

MANUAL IN TERMS OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT, 2000 ("Act")

OF

**THE SOUTH AFRICAN BREWERIES LIMITED**  
(Registration Number 1998/006375/06)  
and its subsidiary companies  
("collectively, SAB")



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## **PARTICULARS IN TERMS OF THE SECTION 51 MANUAL**

### **1. INTRODUCTION TO SAB**

The South African Breweries Limited is a company registered in South Africa and is a wholly-owned subsidiary of the SABSA (PTY) Limited. SAB brews, manufactures, markets and distributes a range of malt-based alcoholic and soft drink beverages. It has numerous breweries and depots situated throughout South Africa. SAB's mission is to brew, manufacture and market fine quality refreshments in a socially responsible and progressive manner. At present, SAB has more than 16 brands of alcoholic beverages.

SAB, through its subsidiary The South African Breweries Maltings (Pty) Ltd, also carries on the business of the production, processing and selling of malt. It further carries on the business of farming and processing of hops used in the brewing of beer through another subsidiary called The South African Breweries Hop Farms (Pty) Limited.

Requests in terms of the Act shall be made in accordance with the prescribed procedures, at the rates provided. The Company Secretary has been appointed and is duly authorised by the Head of SAB to act as the person to whom requests for access to information must be made in terms of the Act.

Currently SAB has the following wholly owned subsidiaries. The categories and subjects contained in this Manual shall mutatis mutandis be applicable to the subsidiaries. Any requests in terms of this Act in respect of any of the companies listed below shall be made in terms of this Manual to the Company Secretary of SAB. Any reference to SAB shall therefore be inclusive of the subsidiaries listed below.

**Appletiser SA (Pty) Ltd; New Age Beverages (Pty) Ltd; Other Beverage Interests SA (Pty) Ltd; The South African Breweries Centenary Company (Sec 21); The South African Breweries Barley Farms (Pty) Ltd; The South African Breweries Hop Farms (Pty) Ltd; The South African Breweries Maltings (Pty) Ltd.**

The contact details for the aforesaid wholly owned subsidiaries are the same as the contact details mentioned below.

**2. CONTACT DETAILS**

**The South African Breweries Limited**

Postal address

P O Box 782178

SANDTON

2146

South Africa

Physical address

65 Park Lane

SANDTON

2196

South Africa

Telephone (011) 881 8111

Facsimile (011) 881 8030

Contact Details of the Head of SAB

Designation Chairman and Managing Director: SAB

Name Norman Joseph Adami

Telephone (011) 881 8772

Facsimile (011) 881 8510

Contact Details of the Compliance Officer and/or Request Liaison Officer

The person responsible for the administration of the Act within SAB is the following:

Designation The Company Secretary: SAB

Name Miles Charles Bromley Saxby

Telephone (011) 881 8667

Facsimile (011) 881 8510

E-mail [miles.saxby@za.sabmiller.com](mailto:miles.saxby@za.sabmiller.com)

### **3. THE GUIDE**

Requesters are referred to the Guide compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide will, according to the South African Human Rights Commission, be available by not later than August 2003. Please direct any queries to:

The South African Human Rights Commission: PAIA Unit - The Research and Documentation Department

Private Bag 2700

HOUGHTON

2041

Telephone (011) 484 8300

Facsimile (011) 484 0582

Website [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail address [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

### **4. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION**

The following records are not automatically available without a request in terms of the Act. All records and/or documents kept in compliance with the requirements of the following legislation.

#### **Companies Act 61 of 1973**

- All documents of incorporation of SAB are lodged at the offices of the Registrar of Companies, and may be inspected there. These documents include the Memorandum and Articles of Association of SAB as well as the relevant company forms.
- Special resolutions are lodged with the Registrar of Companies, and are therefore available for inspection there.
- A register of the directors' and officials' interests in contracts entered into by SAB is kept at the registered office of SAB, and is available for inspection.

#### **Pension Funds Act 24 of 1956**

The rules of the fund utilised by SAB, as well as the last revenue account and balance sheet of the fund, are available for inspection at the offices of the Registrar of Pension Funds.

## **Employment Equity Act 55 of 1998**

As a designated employer, SAB is required to publish a summary of its employment equity report in SAB's annual financial report. A copy of the employment equity report has been lodged at the Department of Labour.

## **The Income Tax Act No 58 of 1962**

## **The Liquor Act 59 of 2003**

## **Occupational Health and Safety Act 85 of 1993**

## **Import and Export Control Act 45 of 1963**

## **Customs and excise Act 91 of 1969**

## **Labour Relations Act 66 of 1995**

## **5. ACCESS TO RECORDS HELD BY SAB**

### **5.1 Subjects and categories of records held by SAB**

*Note:* This section of the Manual sets out the subject and categories of records held by SAB. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

#### **Incorporation Documents**

- The Memorandum and Articles of Association of SAB.
- The incorporation forms of SAB.
- Constitution of SAB
- The share register of SAB.
- Shareholders' agreements of SAB.
- Minutes of general meetings of the shareholders of SAB.
- Register or list of directors of SAB.
- Minute books and internal resolutions of SAB.
- Power of Attorney agreements, and a list of persons authorised to bind SAB.
- Statutory registers of SAB.

