

**MANUAL PREPARED IN ACCORDANCE WITH
SECTION 51 OF
THE PROMOTION OF ACCESS TO
INFORMATION ACT
(ACT NO.2 OF 2000)**

**FOR
THE BIDVEST GROUP LIMITED
AND IT'S SUBSIDIARIES**

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INTRODUCTION

The Promotion of Access to Information Act of 2000 (herein after referred to as “the Act”) was enacted with the purpose of addressing Section 32 (2) of the Constitution, which provides that any person has a right to gain access to any information held by a public or private body. If the record is requested from a private body the requester needs to prove that the record is required for the exercise or protection of a right.

One of the main requirements specified in the Act is the compilation of a manual that provides information on both the types and categories of records held by the public or private body. In terms of the Act, a private body includes any former or existing juristic person.

This document serves as the Information Manual in terms of the above-mentioned Act, to provide a reference as to the records held and the process that needs to be followed to request access to such records.

COMPANY OVERVIEW

The Bidvest Group Limited (“Bidvest”) (Reg No: 1946/021180/06)

The Bidvest Group Limited is an international services, trading and distribution company, listed on the Johannesburg Stock Exchange (JSE, South Africa) and operating on four continents and employs approximately 105 000 people worldwide. The business has been in existence since 1988. Today The Bidvest Group Limited is listed in the industrial goods and services (Diversified Industrial) sector of the JSE, South Africa.

The group operates on a decentralised basis and is divided into 4 primary divisions being Bidvest Foodservice, Bidvest South Africa, Bidvest Namibia and Bidvest Corporate. Each division is structured to best suit the governance and management of the specific division.

Bidvest Foodservice:

A leading multi range manufacturer of food products and ingredients. The businesses operate through strategically located independent business units, aimed at servicing the catering, hospitality, leisure, bakery, poultry, meat and food processing industries.

Key divisional structure focuses on geographic spread of these businesses:

- **Europe**
- **Asia Pacific**
- **Southern Africa**

Bidvest South Africa:

The division includes a variety of service and product offerings across South Africa

- **Bidvest Automotive:** One of South Africa's largest motor vehicle groups offering leading motor brands through a number dealerships, as well as vehicle auctioneering.
- **Bidvest Electrical:** A leading distributor of electrical products and services.
- **Bidvest Financial Services:** A comprehensive range of banking and insurance products and services specialising in foreign exchange and insurance.
- **Bidvest Freight:** The leading private sector freight management group in sub-Saharan Africa, consisting of several independent businesses focusing on terminal operations and logistics, international clearing and freight forwarding, logistics and marine shipping agency and insurance services.
- **Bidvest Industrial:** Offers a full range of products including Yamaha products, Nissan Forklifts and imports, electrical appliances, houseware products, packaging closures and catering equipment.
- **Bidvest Office:** A leading distributor of office products, including stationery, furniture (seating and desking) and technology (copying, digital printing and cash-handling systems).
- **Bidvest Paperplus:** A leading manufacturer, supplier and distributor of commercial office products, printer products, services and stationery and packaging products, through a wide network of outlets in southern Africa, and provider of outsourced customer communication services.
- **Bidvest Rental & Products:** Products and services designed to enhance the working environment through hygiene rental equipment, consumables, laundries, indoor plants, drinking water, water coolers and specialised clothing.
- **Bidvest Services:** A range of outsourced services in cleaning, security and landscaping as well as specialised services to the industrial sector.
- **Bidvest Travel and Aviation:** Provides travel-management services, aviation services, airport lounge access and car rental through its extensive locations and distribution channels.

Bidvest Namibia:

Namibia is the holding company for Bidvest's interests in Namibia, which include fishing and a variety of commercial businesses, offering similar services as those available in South Africa.

- **Bidvest Fishery Holdings:** Namsov Fishing Enterprises, a Namibian fishing company, and its subsidiaries are engaged in various sectors of the fishing industry in Namibia offering a wide range of products which includes frozen horse-mackerel, canned pilchards, other canned products, fishmeal, fish oil and oysters.

