

THE PROMOTION OF ACCESS TO INFORMATION MANUAL

("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 ("PAIA") AND
UPDATED IN LIGHT OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013
("POPI"). THIS MANUAL LISTS THE TYPES AND CATEGORIES OF RECORDS HELD**

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

NAME

Impala Platinum Holdings Limited

Afplats (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

1. INTRODUCTION

Impala Platinum Holdings Limited (Implats) is one of the world's foremost producers of Platinum Group Metals (PGMs). Implats is committed to conducting its business in an ethical and fair manner and subscribes voluntarily to the most stringent legal prescriptions.

2. PURPOSE OF THE PROMOTION OF ACCESS TO INFORMATION ACT

PAIA was enacted by the South African Parliament to give effect to the constitutional right, held by everyone in South Africa, to access information which is held by the State or any other person. Said information must be required for the exercise or protection of any right. Where a request is made in terms of PAIA, the body to which the request is made is obliged to give access to the requested information, except where PAIA expressly provides that the information may or must not be released.

It is important to note that PAIA recognises certain limitations to the right of access to information, including (but not exclusively) limitations aimed at the reasonable protection of privacy; commercial confidentiality; effective, efficient and good governance. The limitations espoused by PAIA are effected in a manner which balances that right with any other rights, including such rights contained in the South African Bill of Rights.

POPI was enacted on 19 November 2013, to promote the protection of personal information processed by public and private bodies. POPI amended certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information.

3. INFORMATION MANUAL

One of the main requirements specified in PAIA is the compilation of an information manual that provides information on both the types and categories of records held by a private body. This document serves as Implats information manual.

This information manual is compiled in accordance with section 51 of PAIA and the Schedule to POPI. This manual seeks to give a description of the records held by and on behalf of Implats; to outline the procedure to be followed and the fees payable when requesting access to any of these records in the exercise of the right of access to information, with a view of enabling requesters to obtain records which they are entitled to in a quick, easy and accessible manner.

This information manual is available for public inspection:

- at the physical address of Implats, recorded below, free of charge;
- on this website, free of charge; and
- on request by any person, along with payment of a prescribed fee.

The information manual is available from the designated Information Officer, whose details appear below

Implats 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

Information Regulator's Guide

An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPI. This Guide is made available by the Information Regulator (established in terms of POPI). Copies of the updated Guide are available from Information Regulator in the manner prescribed. Any enquiries regarding the guide should be directed to:

Postal Address: P.O Box 31533, Braamfontein, Johannesburg, 2017
Telephone Number: 012 406 4818
Fax Number: 086 500 3351
E-mail Address: infoereg@justice.gov.za
Website: <http://www.justice.gov.za>

4. AUTOMATIC DISCLOSURE

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

5. TYPES AND CATEGORIES OF RECORDS

Records held in accordance with 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:

- Basic Conditions of Employment Act No. 75 of 1997
- Broad Based Black Economic Empowerment Act No.53 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
- Customs and Excise Act No. 91 of 1964 Copyright Act No. 98 of 1987
- Deeds Registries Act No. 47 of 1937
- Employment Equity Act No. 55 of 1998
- Environmental Conservation Act No.73 of 1989
- Environmental Laws Rationalisation Act No. 51 of 1997
- Explosives Act No 15 of 2003;
- Explosives Act No. 26 of 1956
- Firearms Control Act No. 60 of 2000
- Financial Markets Act No 19 of 2012
- Income Tax Act No. 58 of 1962
- Insider Trading Act No. 135 of 1998
- Labour Relations Act No. 66 of 1995
- 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 Environmental Management: Air Quality Act No 39 of 2004
- National Water Act No. 36 of 1998
- Occupational Health and Safety Act No. 85 of 1993
- Occupational Diseases in Mines and Works Act No.78 of 1973
- Patents Act No. 57 of 1987
- Pension Funds Act No. 24 of 1956
- Precious Metals Act No. 37 of 2005
- Engineering Professions Act 46 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
- Skills Development Act No. 97 of 1998
- Skills Development Levy Act No. 9 of 1999
- South African Reserve Bank Act No. 90 of 1989
- 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

The above is not an exhaustive list of statutes that may require Implats to keep records.

