



IMPALA PLATINUM HOLDINGS LIMITED
("Implats")

THE PROMOTION OF ACCESS TO INFORMATION MANUAL

("Manual")

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 Bafokeng Platinum Management Services Proprietary Limited
 Impala Bafokeng Rasimone Management Services Proprietary Limited
 Impala Bafokeng Resources Properties (RF) Proprietary Limited
 Impala Bafokeng Resources Proprietary Limited
 Impala Chrome (Pty) Ltd
 Impala Holdings Ltd
 Impala Platinum Investments (Pty) Ltd
 Impala Platinum 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
 Maseve Investments 11 Proprietary Limited
 Micawber 399 (Pty) Ltd
 Royal Bafokeng Platinum Limited
 Two Rivers Platinum (Pty) Ltd

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.

1. **PREAMBLE**

1.1. The Promotion of Access to Information Act, 2000 ("**PAIA**") came into operation on 9 March 2001. PAIA seeks, among other things, to give effect to the Constitutional right of access to any information held by the State or by any other person where such information is required for the exercise or protection of any right and gives natural and juristic persons the right of access to records held by either a private or public body, subject to certain limitations, in order to enable them to exercise or protect their rights. Where a request is made in terms of PAIA to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights, and provided that

no grounds of refusal contained in PAIA are applicable. PAIA sets out the requisite procedural issues attached to information requests.

- 1.2. Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such private body and stipulates the minimum requirements that the manual has to comply with.
- 1.3. This Manual constitutes **Impala Platinum Holdings Limited (Implats)** PAIA manual. This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 (“**POPIA**”), which gives effect to everyone’s Constitutional right to privacy. POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.
- 1.4. This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

| VERSION | POLICY OWNER | DATE |
|---------|--|--------------------|
| 1.0 | Impala Platinum Holdings Limited (Implats) | [15 February 2024] |

2. ABOUT IMPLATS

- 2.1. The Manual is applicable to Implats and is available to view at its premises at 2 Fricker Road, Illovo.
- 2.2. This PAIA Manual is compiled not only to ensure that Implats complies with PAIA and POPIA, but is also intended to:
 - 2.2.1. foster a culture of transparency and accountability within Implats by giving effect to the right to information that is required for the exercise or protection of any right; and

- 2.2.2. actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.

3. OBJECTIVES OF THIS MANUAL

The objectives of this Manual are:

- 3.1. to provide a list of all records held by Implats;
- 3.2. to set out the requirements with regard to who may request information in terms of PAIA as well as the grounds on which a request may be denied;
- 3.3. to define the manner and form in which a request for information must be submitted; and
- 3.4. to comply with the additional requirements imposed by POPIA.

4. CONTACT DETAILS

| | |
|--|--|
| Name of Private Body: | Impala Platinum Holdings Limited (Implats) |
| Designated Information Officer: | Lee-Ann Samuel |
| Email Address of Information Officer: | informationofficer@implats.co.za |
| Postal Address: | Private Bag X 18 Northlands 2116 |
| Physical Address: | 2 Fricker Road Illovo 2196 Johannesburg South Africa |
| Phone Number: | +27 11 731 9000 |

5. THE INFORMATION OFFICER AND DEPUTY INFORMATION OFFICERS

- 5.1. PAIA and POPIA require the appointment of an Information Officer which in relation to a private body means the head of a private body as contemplated in section 1 of PAIA.
- 5.2. Section 56 of POPIA makes provision for the appointed Information Officer to delegate the associated duties and responsibilities to a duly authorised person. All requests to Implats for information in terms of the Act must be addressed to the Deputy Information Officer.

