TopFruit

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Registration Number of Company:

1983/011322/07

TOPFRUIT (PTY) LTD

MANUAL

in terms of

Section 51 of

The Promotion of Access to Information Act

2/2000

(the "ACT")

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PO Box 73
Simondium 7670
South Africa

Directors
GC du Toit
R Graaff
LR Jeffery
RS Meihuizen
G Comrie
EJ Duvenage

Reg No: 1983/011322/07

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1. INTRODUCTION

TopFruit is a private company that was established in 1983 to offer a comprehensive service from the importation of plant material to the marketing of commercialised fruit brands. TopFruit performs the following functions in the South African fruit industry:

- ***Plant material management***
  a) In compliance with the Plant Improvement Act, 1976 (Act No. 53 of 1976), TopFruit-
    - authorize the import of unlisted varieties for evaluation.
    - sell and establish locally developed unlisted varieties for evaluation purposes.
    - facilitate the application of import permits for plant material.
    - facilitate and oversee the importation and quarantine of plant material.

  b) In compliance with the Deciduous Fruit Plant Certification Scheme [www.plantsa.co.za], promulgated under the Plant Improvement Act (Act 53 of 1976), TopFruit-

    - multiplicate plant material in a Foundation Nursery upon release from quarantine
    - apply for candidate clones.
    - establish and maintain trees and vines in a Nucleus Facility and evaluation test sites.
    - evaluate trees and vines (horticultural as well as harvest and storage of fruit).
    - establish and maintain Foundation and Mother Blocks for multiplication of trees after Variety Listing.
    - apply to certify listed varieties.
    - Verify tree sales and block information.
- ***Breeder relations*** – Variety listing, plant breeder rights and trademark applications in relevant Southern African countries, annual breeder reports on a variety's performance in Southern Africa, business plans, export shipment declaration reports, royalty management and payments.
- ***Grower company management*** – the setting up of Grower companies, contracts, and agreements as well as contracts for breeders, growers and marketers.
- ***Licensing*** – executing propagation and non-propagation agreements.
- ***Quality control*** – all fruit quality standard monitoring and management in Southern Africa
- ***Royalty management*** – From grower invoices to payments of breeders.
- ***Marketing and merchandising*** – development of annual marketing and merchandising programs, growing the market share of fruit varieties in retail environments within Southern Africa.

2. COMPANY CONTACT DETAILS

Directors:

RS Meihuizen (Managing)

LR Jeffery

GC du Toit

R Graaff

G Comrie

EJ Duvenage

COO / IO: Mr. H Coetzee

Postal Address: P.O. Box 73, Simondium, 7670

Street Address: Watergat Road, Simondium, 7670

Telephone Number: 021-8741033

Fax Number: 021-874 2110

Email: heinc@topfruit.co.za

3. THE ACT

3.1 The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.
The contact details of the Commission are:

Postal Address:	Private Bag 2700, Houghton, 2041
Telephone Number:	+27-11-877 3600
Fax Number:	+27-11-403 0625
Website:	www.sahrc.org.za

4. APPLICABLE LEGISLATION

Applicable legislation and associated records held by the Company include -

No	Ref	Act
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 24 of 2010	Skills Development Levies Act
5	No 4 of 2013	POPI Act
6	No 130 of 1993	COIDA
7	No 95 of 1967	Income Tax Act
8	No 66 of 1995	Labour Relations Act
9	No 89 of 1991	Value Added Tax Act
10	No 53 of 1976	Plant Improvement Act
11	No 75 of 1997	Basic Conditions of Employment Act
12	No 69 of 1984	Close Corporations Act
13	No 25 of 2002	Electronic Communications and Transactions Act
14	No 2 of 2000	Promotion of Access of Information Act
15	No 30 of 1996	Unemployment Insurance Act
16	No 15 of 1976	Plant Breeders Act of 1976 *(Will be replaced by Act 12 of 2018 once implemented in full)*

5. Schedule of Records

Records	Subject	Availability
Products and Services	• Varietal information Pome Fruit • Varietal information Stone Fruit • Varietal information Table Grapes • Varietal information Berries • Varietal information Kiwi's • Brands and Trademarks • News and media releases • Newsletters • Technical product videos • Media Releases	Freely available on web site www.topfruit.co.za

Marketing / Technical	• Market Research Information
	• Public Customer Information:
	  ○ Product Brochures
	  ○ Technical Manuals
	• Evaluation Records
	• Storage Trial Records
	• Tree Sales Records
		Request in terms of PAIA
		Request in terms of PAIA
		Request in terms of PAIA
		Request in terms of PAIA
		Request in terms of PAIA
		Request in terms of PAIA
		Request in terms of PAIA

	• Trademark Marketing Strategies	Request in terms of PAIA
	• PBR certificates	Request in terms of PAIA
	• Variety Listings	Request in terms of PAIA
	• Ha's planted of TopFruit Varieties	Request in terms of PAIA
Grower / Exporter Details	• Contracts per Grower/ Exporter	Request in terms of PAIA
	• Production volumes per Grower Exporter	Request in terms of PAIA
	• Grower planting details	Request in terms of PAIA

6. FORM OF REQUEST

To facilitate the processing of your request, kindly:

6.1 Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

6.2 Address your request to the Head of the Company (CEO).

6.3 Provide sufficient details to enable the COMPANY to identify:

(a) The record(s) requested;

(b) The requester (and if an agent is lodging the request, proof of capacity);

(c) The form of access required;

(d) (i) The postal address or fax number of the requester in the Republic;

(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;

(e) The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7. PRESCRIBED FEES

The following applies to requests (other than personal requests):

7.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;

7.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);

7.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;

7.4 Records may be withheld until the fees have been paid.

7.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.