- **Bidvest Commercial Holdings:** Offers a full range of outsourced services including travel, office automation and car hire services as well as provides freight and integrated supply chain solutions.

Bidvest Corporate:

Provides strategic direction, financial, risk and sustainability management, marketing, investor relations, corporate communications, corporate finance, houses investments and provides executive training to the Group. Investments in MSCSports and Bidvest Wits Football Club. The corporate centre adds value by identifying opportunities and implementing Bidvest's decentralised entrepreneurial business model.

LEGAL ENTITIES:

Bidvest operates through a number of legal entities, a full detailed list of these are detailed in our Annual Report, updated annually to reflect changes made to this list at financial year end, 30 June.

See link: http://bidvest.com/ar/bidvest_ar2011/interest_subsidaries_joint_ventures_associates.php

List of SA companies <http://www.bidvest.com/downloads/pdf/List%20of%20SA%20companies.pdf>

ADMINISTRATION OF THE ACT

Section 51(1)(a)

The details of the contact person who will deal with all requests made in terms of the Act relating to any of The Bidvest Group Limited entities are as follows:

Contact person: Craig Andrew Brighten
Postal address: PO Box 87274
Houghton
2041

Physical address: 18 Crescent Drive,
Melrose Arch,
2196

Phone number: +27 11 772 8700
Fax number: +27 11 772 8974
Email: craig@bidvest.co.za
Website: www.Bidvest.com

GUIDE ON HOW TO USE THE ACT

Section 51(1)(b)

The South African Human Rights Commission (SAHRC) is responsible for compiling a guide that will facilitate ease of use of the Act for requesters. This Guide is available, in all 11 official languages, from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission: PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700
Houghton
2041

Phone: +27 (11) 484-8300
Fax: +27 (11) 484-0582
Email: PAIA@sahrc.org.za
Website: www.sahrc.org.za

AUTOMATIC AVAILABILITY OF CERTAIN RECORDS

Section 51(1)(c)

- Annual financial statements including:
 - Annual accounts
 - Directors' Report
 - Auditor's Report
- Interim reports
- Information contained on The Bidvest Group Limited website: <http://www.bidvest.co.za>
- Other literature intended for public viewing.

RECORD SUBJECTS AND CATEGORIES AVAILABLE IN TERMS OF THE ACT

Section 51(1)(e)

1. Statutory company information

- Certificate of Incorporation
- Certificate to Commence Business
- Certificates of Change of Name
- Copies of forms lodged with the Registrar of Companies
- Directors' attendance register
- Memorandum and Articles of Association (to be amended to the Memorandum of Incorporation)
- Minute books
- Records of all subsidiary companies
- Register of directors and officers
- Register of directors' shareholdings
- Register of members

2. Financial and accounting records

- Accounting records (inclusive of books of account)
- Administrative records
- Internal and external audit reports
- Supporting schedules and documentation to books of account

3. Tax records

- Customs and Excise records
- Income tax returns and other documentation
- PAYE records
- Regional Services Council records
- Skills Development Levies records
- Stamp Duties records
- Value Added Tax records

4. Legal records

- Documentation pertaining to litigation or arbitration
- General agreements
- Licenses, permits and authorisations

5. Insurance records

- Claims records
- Details of insurance coverage, limits and insurers
- Insurance policies

6. Employee records

- Agreements with trade unions
- Arbitration awards
- Attendance registers
- Casual employee records
- CCMA records
- Code of conduct
- Company tax submissions in respect of employees

- Confidentiality agreements
- Disciplinary records
- Employee personal details
- Employment conditions and policies
- Employment contracts
- Employment equity plan
- Medical aid records
- Records of strikes, lockouts or protest action
- Remuneration and benefits records
- Restraint of trade agreements
- Retirement fund records
- Share option schemes registers
- Share option schemes rules
- Share purchase scheme register
- Share purchase scheme rules
- Training schedules and material

7. Share registration documents

- Dividend payment list
- Share register

8. Marketing

- Marketing and advertising records
- Brochures and other promotional records

9. Product records

- Quality testing procedures and records
- Records of the cost of goods acquired for resale and their selling price