Contact details of Deputy Information Officers

- 1. Deputy Information Officer:** Ms Vicky Tlhabanelo
Deputy Information Officer
Impala Bafokeng Resources Propriety Limited

Postal Address: Private Bag X 18
Northlands
2116

Physical Address: 2 Fricker Road
Illovo
2196

Telephone Number: +27 11 731 9000

E-mail: informationofficer@implats.co.za

- 2. Deputy Information Officer:** Mr Bonny Sebola
Deputy Information Officer
Marula Platinum Limited

Postal Address: P O Box 1496
Steelpoort
1133

Physical Address: Stand 118
Winnarshoek
Driekop
1129

Telephone Number: +27 13 214 6000

E-mail: informationofficer@implats.co.za

- 3. Deputy Information Officer:** Adv Teke Mothibe
Deputy Information Officer
Impala Platinum Limited

Postal Address: P O Box 222
Springs
1559

Physical Address: Corner East Geduld Road and Cowles Street
East Geduld
Springs
1559

Telephone Number: +27 11 360 3111

E-mail: informationofficer@implats.co.za

4. Deputy Information Officer: Mr Tumelo Nkisi
Deputy Information Officer
Impala Platinum Limited

Postal Address: P O Box 5683
Rustenburg
0300

Physical Address: Main Offices
Phokeng District
0335

Telephone Number: +27 14 569 0000

E-mail: informationofficer@implats.co.za

6. INFORMATION REGULATORS GUIDE

6.1. An official Guide will be, or has been, compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is made available by the Information Regulator (established in terms of POPIA). Copies of the updated Guide are available from Information Regulator and the Information Officer free of charge. Any request for public inspection of the Guide at the office of the Information Officer or a request for a copy of the Guide from the Information Officer must substantially correspond with Form 1 of Annexure A to Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA Regulations. Please refer to Annexure C.

6.2. Any enquiries regarding the Guide should be directed to:

Postal Address: JD House
27 Stiemens Street
Braamfontein, Johannesburg, 2001

Telephone number: +27 (0) 10 023 5200

E-mail Address: enquiries@info regulator.org.za

Website: <https://info regulator.org.za/>

7. ENTRY POINT FOR REQUESTS

- 7.1. PAIA provides that a person may only make a request for information, if the information is required for the exercise or protection of a legitimate right.
- 7.2. Information will therefore not be furnished unless a person provides sufficient particulars to enable Implats to identify the right that the requester is seeking to protect as well as an explanation as to why the requested information is required for the exercise or protection of that right. The exercise of an individual's rights is subject to justifiable limitations, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance. PAIA and the request procedure contained in this Manual may not be used for access to a record for criminal or civil proceedings, nor should information be requested after the commencement of such proceedings.
- 7.3. The Deputy Information Officer has been delegated with the task of receiving and co-ordinating all requests for access to records in terms of PAIA, in order to ensure proper compliance with PAIA and POPIA.
- 7.4. The Deputy Information Officer will facilitate the liaison with the internal legal team on all of these requests.
- 7.5. All requests in terms of PAIA and this Manual must be addressed to the Deputy Information Officer using the details in paragraph 2.1 above.

8. AUTOMATICALLY AVAILABLE INFORMATION

- 8.1. Information that is obtainable via the Implats website about Implats is automatically available and need not be formally requested in terms of this Manual.
- 8.2. The following categories of records are automatically available for inspection, purchase or photocopying:
 - 8.2.1. Product brochures
 - 8.2.2. Press releases
 - 8.2.3. Publications
 - 8.2.4. Reports
 - 8.2.5. Circulars to shareholders
 - 8.2.6. Code of ethics

- 8.2.7. Other literature intended for public viewing
- 8.2.8. Public customer information
- 8.2.9. Trading sites and product exhibition
- 8.2.10. Copies of statutory notices i.t.o. copyrights
- 8.2.11. various other marketing and promotional material.

9. INFORMATION AVAILABLE IN TERMS OF POPIA

9.1. Categories of personal information collected by Implats

Implats may collect information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to-

- 9.1.1. information relating to the gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- 9.1.2. information relating to the education or the medical, financial, criminal or employment history of the person;
- 9.1.3. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- 9.1.4. the personal opinions, views or preferences of the person;
- 9.1.5. correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- 9.1.6. the views or opinions of another individual about the person; and
- 9.1.7. the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;

9.1.8. the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or

9.1.9. the criminal behaviour of a data subject to the extent that such information relates to-

9.1.9.1. the alleged commission by a data subject of any offence; or

9.1.9.2. any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

9.2. **The purpose of processing personal information**

9.2.1. In terms of POPIA, personal information 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 is collected. Please also refer to the Implats 's Privacy Policy for further information.

9.2.2. In general, personal information is processed for purposes of dealing with customers, complaints, procurement purposes, records management, security, employment and related matters.

