

Section 51 Manual for

IMPALA PLATINUM HOLDINGS LIMITED

("Implats")

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

("the Act")

for

**Impala Platinum Holdings Limited
and certain of its Subsidiary Companies**

NAME

Impala Platinum Holdings Limited

Afplats (Pty) Ltd
Biz Africa 1866 (Pty) Ltd
Gazelle Platinum Limited
Imbasa Platinum (Pty) Ltd
Impala Chrome (Pty) Ltd
Impala Holdings Ltd
Impala Platinum Investments (Pty) Ltd
Impala Platinum Ltd
Impala Platinum Properties (Johannesburg) (Pty) Ltd
Impala Platinum Properties (North West) (Pty) Ltd
Impala Platinum Properties (Rustenburg) (Pty) Ltd
Impala Platinum Zimbabwe (Pty) Ltd
Impala Refining Services Ltd
Inkosi Platinum (Pty) Ltd
Marula Platinum (Pty) Ltd
Micawber 399 (Pty) Ltd
Two Rivers Platinum (Pty) Ltd

Zimbabwe operations

Zimbabwe Platinum Mines (Private) Ltd

Off-shore companies

Impala Platinum BV
Impala Platinum Japan Ltd
Mimosa Investments Ltd
Tau Mining Botswana (Pty) Ltd

Zimplats Holdings Ltd

(collectively referred to as “the Implats group of companies”)

INTRODUCTION

Impala Platinum Holdings Limited is one of the world's leading producers of PGMs and associated base metals.

PART 1 - Contact details

Designated Information Officer : The Information Officer

E-mail : InformationOfficer@implats.co.za

Address : 2 Fricker Road
Illovo
2196
Johannesburg
South Africa

Postal Address : Private Bag X18
Northlands
2116

Telephone Number : +27 11 731 9000

Fax Number : +27 11 731 9254

PART 2 – The official guide

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act. Inquiries should be directed to:

Address : South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Telephone : +27 11 877 3642

Fax : +27 11 403 0625

Website : www.sahrc.org.za

Email : paia@sahrc.org.za

PART 3 – Voluntary disclosure and automatic availability of certain records (Section 52(1))

The following categories of records are automatically available for inspection, purchase or photocopying. In other words, you do not need to request this information in terms of the Act. Request for these categories of information must be directed via email to InformationOfficer@implats.co.za. Some of the information is available on the website at www.implats.co.za.

- Reports
- Circulars to shareholders
- Code of ethics
- Other literature intended for public viewing
- Public customer information
- Product brochures
- Trading sites and product exhibition
- Copies of statutory notices i.t.o. copyrights

PART 4 – Information available in terms of other legislation (Section 51(1)(d))

Where applicable to our operations, information is also available in terms of the following statutes and their provisions, as amended from time to time:

- Air Quality Act No. 39 of 2004
- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Companies Act No.71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Constitution of South Africa Act No. 108 of 1996
- Copyright Act No. 98 of 1987
- Deeds Registries Act No. 47 of 1937
- Employment Equity Act No. 55 of 1998
- Environmental Laws Rationalisation Act No. 51 of 1997
- Explosives Act No. 26 of 1956
- Firearms Control Act No. 60 of 2000
- Income Tax Act No. 58 of 1962
- Insider Trading Act No. 135 of 1998
- Labour Relations Act No. 66 of 1995
- Long-Term Insurance Act No. 52 of 1998
- Marketable Securities Act No. 32 of 1948
- Medical Schemes Act No. 131 of 1998
- Mine Health and Safety Act No. 29 of 1996
- Mineral and Petroleum Resources Development Act No. 28 of 2002
- Mineral and Petroleum Resources Royalty Act No. 28 of 2008
- Mineral and Petroleum Resources Royalty (Administration) Act No. 29 of 2008
- National Environmental Management Act No. 107 of 1998
- National Water Act No. 36 of 1998
- Occupational Health and Safety Act No. 85 of 1993
- Patents Act No. 57 of 1987

- Pension Funds Act No. 24 of 1956
- Precious Metals Act No. 37 of 2005
- Preferential Procurement Policy Framework Act No. 5 of 2000
- Promotion of Access to Information Act No. 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act No 4 of 2000
- Protected Disclosures Act No. 26 of 2000
- Safety at Sports and Recreational Events Act No. 2 of 2010
- Sea Transport Documents Act No. 65 of 2000
- Short-Term Insurance Act No. 53 of 1998
- Skills Development Act No. 97 of 1998
- Skills Development Levy Act No. 9 of 1999
- South African Reserve Bank Act No. 90 of 1989
- Stamp Duties Act No. 77 of 1968
- Stock Exchange Control Act No. 1 of 1985
- Trademarks Act No. 194 of 1993
- Transfer Duty Act No. 40 of 1949
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991
- Waste Management Act No. 59 of 2008