#### **Financial Records of SAB**

- Accounting records, books and documents of SAB.
- Interim and annual financial reports of SAB.
- Details of auditors of SAB, namely Price Waterhouse Coopers.
- External auditors' reports in respect of audits conducted on SAB.

- Details of actuaries of the pension scheme utilised by SAB.
- Tax returns of SAB.
- Other documents and agreements relating to taxation.
- Other financial records of SAB.

### **Banking Details of SAB**

- Indebtedness to bankers.
- Bank facilities and accounts details.
- Bank statements.
- Debt securities issued by SAB.
- Guarantees given by, or in respect of, SAB.
- Agreements with various credit card companies.
- Other financial commitments of SAB.
- Other banking records of SAB.

### **Human Resources / Employment Records**

- List of employees.
- Contracts of employment with directors, officers and employees of SAB.
- Expenditure or reimbursement agreements with directors of SAB.
- Documents relating to employee benefits.
- Compensation or redundancy payments.
- Documents and information in respect of nominations for participation in the SAB Executive Share Purchase Scheme
- Personnel files.
- Collective agreements with trade unions.
- Recognition agreements with trade unions.
- Employment equity plan of SAB.
- Procedural agreements and policies of SAB.
- Disciplinary records and documentation pertaining to disciplinary proceedings.
- Training manuals.
- Other information relating to employees of SAB.

### **Intellectual Property**

- Trademarks, patents, copyrights, designs held by SAB.
- Licences relating to intellectual property rights.
- Other agreements relating to intellectual property rights.

## **Permits**

- Licences, material permits, consents, approvals, authorisations and certificates.
- Applications for permits, licences etc.
- Registrations and declarations of permits.

## **Insurance Records**

- Insurance policies taken out for the benefit of SAB and its employees.

## **Immovable and Movable Property**

- Title deeds of land owned by SAB.
- Agreements for the lease or sale of land and/or other immovable property by SAB.
- Agreements for the lease or sale of movable property by SAB.
- Mortgage bonds, liens, Notarial bonds or security interests on property.
- Other agreements for the purchase, ordinary sale, conditional sale, or hire of assets.

## **Information Technology**

- Procurement Agreements.
- Infrastructure maintenance and support Agreements.
- Software vendor license, maintenance and support agreements.
- Development agreements.
- Consulting agreements.

## **Policy Documents**

- Corporate Governance.
- Ethics Policy.
- Environmental Policy
- Fraud and Crimes of Dishonesty Policy.
- Occupational Health and Safety Policy.
- Smoking Policy.
- Product Recall policy
- Alcohol Policy
- Benefit Funds Policy.
- Risk Management Practice.

## **Miscellaneous agreements of SAB**

- Structured finance agreements.
- Loans from third parties (including banks).
- Suretyship agreements.
- Security agreements, guarantees and indemnities, including notarial bond agreements.
- Agreements restricting the trading activities of SAB.
- Agency, management and distribution agreements.
- Sponsorship agreements.
- Marketing agreements, including marketing and event management plans, promotional brochures and publications, media releases and brand information.
- Royalty agreements.
- Agreements in terms of which SAB is a member of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity, which SAB is a party to.
- Supply agreements.
- Agreements with wholesalers, retailers and customers of SAB.
- Confidentiality and/or non-disclosure agreements.
- Any other agreements.

## **Correspondence**

- Correspondence of SAB, including internal and external memoranda.

## **Information relating to legal proceedings**

- Records relating to legal proceedings involving SAB.

## **Environmental records**

- Environmental impact assessments and documents pertaining to studies conducted in this regard.
- Agreements pertaining to environmental issues.
- Policy of SAB regarding environmental issues.
- Environmental performance indicators.

## **Research and scientific or technical information of SAB**

- Documentation pertaining to research conducted by SAB.
- Scientific and/or technical information in the possession of SAB.



## **Other information**

- Building plans of SAB.
- Quality assurance and control policy documents.
- Customer profiles.

## **5.2 The request procedures**

### **Form of request**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of SAB. This request must be made to the address, fax number or electronic mail address of the head of SAB.
- The requester must provide sufficient detail on the request form to enable the head of SAB to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of SAB.

### **Fees**

- The head of SAB will notify the requester (other than a personal requester) by notice, requiring the requester to pay the fee of R50 before further processing the request. A personal requester does not pay such fee.
- The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- The head of SAB 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 search, reproduction, preparation and for any time that had exceeded the prescribed hours to search and prepare the record for disclosure.

## **6. AVAILABILITY OF THE MANUAL**

The Manual is available for inspection at the offices of SAB free of charge and on the SAB website [www.sabliterated.co.za](http://www.sabliterated.co.za). Copies are also available with the SAHRC and in the Government Gazette.

## **7. PRESCRIBED FEES AND FORMS IN RESPECT OF PRIVATE BODIES**

The prescribed forms and fees for requests to private bodies are available on the website of the Department of Justice and Constitutional Development: [www.doj.gov.za](http://www.doj.gov.za)