9.3. **Categories of data subjects and of the information or categories of information relating thereto**

Implats holds information and records on the following categories of data subjects:

- 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.)

9.4. The recipients or categories of recipients to whom the personal information may be supplied

Depending on the nature of the personal information, 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 personal information;
- Any court, administrative or judicial forum, arbitration, statutory commission, or ombudsman making a request for personal information or discovery in terms of the applicable rules;
- 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 or POPIA; and
- Subject to the provisions of POPIA and other relevant legislation, Implats may share information about a client's creditworthiness with any credit bureau or credit providers industry association or other association for an industry in which Implats operates.

9.5. Planned transborder flows of personal information

- If a data subject visits Implats website from a country other than South Africa, the various communications will necessarily result in the transfer of information across international boundaries.
- Implats may need to transfer a data subject's information to service providers in countries outside South Africa, in which case it will fully comply with applicable data protection legislation.
- These countries may not have data-protection laws which are similar to those of South Africa

9.6. Information security measures to be implemented by Impala Platinum Holdings Limited (Implats)

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

10. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of certain provisions of the following legislation to the persons or entities specified in such legislation:

- *Administration of Estates Act 66 of 1965*
- *Arbitration Act 42 of 1965*
- *Basic Conditions of Employment Act 75 of 1997*
- *Broad Based Black Economic Empowerment Act 53 of 2003*
- *Close Corporations Act 69 of 1984*
- *Companies Act 71 of 2008*
- *Compensation for Occupational Injuries and Health Diseases Act 130 of 1993*
- *Constitution of South Africa Act 108 of 1996*
- *Criminal Procedure Act 51 of 1977*
- *Customs and Excise Act 91 of 1964*
- *Electronic Communications and Transactions Act 25 of 2002*
- *Employment Equity Act 55 of 1998*
- *Environment Conservation Act 73 of 1989*
- *Estate Agency Affairs Act 112 of 1976*
- *Explosives Act 13 of 1956*
- *Financial Markets Act 19 of 2012*
- *Hazardous Substances Act 15 of 1973*
- *Income Tax Act 58 of 1962*
- *Insolvency Act No. 24 of 1936*
- *Labour Relations Act 66 of 1995*
- *Mine Health and Safety Act 29 of 1996*
- *Minerals Act 50 of 1991*
- *Mineral and Petroleum Resources Development Act 28 of 2002*
- *Mineral and Petroleum Resources Royalty (Administration) Act 28 of 2008*
- *National Credit Act 34 of 2005*

- *National Dust Control Regulations, 2013 under the National Environmental Management: Air Quality Act 39 of 2004*
- *National Environmental Management Act 107 of 1998*
- *National Environmental Management: Waste Act 59 of 2008*
- *National Water Act 36 of 1999*
- *Occupational Diseases in Mines and Works Act 78 of 1973*
- *Occupational Health & Safety Act 85 of 1993*
- *Pension Funds Act 24 of 1956*
- *Prevention and Combatting of Corrupt Activities Act 12 of 2004*
- *Prevention of Organised Crime Act 14 of 1998*
- *Protected Disclosure Act 26 of 2000*
- *Promotion of Access of Information Act 2 of 2000*
- *Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000*
- *Protection of Personal Information Act 4 of 2013*
- *Sarbanes Oxley Act of 2000*
- *Skills Development Act 97 of 1998*
- *Skills Development Levies Act 9 of 1999*
- *Stock Exchanges Control Act No 1 of 1985*
- *Stock Exchanges Control Amendment Act 54 of 1995 (and the rules and listing requirements of the JSE Securities Exchange authorised in terms thereof)*
- *Tax Administration Act 28 of 2011*
- *Trade Marks Act 194 of 1993*
- *Unemployment Contributions Act 4 of 2002*
- *Unemployment Insurance Act 63 of 2001*
- *Value Added Tax Act 89 of 1991*

11. CATEGORIES OF RECORDS AVAILABLE UPON REQUEST

- 11.1. Implats maintains records on the categories and subject matters listed below. Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.
- 11.2. Please note further that many of the records held by Implats are those of third parties, such as clients and employees, and Implats takes the protection of third-party confidential information very seriously. In particular, where Implats acts as professional advisors to clients, many of the records held are confidential and others are the property of the client and not of Implats. For further information on the grounds of refusal of access to a record please see

paragraph 12.5 below. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.

