



TopNut

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Registration Number of the Company:

2022/442972/07

TOPNUT (PTY) LTD

MANUAL

In terms of

Section 51 of

The Promotion of Access to Information Act

2/2000

(the "ACT")



TopNut

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1. INTRODUCTION

TopNut is a private company that was established in 2022 as a joint venture between TopFruit (Pty) Ltd and Agristar Holdings (Pty) Ltd. TopNut is an international nut IP management company and performs the following functions:



TopNut

- **Plant material management**
 - a) In compliance with the [Plant Improvement Act, 1976 \(Act No.53 of 1976\)](#), TopNut
 - 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
- **Breeder and grower relations** - Variety listing, plant breeder's rights and trademark applications in South Africa and globally, annual breeder reports on a variety's performance In South Africa and globally, business plans, export shipment declaration reports, royalty management and payments.
- **Licensing** - executing propagation and non-propagation agreements.
- **Royalty management** - From grower invoices to payment to breeders
- **Marketing and merchandising** - development of annual marketing and merchandising programs, growing the market share of nut varieties In retail environments within South Africa but also globally.

2. COMPANY CONTACT DETAILS

Directors:

E. Duvenage

R.S. Meihuizen

W. van Rooyen

W. van Niekerk

General business developer/IO: Anneli Bosman



TopNut

Postal Address: P.O. Box 73, Simondium, 7670
Street Address: TopFruit Farm, R45, Simondium, 7670
Telephone number: 021-874 1033
Fax number: 021- 874 2110
E-mail: annelib@topnutgroup.com

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 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: +27-011-403 0625
Website: www.sahrc.org.za

4. APPLICABLE LEGISLATION

Applicable legislation and associated records held by the Company include:

<u>No</u>	<u>Ref</u>	<u>Act</u>
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



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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 (<i>Will be replaced by Act 12 of 2018 once implemented in full</i>)

5. SCHEDULE OF RECORDS

<u>Records</u>	<u>Subject</u>	<u>Availability</u>
Products and Services	Varietal Information tree nuts	Freely available on website
	Varietal Information peanuts	www.topnutgroup.com
Marketing/technical	Market Research Information	Request in terms of PAIA
	Public Customer Information	Request in terms of PAIA
	Product Brochures	Request in terms of PAIA
	Technical Manuals	Request in terms of PAIA
	Evaluation Records	Request in terms of PAIA
	Storage Trial Records	Request in terms of PAIA
	Tree Sales Records	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 TopNut 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



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)

6.2 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 requester 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 requester 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