PART 5 – Information available (Section 51(1)(e))

We hold the following categories of information:

Community Development

- Project Information

Public / Investor Relations

- Analyst and Media liaison information
- Presentations
- Company publications and brochures

Secretarial

- Company statutes
- Registers
- Minutes of meetings
- Statutory returns
- Register of members
- Company CM forms
- Company policies and procedures
- Code of practice
- Approval framework
- Circulars issued to members
- Financial statements
- General records

Legal

- Legal agreements and controls
- Loans from and to third parties
- Competition notices
- Mining licences/mining rights
- Prospecting permits/Prospecting rights
- Environmental management plans for prospecting
- Environmental management programmes for mining
- Prospecting work programmes for prospecting rights
- Mine work programmes for mining rights
- Social and labour plans for mining rights
- Compliance reports as submitted in terms of the Mineral and Petroleum Resources Development Act
- Mining Leases
- Mineral Leases
- Applications for Mining rights, prospecting rights and applications in terms of various sections of the Mineral and Petroleum Resources Development Act
- Deeds of Transfer
- Cessions/certificates of old order mineral rights

Human Resources

- Remuneration
- Employee relations
- Employment equity plans
- Organisation structures
- Policies and procedures
- Employee information
- Personnel records
- Employment contracts
- Training and development
- Health and safety records
- Social responsibility
- Medical aid
- Provident and pension fund information

Health

- Drug register and prescription records
- Admissions/discharges
- Statistics
- Patient records
- Treatment records
- Death reports
- Occupational health records

Safety

- Safety reports
- Incidents and accident reports
- Data and statistics
- Safety inspections and audits
- Claims and compensation

Projects

- Data and statistics
- Reports
- Procurement information
- Project specifications and information
- Quality and standards
- Environmental reports and audits

Geology

- Fall of ground register
- Quality assurance
- Reports
- Mine plans and drawings
- Surveying and drafting
- DMR applications
- Mineral resource and mineral reserve statements
- Data and statistics
- Exploration and evaluation drilling
- Geophysical information
- Production results
- Ore accounting

Engineering

- Log books
- Maintenance records
- Standards and specifications
- Environmental management plans
- Machinery and equipment records
- Explosive control records

Operations

- Ventilations reports and statistics
- Fire reports
- Water reports
- Gas emission reports
- Dust reports
- Log books
- Feasibility studies
- Mine plans and mine design

- Metal accounting analyses
- Equipment and plan information
- Dispatch documentation
- Standard certificates

Financial

- Business plans and budgets
- Risk management
- Information technology
- Capital expenditure
- Taxation
- Treasury reports
- Accounting records
- Fixed asset registers
- Financial statements and management accounts
- Tax records and returns
- VAT records and returns
- Bank statements and cheques

Intellectual property

- Trademarks
- Copyright
- Patents
- Licences

Marketing

- Market information
- Public customer information
- Product brochures
- Owner manuals
- Price information
- Sales reports
- Marketing reports
- PGM import/export statistics
- Industry news and information

Immovable and moveable property

- Title deeds of land owned by the Companies
- Agreements for the lease or sale of properties/buildings owned by the Companies
- Leases in respect of vehicles
- Office equipment leases
- Property records and leases

Insurance

- Insurance policies
- Property records and leases

PART 6 – Availability of manual

The manual is available for inspection at the office of Implats free of charge, and on the Implats website (refer to Part 2 of the manual). Copies are also available with the SAHRC and in the Government Gazette.

PART 7 – Manner of access

If you wish to request access to any of the above categories of information (except for information disclosed in Part 3), you are required to complete the request form attached as Annexure A.

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protect and explain why the record you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

ANNEXURE "A"
FORM C

REQUEST FOR ACCESS TO RECORD
Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No 2 of 2000)
[Regulation 10]

A. Particulars of private body

The Head:

.....
.....
.....

B. Particulars of person requesting access to the record

*(a) The particulars of the person who requests access to the records must be given below.
(b) The address and/or fax number in the Republic to which information is to be sent must be given.
(c) Proof of the capacity in which the request is made, if applicable, must be attached.*

Full Name and Surname:
.....

Identity Number:

Postal Address:
.....
.....

Telephone Number: Fax Number:

E-mail Address:

Capacity in which request is made, when made on behalf of another person:
.....

C. Particulars of person on whose behalf request is made:

This section must be completed only if a request for information is made on behalf of another person.

Full Name and Surname:
.....