| Category of records | Records |
|---|---|
| <p>Internal records</p> <p>The records listed pertain to Implats own affairs</p> <p>Some of these categories of records are covered in more detail below</p> | <ul style="list-style-type: none"> • Memoranda and Articles of Association • Financial records • Operational records • Intellectual property • Marketing records • Internal correspondence • Service records • Statutory records • Internal policies and procedures • Minutes of meetings |
| <p>Personnel records</p> <p>For the purposes of this section, “personnel” means any person who works for or provides services to or on behalf of Implats and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Implats. This includes partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers.</p> | <ul style="list-style-type: none"> • Any personal records provided to us by our personnel • Any records a third party has provided to us about any of their personnel • Conditions of employment and other personnel-related contractual and quasi legal records • Employment policies and procedures • Internal evaluation and disciplinary records and • Other internal records and correspondence. |
| <p>Client-related records</p> | <ul style="list-style-type: none"> • Contracts with the client and between the client and other persons |
| <p>Other third-party records</p> <p>Records are kept in respect of other parties, including without limitation joint ventures and consortia to which Implats is a party, contractors and sub-contractors, suppliers, service providers, and providers of information</p> | <ul style="list-style-type: none"> • Personnel, client, or Implats records which are held by another party as opposed to being held by Implats • Records held by Implats pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and |

| Category of records | Records |
|--|---|
| regarding general market conditions. In addition, such other parties may possess records which can be said to belong to Implats. | records third parties have provided about the contractors or suppliers |
| Transformation and Stakeholder Development Records | <ul style="list-style-type: none"> • Proposals for funding received • Records concerning organisations receiving support • Schedules of approved projects • Reports, books, publications and general information • Records and contracts of agreements |
| Supply Chain Records | <ul style="list-style-type: none"> • Policies and procedures manuals • Purchasing agreements • Material catalogue for stock items • Supply contract Vendor list |
| Strategic Planning Records | <ul style="list-style-type: none"> • Operational plans • Strategic plans • JSE Socially Responsible Investment Index questionnaire |
| Corporate Affairs Records | <ul style="list-style-type: none"> • Database of current and past institutional investors • Database of analysts • Media database • General mailing lists • Promotional material • Company article and newspaper records • Presentations on Implats • Market research on Implats and peers • Company press releases • Media coverage on Implats and peers |
| Human Resources Records | <ul style="list-style-type: none"> • Booklets and Codes for employees |

| Category of records | Records |
|-------------------------------------|--|
| | <ul style="list-style-type: none"> • Collective agreements • Human Resources Policies • Employee records relating to: <ul style="list-style-type: none"> - Employment - Manning - Remuneration and Incentives - Accommodation - Performance Management - Employee Development - Employee Relations - Employee Care - Human Resource Administration - Health and Wellness - Separations - Managerial - Disciplinary Hearings - Employment Equity Plan |
| Treasury Records | <ul style="list-style-type: none"> • Correspondence • Mandates and resolutions • Service contracts • Facility letters • Transitional records |
| Business Development Records | <ul style="list-style-type: none"> • Books and publications • Brokers notes • Information relating to: <ul style="list-style-type: none"> - Implats - Competitors - Mining and resource projects and assets - Transactions and agreements with third parties |
| Finance Records | <ul style="list-style-type: none"> • Records for Implats comprise: <ul style="list-style-type: none"> - Vendor invoices - Remittance advices |

| Category of records | Records |
|---------------------------------|---|
| | <ul style="list-style-type: none"> - Accounts receivable - Banking records - Management and monthly accounts, quarterly and annual financial statements - External audit reports and records - Annual budgets - Fixed asset register - Accounting policies and procedures - Benchmarking - Guarantees, undertakings, subordinations, bonds and similar liabilities • Other records comprise: <ul style="list-style-type: none"> - Medical scheme reports - Financial correspondence • Operational Audit, Risk (including Insurance) and SOX |
| Mineral Resource Records | <ul style="list-style-type: none"> • Mineral Resources and Reserves reports, bulletins, memoranda and correspondence relating to Implats, other areas and old exploration projects • Geographical and other information concerning: <ul style="list-style-type: none"> - Surface boreholes drilled within Implats - Stillwater mining lease areas - Exploration boreholes • General mineral resource and reserve literature and plans: <ul style="list-style-type: none"> - Competent Persons Report - Shareholder plans - Annual resource and reserve supplement |