10. Customer records and credit services

- Credit application forms
- Customer records
- Debtors with collection agents
- Records of customer details and payment performance listed with credit bureaus
- Sales records
- Terms and conditions of sale
- Transaction records

11. Supplier records

- Code of Conduct
- Terms and conditions for dealing with suppliers
- Transactional records and supporting information

12. Information technology

- Business and data information
- Domain name registrations
- IT technology capabilities

13. Fixed property and fixed assets

- Financial lease agreements

- Fixed asset registers
- Property lease agreements

14. Intellectual property

- Trademarks, trade names and protected names
- Agreements pertaining to intellectual property.

RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

Section 51(1)(d)

Where applicable to our operations, information is available in accordance with the following legislation, including but not limited to:

- Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act, No. 19 of 2006
- Air Services Licensing Amendment Act. No. 21 of 2008
- Airports Company Amendment Act, No. 14 of 2001
- ALIENS CONTROL AMENDMENT ACT, NO. 76 OF 1995
- Appropriation Act, 2008 No. 9 of 2008
- Banks Amendment Act No 20 of 2007
- Basic Conditions of Employment Act No.75 of 1997
- Bills of Exchange Amendment Act, No. 56 of 2000
- Board Based Black Economic Empowerment Act, No 53 of 2003
- Broadcasting Amendment Act, No. 4 of 2009
- Carriage by Air Amendment Act, No. 15 of 2006
- Civil Aviation Act, No. 13 of 2009
- Companies Act No. 71 of 2008 (as amended)
- Compensation for Occupational Injuries and diseases Act, No 130 of 1993
- Competition Act No. 89 of 1998
- Consumer Affairs (Unfair Business Practices) Act No. 71 of 1988
- Consumer Protection Act No 68 of 2008
- Copyright Act No. 98 of 1978
- Counterfeit Goods Act No 37 of 1997
- Criminal Law (Forensic Procedures) Amendment Act, No. 6 of 2010
- Currency and Exchanges Act No. 9 of 1933 (and Exchange Control Regulations)
- Customs and Excise Act No. 91 of 1964
- Debt Collectors Act No. 114 of 1998
- Designs Act No 195 of 1993
- Electronic Communication and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Financial Advisory and Intermediary Services Act No 37 of 2002 (as amended)
- Financial Services Board Act No. 97 of 1990
- Income Tax Act No. 58 of 1962
- Immigration Act No 13 of 2002
- King 3 Code on Corporate Governance
- Labour Relations Act No. 66 of 1995
- Medical Schemes Act No. 131 of 1998
- Merchandise Marks Act No. 17 of 1941
- National Credit Act No 34 of 2005
- Occupational Health and Safety Act No 85 of 1993

- Patents Act No 57 of 1978
- Pension Funds Act No. 24 of 1956
- Prevention of Organised Crime Act No. 121 of 1998
- Promotion of Equality and Prevention of Unfair Discrimination Act, No 4 of 2000
- Regulation of Interception of Communications and Provision of Communication-related Information Act No 70 of 2002
- Sale and Services Matters Act No. 25 of 1964
- Second Hand Good Act
- Securities Transfer Tax Act No 25 of 2007
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- South African Revenue Services Act No 34 of 1997
- Tax on Retirement Funds Act NO 38 of 1996
- Trade Practices Act No. 76 of 1976
- Trademarks Act No. 194 of 1993
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991.

ACCESS REQUEST PROCEDURE

Section 51(1)(e)

The purpose of this section is to provide requesters with sufficient guidelines to follow in order to facilitate a request for access to records held.

It is important to note that an application for access to information can be refused in the event that the application does not comply with the procedural requirements of the Act. In addition, the successful completion and submission of an Access Request Form does not automatically allow the requester access to the requested record.

