to us about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Employment policies and procedures;
- Internal disciplinary records; and

- Other internal records and correspondence.

5.2.3: Customer and Supplier-related records:

Client-related information includes the following:

- Records generated by or within the Mischa Group pertaining to the customer and/or supplier, including transactional records.

5.2.4: Other Parties:

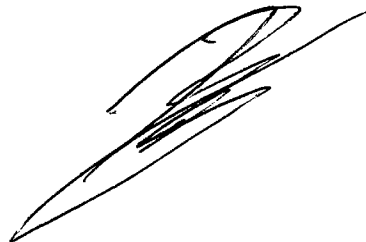
- Records are kept in respect of other parties, including without limitation joint ventures and consortia to which the group is a party, contractors and sub-contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to the group.

6. **Other information as may be prescribed** [Section 51(1)(f)]

No such information has been prescribed.

7. **Availability of the manual.** [Section 51(3)]

This manual is available from the South African Human Rights Commission (see details above), from the Head Office of Mischa Estate (see details above), and in electronic format at www.mischaestate.com.

A handwritten signature in black ink, consisting of several overlapping loops and strokes, positioned in the lower right quadrant of the page.