6. SUBJECT CATEGORIES OF RECORDS

The information is classified and grouped according to records relating to the following subjects and categories:

6.1. Personnel Records

"Personnel" refers to any person who works for or provides services to or on behalf of Implats and receives, or is entitled to receive, remuneration and any other person who assists in carrying out or conducting the business of Implats. It includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.

Personal records provided by personnel include:

- Records provided by a third party relating to Implats personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records, including job applications;
- Internal evaluation records and other internal records;
- Correspondence relating to, or emanating from, personnel (internal and external to the organization);
- Training schedules and material; and
- Payment records (and beneficiary payments), including banking details.

6.2. Customer Related Records

"Customer" refers to any natural or juristic entity that receives goods or services from Implats. This includes prospective clients of Implats, but which or who ultimately do not become Implats customers.

Customer related records include:

- Records provided by a customer to a third party acting for or on behalf of Implats;
- Records provided by a third party;
- Records generated by or within relating to its customer;
- Transactional records and recorded call center calls if any;
- Correspondence with a customer that is implicitly or explicitly of a private or confidential nature; and
- Records pertaining to a customer retrieved from "other sources", such as any credit bureau or credit provider's industry association.

6.3. Private Body Records

These records include, but are not limited to, the records which pertain to Implats own affairs.

These include:

- Financial records;
- Operational records;
- Information technology;
- Communication;
- Administrative records, such as contracts and service level agreements;
- Product records;
- Statutory records;
- Internal Policies and procedures; and
- Human resources records.

6.4. Other Party Records

These records include:

- Records held by Implats pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party (for example third party beneficiaries or employees of a client), and records third parties have provided about Implats contractors/suppliers.
- Implats may possess records pertaining to other parties including, but not limited to, contractors, suppliers, and service providers and such other parties may possess records that can be said to belong to Implats

7. PROCESSING DETAILS

In terms of POPI, data must be processed for a specified purpose. The purpose for which data is processed by Implats will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data are collected.

7.1. Purpose of the Processing

- **Personnel Data**
Implats processes personnel data for business administration purposes.
- **Customer Related Data**
Implats processes client related records as an integral party of its commercial services.
- **Third Party Data**
Implats process third party records for business administration purposes.
- **Other Party Data**

Implats processes “other party” records for business administration purposes. In performing these various tasks, Implats may, amongst others, collect, collate, process, store and disclose personal information.

7.2. Categories of Data Subjects.

Implats holds information and records on the following category of data subject:

- Employees/personnel of Implats;
- Clients of Implats;
- Any third party with whom Implats conducts its business services;
- Contractors of Implats;
- Suppliers of Implats;
- Service providers of Implats.

This list of categories of data subjects is non-exhaustive.

7.3. Recipients to Whom Personal Information will be supplied

Depending on the nature of the data, Implats may supply information or records to the following categories of recipients:

- Statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data ;
- Any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for data or Implats in terms of the applicable rules (i.e. the Competition Commission in terms of the Competition Act 89 of 1998);
- South African Revenue Services, or another similar authority;

- Third parties with whom Implats has a contractual relationship for the retention of data (for example, a third party archiving services);
- Research/academic institutions;
- Auditing and accounting bodies (internal and external);
- Anyone making a successful application for access in terms of PAIA;
- Subject to the provisions of POPI and the National Credit Act 34 of 2005, Implats may share information about a client’s creditworthiness with any credit bureau or credit provider’s industry association or other association for an industry in which Implats operates.

7.4. Planned Transborder Flows of Personal Information

Implats may transfer personal information to a third party who is in a foreign country in order to administer certain services, but may only do so subject to the provisions of POPI.

7.5. Security Measures

Implats takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in Implats possession. Implats takes appropriate technical and organizational measures designed to ensure that personal data remains confidential and secure against unauthorized or unlawful processing and against accidental loss, destruction or damage.

7.6. Grounds for Refusal of Access to Records

Implats may refuse a request for information on the following basis:

- Mandatory 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;
- Mandatory protection of the commercial information of a third party, if the record contains:
 - Trade secrets of that third party;
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; and
 - Information disclosed in confidence by a third party to Implats, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement or legislation;
- Mandatory protection of the safety of individuals and the protection of property;
- Mandatory protection of records which would be regarded as privileged in legal proceedings;

The commercial activities of Implats, which may include:

- Trade secrets of Implats;
- Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Implats;
- Information which, if disclosed, could put Implats at a disadvantage in negotiations or commercial competition;
- A computer program which is owned by Implats and which is protected by copyright.
- The research information of Implats 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;
- Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

8. Access Request Procedure

A requester is any person making a request for access to a record of, or held by Implats. The requester is entitled to request access to information, including information pertaining to third parties, but Implats is not obliged to grant such access. Apart from the fact that access to a record can be refused based on the grounds set out above, in order to successfully access information the requester must fulfill the prerequisite requirements for access in terms of PAIA, including the payment of a request and access fee.

