

	SOP No.	AGRI-C-0021
	Version No. 1	Revision Date.
	Controller	SM
	Effective	11/10/2023
ACCESS TO INFORMATION		

1. Purpose

To recognise certain limitations to the right of access to information, including, but not limited to, limitations aimed at the reasonable protection of privacy and commercial confidentiality.

2. Scope

The policy describes the procedure to be followed by a requester when requesting records from Agri-Canaan.

3. Process to Submit a Request for Information

- i) A request for access to records must be submitted in the prescribed form **AGF0026**.
- ii) All relevant portions of the application must be completed and forwarded to Agri-Canaan for the attention of the CB Administrator via e-mail to info@agri-canaan.com
- iii) The request may be made by anyone who acts in his/her own interests or acts on behalf of someone who cannot himself/herself do so.

4. Nature of the Request

- i) The requester must indicate if a copy of the record is required or if the requester prefers to inspect the record at the Agri-Canaan office.
- ii) A requester should get access in the manner that has been asked for, unless doing so would interfere unreasonably with the running of the public body concerned, or damage the record, or infringe a copyright not owned by Agri-Canaan.
- iii) If, in addition to a written reply to their request for the record, the requester wants to be told about the decision on the request for information in any other way, e.g. telephone, this must be indicated.
- iv) If a requester requires the information on behalf of somebody else, the capacity, accompanied by a power of attorney letter, in which the request is being made, should be made available.

5. Refusal of Access to Information

Agri-Canaan may refuse a request for access to records if:

- i) it involves the unreasonable disclosure of personal information about a third party.
- ii) disclosure constitutes a breach of confidence owed to a third party in terms of an agreement.
- iii) the disclosure of information supplied in confidence by a third party could put that third party at a disadvantage in contractual or other negotiation or prejudice that third party in commercial competition or the records contain trade secrets, financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party.
- iv) there is protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;

- v) there is protection of confidential information of third parties if it is protected in terms of any agreement or legislation.
 - vi) there is protection of the safety of individuals and the protection of property;
 - vii) there is protection of records which would be regarded as privileged in legal proceedings.
 - viii) there are commercial activities of Agri-Canaan, including trade secrets; financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of Agri-Canaan.
 - ix) information which, if disclosed, could put Agri-Canaan at a disadvantage in negotiations or commercial competition.
 - x) to a computer program which is owned by Agri-Canaan which is protected by copyright.
 - xi) there is research information of Agri-Canaan or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage.
 - xii) the request for information that is clearly frivolous or vexatious, or which involves an unreasonable diversion of resources shall be refused.
6. In accordance with the Agri-Canaan procedures, any person involved in Agri-Canaan 'certification activities shall not disclose any information obtained in the performance of such a function except:
- i) if such information is required in terms of any law or as evidence in any court of law.
 - ii) to any competent authority which requires it for the institution, or an investigation with a view to the institution, of any criminal prosecution.
 - iii) or all records and information associated with the application, granting, maintaining, reducing, suspending or withdrawal of certification, compliant status of any Agri-Canaan applicant.
 - iv) signed certification agreements, sub-license agreements, memorandums of understandings, independent contractor agreements and any other contractual agreements.
 - v) Records of Agri-Canaan personnel, contracted personnel, and committee members.
 - vi) Records of complaints and appeals.
 - vii) Agri-Canaan financial records.