Identity Number:

D. Particulars of record:

(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
(b) If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.**

- 1. Description of record or relevant part of the record:
- 2. Reference number, if available:
- 3. Any further particulars of record:

E. Fees

(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.
(b) You will be notified of the amount required to be paid as the request fee.
(c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

| | |
|-------------------|---|
| Disability: | Form in which record is required: |
| | |
| | |
| | |

Mark the appropriate box with an "X"

NOTES:

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

| | | | | | |
|---|---|--|---|-----|----|
| 1. If the record is in written or printed form: | | | | | |
| | Copy of record* | | Inspection of record | | |
| 2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.) | | | | | |
| | View the images | | Copy of the images* | | |
| | | | Transcription of the images* | | |
| 3. If record consists of recorded words or information which can be reproduced in sound: | | | | | |
| | Listen to the soundtrack (audio cassette) | | Transcription of soundtrack* (written or printed document) | | |
| 4. If record is held on computer or in an electronic or machine-readable form: | | | | | |
| | Printed copy of record | | Printed copy of information derived from the record* | | |
| | | | Copy in computer readable form* (stiffy or compact disc) | | |
| * If you requested a copy or transcription of a record (above), do you wish for a copy or transcription to be posted to you? Postage is payable. | | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">NO</td> </tr> </table> | YES | NO |
| YES | NO | | | | |

G. Particulars of right to be exercised or protected:

If the provided space is inadequate please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

Indicate which right is to be exercised or protected:

.....

.....

Explain why the requested record is required for the exercising or protection of the aforementioned right:

.....

.....

.....

H. Notice of decision regarding request for access:

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

.....
.....
.....

Signed at this day of20.....

.....
SIGNATURE OF REQUESTER/PERSON
ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B

AN EXPLANATORY NOTE ON FEES TO BE CHARGED WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000.

The fees chargeable by private bodies are contained in Part III of Annexure "A" of the Regulations. A copy of Part III is attached for your convenience. The present charges are as follows:

1. Copies of a manual

Should an individual require a copy of the private body's manual, a fee of R1.10 is chargeable for every photocopy of an A4 page or part thereof.

2. Reproduction fees¹

Reproduction fees apply to obtaining copies or transcriptions of information which is automatically available from the private body. The fees are listed in paragraph 2 of Part III of Annexure "A" to the Regulations.

3. Access fees²

Access fees are chargeable for copies or transcriptions of information requested under this Act. The fees are listed in paragraph 4 of Part III of Annexure "A" to the Regulations.

4. Other fees

4.1 A request fee³ of R50.00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester. See paragraph 6 of Part 1 of this document.

4.2 A search fee⁴ may be charged at a rate of R30.00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.

4.3 If the request is not limited to records containing information which is personal to the requester and if the head of the private body is of the opinion that the time taken to give effect to the request will exceed six hours the requester can be called upon to pay a deposit of not more than one third of the estimate of the access fee which will become payable.⁵

4.4 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.

¹ Section 52(3) and Regulation 1(1)

² Section 54(7) and Regulation 11(3)

³ Section 54(1) and Regulation 11(2)

⁴ Annexure "A", Part III, Item 4(1)(f)

⁵ Section 54(2)

PART III

FEES IN RESPECT OF PRIVATE BODIES

| | Rands |
|--|--------|
| 1 The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1.20 for every photocopy of an A4-size page or part thereof | |
| 2 The fees for reproduction referred to in regulation 11 (1) are as follows: | R1.10 |
| a) For every photocopy of an A4-size page or part thereof | R0.75 |
| b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | R7.50 |
| c) For a copy in a computer-readable form on:- | R70.00 |
| (i) stiffy disk | |
| (ii) compact disk | |
| d) For a transcription of visual images, | R40.00 |
| (i) for an A4-size page or part thereof | R60.00 |
| (ii) For a copy of visual images | |
| e) | R20.00 |
| (i) For a transcription of an audio record, for an A4-size page or part thereof | |
| (ii) For a copy of an audio record | R30.00 |
| 3 The request fee payable by a requester, other than a person requester, referred to in regulation 11 (2) is R50.00. | |
| 4 The access fees payable by a requester referred to in regulation 11 (3) are as follows: | |
| (1) | |
| a) For every photocopy of an A4-size page or part thereof | R1.10 |
| b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | R0.75 |
| c) For a copy in a computer-readable form on:- | |
| (i) stiffy disk | R7.50 |
| (ii) compact disk | R70.00 |
| d) For a transcription of visual images, | R40.00 |
| (i) for an A4-size page or part thereof | R60.00 |
| (ii) For a copy of visual images | |
| e) | R20.00 |
| (i) For a transcription of an audio record, for an A4-size page or part thereof | |
| (ii) For a copy of an audio record | R30.00 |
| f) To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and preparation. | |
| (2) For purposes of section 54 (2) of the Act, the following applies | |
| a) Six hours as the hours to be exceeded before a deposit is payable; and | |
| b) one third of the access fee is payable as a deposit by the requester. | |
| (3) The actual postage is payable when a copy of a record must be posted to a requester | |