A requester requiring access to information held by Implats must complete the prescribed form, enclosed herewith and marked **Annexure B (“Access Request Form”)**; submit the form to the Information Officer at the postal or physical address, fax number or electronic mail address and pay a request fee (and a deposit, if applicable).

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

The requester will be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he must state the manner and the particulars so required.

Part 9 – Payment of Fees

Payment details can be obtained from the Information Officer and can be made either via a direct deposit, by bank guaranteed cheque or by postal order. Proof of payment must be supplied when the Access Request Form is submitted.

The following fees are (or may be) payable:

- Request fee;
- Access fee; and
- Reproduction fee.

Request fee

An initial “request fee” is payable on submission of the Access Request Form. The prescribed fee is set out below in Part III.

Access Fee

If the request for access is successful, an access fee must be paid. This fee is for the search, reproduction and/or preparation of the record(s). The access fee will be calculated based on the prescribed fees set out below in Part III.

Reproduction Fee

This fee is applicable in respect of documents/records which are voluntarily disclosed (see 'Automatic Disclosure' above). This is for reproduction, copying and transcribing the relevant documents or records. The reproduction fee will be calculated based on the prescribed fees set out below in Annexure III.

Deposit

If the search for, and the preparation of, the record for disclosure would, in the opinion of the Information Officer, require more than 6 hours, the requester may be required to pay as a deposit one third of the access fee (the fee which will be payable if the request is granted).

Part 10 - Third Party notification

Implats will take all reasonable steps to inform a third party to whom or which a requested record relates if the disclosure of that records would:-

- involve the disclosure of personal information about that third party;
- involve the disclosure of trade secrets of that third party; financial, commercial, scientific or technical information (other than trade secrets) of that third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; or information supplied in confidence by a third party, the disclosure of which could reasonably be expected to put that third party at a disadvantage in contractual or other negotiations; or to prejudice that third party in commercial competition;
- constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement; or
- involve the disclosure of information about research being, or to be, carried out by or on behalf of a third party, the disclosure of which would be likely to expose the third party, a person that is or will be carrying out the research on behalf of the third party, or the subject matter of the research, to serious disadvantage.

Notice of Decision

- The Information Officer will, within 30 days of receipt of the request, decide whether to grant or

decline the request and give notice with reasons (if required) to that effect.

- The 30 day period, within which Implats has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the information cannot reasonably be obtained within the original 30 day period.
- The Information Officer will notify the requester in writing should an extension be required. The requester may lodge a complaint to the Information Regulator or an application with a court against the extension.

9. Remedies Available when Implats Refuses a Request for Information

9.1. Internal Remedies

Implats does not have internal appeal procedures. Therefore, the decision made by the Information Officer is final. Requesters who are dissatisfied with a decision of the Information Officer will have to exercise external remedies at their disposal.

9.2 External Remedies

All complaints, by a requester or a third party, can be made to the Information Regulator or a court, in the manner prescribed below.

9.3 Complaints to the Information Regulator

The requester or third party, as the case may be, may submit a complaint in writing to the Information Regulator, within 180 days of the decision, alleging that the decision was not in compliance with the provisions of PAIA.

The Information Regulator will investigate the complaint and reach a decision - which may include a decision to investigate, to take no further action or to refer the complaint to the Enforcement Committee established in terms of POPI. The Information Regulator may serve an enforcement notice confirming, amending or setting aside the impugned decision, which must be accompanied by reasons.

9.4 Application to Court

An application to court will be brought in the ordinary course. For purposes of PAIA, any reference to an application to court includes an application to a Magistrates' Court.