| Category of records | Records |
|---|---|
| Mining Rights / Property Records | <ul style="list-style-type: none"> • Agreements to which Implats is party to, including asset acquisitions, disposals, exchanges, joint ventures, participations arrangements and confidentiality agreements • Records relating to: <ul style="list-style-type: none"> - Bonds - Closure certificates - Mining claims - Mineral rights - Mineral leases - Mijnpacht titles - Tributing agreements - Real rights (rights to receive rentals in respect of mining title) - Mining authorisations (licenses and permits) - Mining Rights - Mining Works Programme - Social and Labour Plan - Property leases (freehold farms and erven) - Owners reservations - Prospecting Rights - Prospecting Programme - Explorations Rights - Exploration Programme - Surface right permits (inclusive of trading sites and business grants) • General Permits: <ul style="list-style-type: none"> - Water usage - Change of use of land - Land subdivision - Servitudes - Freehold properties - Freehold erven |

| Category of records | Records |
|----------------------------------|---|
| Legal Records | <ul style="list-style-type: none"> • Details of external counsel used by the company (locally and abroad) • Offshore company data sheets • Copies of agreements to which group companies are party to • List of current matters • Details of legal proceedings • General legal correspondence |
| Tax Records | <ul style="list-style-type: none"> • Tax returns as filed with the South African Revenue Services (“SARS”) • Correspondence with SARS on various issues – including objections to assessments, rulings obtained etc • Documentation on tax advice and opinions obtained from external counsel • Documentation on “internal” matters of Implats e.g. employees’ tax matters etc. |
| Corporate Finance Records | <ul style="list-style-type: none"> • Circulars and announcements of past Implats transactions • Group valuation models • Dealings with professional advisors • External valuations |
| Secretariat Records | <ul style="list-style-type: none"> • Records relating to Implats comprising: <ul style="list-style-type: none"> - Memoranda of Incorporation - Equity structure details - Statutory compliance records - Manual of records Shareholders records comprising: <ul style="list-style-type: none"> - Correspondence and queries - Notices, circulars and minutes of general meetings - Share certificates and transfer forms - Offshore stock exchanges |

| Category of records | Records |
|---|--|
| | <ul style="list-style-type: none"> - Dividend declarations and announcements - American depository receipts programme - Share schemes - Correspondence with investors - Securities regulation panel dealings - Shareholders agreements • Records concerning Directors and Officers comprising: <ul style="list-style-type: none"> - Appointments, resignations and fees - Board and Committee meetings attendance - Group committees and terms of reference - Approval framework |
| Information and Communication Technology Records | <ul style="list-style-type: none"> • Supply and maintenance contracts • Projects feasibility studies and proposals • Policies, standards and procedures • Internal reports and correspondence • ICT strategy plan • Audit reports pertaining to ICT • Project plans and project minutes • Software licensing agreements |
| Operations Records | <ul style="list-style-type: none"> • Current records concerning: <ul style="list-style-type: none"> - Business plans - Capital projects - Administration and management of the operations - Health, safety and environmental - Operational reports • Technical records: <ul style="list-style-type: none"> - Metallurgy - Mineral resources - Electrical and mechanical engineering |

| Category of records | Records |
|---------------------|---|
| | |
| Other records | <ul style="list-style-type: none"> • Information relating Implats • Research information belonging to Implats or carried out on behalf of a third party |

12. REQUEST PROCEDURE

12.1. Completion of the prescribed form

- 12.1.1. Any request for access to a record in terms of PAIA must substantially correspond with Form 2 of Annexure A to Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA Regulations and should be specific in terms of the record requested. Please refer to **Annexure B (“Access Request Form”)**;
- 12.1.2. POPIA provides that a data subject may, upon proof of identity, request Implats to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.
- 12.1.3. Any request for access to personal information under POPIA must be submitted in the form attached hereto as Annexure G.
- 12.1.4. POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, Implats must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee.
- 12.1.5. A request for access to information that does not comply with the formalities as prescribed by PAIA/POPIA will be returned to you, but you can contact our Information Officer should you require assistance.
- 12.1.6. Grounds for refusal of the data subject's request are set out in PAIA and are discussed below.
- 12.1.7. POPIA provides that a data subject may object, at any time, to the processing of personal information by Implats, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Annexure E and

submit it to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above.