Note: If it is reasonably suspected that the requester has obtained access to the Group's records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

Completion of Access Request Form

In order for the Group to respond to requests in a timely manner, the **Access Request Form** should be completed, taking due cognisance of the following *Instructions on Completion of Forms*:

- The Access Request Form must be completed in the English Language.
- Type or print in **BLOCK LETTERS** an answer to every question.
- If a question does not apply, state "N/A" in response to that question.
- If there is nothing to disclose in reply to a particular question, state "nil" in response to that question.
- If there is insufficient space on a printed form in which to answer a question, additional information may be provided on an additional folio.
- When the use of an additional folio is required, precede each answer thereon with the title applicable to that question.
- All additional folios must be signed by the requestor.

Submission of Access Request Form

The completed Access Request Form must be submitted either via conventional mail, e-mail or fax and must be addressed to the contact person as indicated in Section 51(1)(a).

An initial, non-refundable R57.00 (inc VAT) request fee is payable on submission.

Note: This fee is not applicable to Personal Requesters, referring to any person seeking access to records that contain their personal information.

Payment of Fees

Payment details can be obtained from the contact person as indicated in Section 51(1)(a) and payment can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied.

Note: If the request for access is successful, an access fee will be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees (refer attached). The access fee must be paid prior to access being given to the requested record.

Notification

Requests will be received by the contact person as indicated in Section 51(1)(a), the requester will be notified within 30 days of receipt of the completed Access Request Form. These requests will then be evaluated by the applicable entities and persons involved, including but not limited to the Divisional Executive Management, Company Management and/or functional management.

Subsequent notifications may include:

Notification of Extension Period (if required)

The requesters may be notified whether an extension period is required for the processing of their requests, including:

- The required extension period, which will not exceed an additional 30 day period;
- Adequate reasons for the extension; and
- Notice that the requester may lodge an application with a court against the extension and the procedure, including the period, for lodging the application.

Payment of Deposit (if applicable)

The requester may be notified whether a deposit is required. A deposit will be required depending on certain factors such as the volume and/or format of the information requested and the time required for search and preparation of the record(s). The notice will state:

- The amount of the deposit payable (if applicable); and

- That the requester may lodge an application with a court against the payment of the deposit and the procedure, including the period, for lodging the application.

Note: In the event that access is refused to the requested record, the full deposit will be refunded to the requester.

Decision on Request

If no extension period or deposit is required, the requester will be notified, within 30 days, of the decision on the request.

If the request for access to a record is **successful**, the requester will be notified of the following:

- The amount of the access fee payable upon gaining access to the record (if any);
- An indication of the form in which the access will be granted;
- Notice that the requester may lodge an application with a court against the payment of the access fee and the procedure, including the period, for lodging the application.

If the request for access to a record is not successful, the requester will be notified of the following:

- Adequate reasons for the refusal (refer to Third Party Information and Grounds for Refusal below); and
- That the requester may lodge an application with a court against the refusal of the request and the procedure, including the period, for lodging the application.

Third Party Information

If access is requested to a record that contains information about a third party, the Group is obliged to attempt to contact this third party to inform them of the request. This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied.

In the event of the third party furnishing reasons for the support or denial of access, our designated contact person will consider these reasons in determining whether access should be granted, or not.

Grounds for Refusal

The Group may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which the Group may refuse access include:

- Protecting personal information that the Group holds about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;
- Protecting commercial information that the Group holds about a third party or the Group (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of the organisation or the third party);

- If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement;
- If disclosure of the record would endanger the life or physical safety of an individual;
- If disclosure of the record would prejudice or impair the security of property or means of transport;
- If disclosure of the records would prejudice or impair the protection of a person in accordance with a witness protection scheme;
- If disclosure of the record would prejudice or impair the protection of the safety of the public;
- The record is privileged from production in legal proceedings, unless the legal privilege has been waived;
- Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of the Group;
- Disclosure of the record would put the Group at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
- The record is a computer programme; and
- The record contains information about research being carried out or about to be carried out on behalf of a third party or the Group.

Records that cannot be found or do not exist

If the Group has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

AVAILABILITY OF THE MANUAL

The Manual is available for inspection at the offices of The Bidvest Group Limited.

The Manual is available for download on The Bidvest Group Limited website:

<http://www.bidvest.co.za>

A copy is also available at the South African Human Rights Commission.