ANNEXURE A - PRESCRIBED FEES

REPRODUCTION FEES	
The applicable fees (VAT inclusive) for reproduction or copies as referred to above are:	
For every photocopy of an A4-size page or part thereof	R 1,25
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,85
For a copy in a computer-readable form on:	
- Stiffy disc	8,55
- Compact disc	79,80
A transcription of visual images for an A4-size page or part thereof	45,60
For a copy of visual images	68,40
A transcription of an audio record, for an A4-size page or part thereof	22,80
For a copy of an audio record	34,20
Request Fees	
Where a requester submits a request for access to information held by Implats on a person other than the requester himself/herself, the request fee is payable up-front before the institution will further process the request received.	50,00
Access Fees	
An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of section 54(8). The applicable access fees which will be payable are:	
The applicable fees which will be payable are: (VAT inclusive)	1,25
For every photocopy of an A4-size page or part thereof	
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,85

For a copy in a computer-readable form on:	
- Stiffy disc	8,55
- Compact disc	79,80
A transcription of visual images for an A4-size page or part thereof	45,60
For a copy of visual images	68,40
A transcription of an audio record, for an A4-size page or part thereof	22,80
For a copy of an audio record	34,20
To search for a record that must be disclosed (per hour or part of an hour reasonably required for such search)	34,20
Where a copy of a record needs to be posted the actual postal fee is payable.	
<p>Deposits</p> <p>Where Implats receives a request for access to information held on a person and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 hours, a deposit is payable to the requester.</p> <p>The amount of the deposit is equal to 1/3 of the amount of the applicable access fee.</p>	

Please note: In terms of Regulation 8, Value Added Tax (VAT) must be added to all fees prescribed in terms of the Regulations. Therefore, the fees reflected above are VAT inclusive.

ANNEXURE B - ACCESS REQUEST FORM

Particulars of Information Officer

Requests can be submitted either via post, e-mail or fax and should be addressed to the Information Officer as indicated below:

Information Officer	Lee-Ann Samuel
Street Address	2 Fricker Road Illovo 2196
Postal Address	Private Bag X18 Northlands 2116
Telephone	011 731 9000
Email	InformationOfficer@implats.co.za

Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

Postal address:

Fax number:

Telephone number:

E-mail address:

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

Particulars of person requesting access to the record (if a legal entity)

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

Name of entity:

Registration number:

Postal address:

Fax number:

Telephone number:

E-mail address:

Particulars of person on whose behalf request is made

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

Full names and surname:**Identity number:****Particulars of record**

- a) *Provide full particulars of the record to which access is requested, including the reference number if it is known to you, to enable the record to be requested.*
- b) *If the provide space is inadequate, please use a separate folio and attach it to this form. Please sign additional folios.*

Description of record or relevant part of the record:**Reference number (if available):****Any further particulars of record:****FEES**

- a) *A request for access to a record will be processed only after a request fee has been paid.*
- b) *You will be notified of the amount 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 of payment fees:

FORM OF ACCESS TO RECORD

Form in which record is required. Mark the appropriate box with an X

NOTES

- a) *Compliance with your request in the specified form may depend on the form in which the record is available.*
- b) *Access in the form requested may be refused under certain circumstances. In such a case you will be informed whether 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:					
<input type="checkbox"/>	Copy of record*	<input type="checkbox"/>	Inspection of record		
2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)					
<input type="checkbox"/>	View the images	<input type="checkbox"/>	Copy of the images*		
<input type="checkbox"/>		<input type="checkbox"/>	Transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	Listen to the soundtrack (audio cassette)	<input type="checkbox"/>	Transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	Printed copy of record	<input type="checkbox"/>	Printed copy of information derived from the record*		
<input type="checkbox"/>		<input type="checkbox"/>	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"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
YES	NO				

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record?

In the event of a disability

If you are prevented by a disability from reading, viewing or listening to the record, state your disability and indicate in the form in which the record is required:

Disability

Form in which record is required

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

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

1. Indicate the right to be exercised or protected:

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved or 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..... on this day of20....

SIGNATURE OF REQUESTER/PERSON ON
WHOSE BEHALF REQUEST IS MADE

PRINT NAME:

- | YOU MUST | SEND WITH THIS APPLICATION |
|-------------------------------------|-----------------------------------|
| 1 Complete all necessary spaces | 1 The request fee |
| 2 Sign the access request form Sign | 2 Any additional folios completed |
| 3 Sign additional folios completed | 3 Copy of Identity Document |