- 12.1.8. A data subject may also request Implats to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that Implats is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.
- 12.1.9. A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above on the form attached hereto as Annexure F.

12.2. **Proof of identity**

Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

12.3. **Payment of the prescribed fees**

- 12.3.1. There are two categories of fees which are payable:
- 12.3.1.1. The request fee: R140.00
- 12.3.1.2. The access fee: This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. These fees are set out in Annexure B.
- 12.3.2. Section 54 of PAIA entitles Implats to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Annexure B of Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA Regulations. Please refer to Annexure B and Annexure D
- 12.3.3. Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

12.4. **Timelines for consideration of a request for access**

- 12.4.1. Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.
- 12.4.2. The Information Officer will inform the requester of the decision, and the fees payable (if applicable) on a form that corresponds substantially with Form 3 of Annexure A to Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA Regulations. Please refer to Annexure D.
- 12.4.3. Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

12.5. **Grounds for refusal of access and protection of information**

- 12.5.1. There are various grounds upon which a request for access to a record may be refused. These grounds include:
- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
 - the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
 - if disclosure would result in the breach of a duty of confidence owed to a third party;
 - if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
 - if the record was produced during legal proceedings, unless that legal privilege has been waived;
 - if the record contains trade secrets, financial or sensitive information or any information that would put Implats
 - (at a disadvantage in negotiations or prejudice it in commercial competition); and/or
 - if the record contains information about research being carried out or about to be carried out on behalf of a third party or by Implats
- 12.5.2. Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental

risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

- 12.5.3. If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the request. The third party would then have a further 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the record.

13. REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

- 13.1. If the Information Officer decides to grant you access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.
- 13.2. There is no internal appeal procedure that may be followed after a request to access information has been refused. The decision made by the Information Officer is final. In the event that you are not satisfied with the outcome of the request, you are entitled to apply to a court of competent jurisdiction to take the matter further.
- 13.3. Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

14. AVAILABILITY OF THIS MANUAL

Copies of this Manual are available for inspection, free of charge, at the offices of Implats at 2 Fricker Road, Illovo, Johannesburg

The Manual is also available on the Implats website at www.implats.co.za

Annexure A FORM 2: REQUEST FOR ACCESS TO RECORD

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

Note:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The information officer

(Address)

E-mail address: _____

Fax number: _____

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION

| | |
|--|--|
| Full names: | |
| Identity number: | |
| Capacity in which request is made <i>(when made on behalf of another person):</i> | |

| | |
|--|--|
| Postal Address: | |
| Street Address: | |
| E-mail Address | |
| Contact numbers: | |
| Tel. (B): | |
| Cellular: | |
| Facsimile | |
| Full names of person on whose behalf request is made (<i>if applicable</i>): | |
| Identity number: | |
| Postal Address: | |
| Street Address: | |
| E-mail Address: | |
| Contact numbers: | |
| Tel. (B): | |
| Cellular: | |
| Facsimile | |
| PARTICULARS OF RECORD REQUESTED 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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.) | |

| | |
|---|--|
| Description of record or relevant part of the record: | |
| Reference number, if available: | |
| Any further particulars of record: | |

| TYPE OF RECORD <i>(Mark the applicable box with an "X")</i> | |
|--|--|
| Record is in written or printed form | |
| Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i> | |
| Record consists of recorded words or information which can be reproduced in sound | |
| Record is held on a computer or in an electronic, or machine-readable form | |
| FORM OF ACCESS <i>(Mark the applicable box with an "X")</i> | |
| Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i> | |
| Written or printed transcription or virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i> | |
| Transcription of soundtrack <i>(written or printed document)</i> | |
| Copy of record on flash drive <i>(including virtual images and soundtracks)</i> | |
| Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i> | |
| Copy of record saved on cloud storage server | |

| MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i> | |
|---|--|
| Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i> | |
| Postal services to postal address | |
| Postal services to street address | |

| | |
|---|--|
| Courier service to street address | |
| Facsimile of information in written or printed format <i>(including transcriptions)</i> | |
| E-mail of information <i>(including soundtracks if possible)</i> | |
| Cloud share/file transfer | |
| Preferred language: <i>(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)</i> | |

| PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i> | |
|--|--|
| Indicate which right is to be exercised or protected: | |
| Explain why the record requested is required for the exercise or protection of the aforementioned right: | |

| FEEES | |
|--------------|---|
| a) | A request fee must be paid before the request will be considered. |
| b) | You will be notified of the amount of the access fee to be paid. |
| 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: | |
|---------|--|

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

| Postal address | Facsimile | Electronic communication <i>(Please specify)</i> |
|----------------|-----------|---|
| | | |

Signed at _____ on this _____ day of _____
20_____

Signature of requester / person on whose behalf request is made

.....

FOR OFFICIAL USE

| | |
|--|--|
| Reference number: | |
| Request received by: <i>(state rank, name and surname of information officer)</i> | |
| Date received: | |
| Access fees: | |
| Deposit (if any): | |

Signature of information officer

Annexure B FEES IN RESPECT OF PRIVATE BODIES

FEES IN RESPECT OF PRIVATE BODIES

| Item | Description | Amount |
|-------------|---|---|
| 1. | The request fee payable by every requester | R140.00 |
| 2. | Photocopy of A4-size page | R2.00 per page or part thereof. |
| 3. | Printed copy of A4-size page | R2.00 per page or part thereof. |
| 4. | For a copy in a computer-readable form on: (i) Flash drive (to be provided by requestor) (ii) Compact disc <ul style="list-style-type: none"> • If provided by requestor • If provided to the requestor | R40.00 R40.00 R60.00 |
| 5. | For a transcription of visual images per A4-size page | Service to be outsourced. Will depend on quotation from Service provider. |
| 6. | Copy of visual images | Service to be outsourced. Will depend on quotation from Service provider. |
| 7. | Transcription of an audio record, per A4-size page | R24.00 |
| 8. | Copy of an audio record on: (i) Flash drive (to be provided by requestor) (ii) Compact disc <ul style="list-style-type: none"> • If provided by requestor • If provided to the requestor | R40.00 R40.00 R60.00 |
| 9. | To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. To not exceed a total cost of | R145.00 R435.00 |

| | | |
|-----|--|--|
| 10. | Deposit: If search exceeds 6 hours | One third of amount per request calculated in terms of items 2 to 8. |
| 11. | Postage, e-mail or any other electronic transfer | Actual expense, if any. |

Annexure C - Form 1 REQUEST FOR A COPY OF THE GUIDE

REQUEST FOR A COPY OF THE GUIDE

[Regulations 2 and 3]

TO: The Information Regulator
 P.O. Box 31533
 Braamfontein
 2017

Email address: enquiries@inforegulator.org.za

Telephone number: +27 (0) 10 023 5200

OR

The Information Officer

I,

| | | | | |
|---|---------------------|--|-------|--|
| Full names: | | | | |
| In my capacity as (mark with "x") | Information Officer | | Other | |
| Name of public/private body (if applicable) | | | | |
| Postal Address: | | | | |
| Street Address: | | | | |

| | | | | |
|------------------|-----------|--|-----------|--|
| Email Address: | | | | |
| Facsimile: | | | | |
| Contact numbers: | Tel. (B): | | Cellular: | |

hereby request the following copy(ies) of the guide:

| Language (make with "X") | | No. of copies | Language (make with "X") | | No. of copies |
|--------------------------|------------|---------------|--------------------------|----------|---------------|
| | Sepedi | | | Sesotho | |
| | Setswana | | | siSwati | |
| | Tshivenda | | | Xitsonga | |
| | Afrikaans | | | English | |
| | isiNdebele | | | IsiXhosa | |
| | isiZulu | | | | |

Manner of collection (mark with "x")

| Postal address | Facsimile | Electronic communication (please specify) |
|----------------|-----------|---|
| | | |

Signed at _____ on this _____ day of _____
20_____

Signature of requester

Annexure D FORM 3 OUTCOME OF REQUEST AND OF FEES PAYABLE

OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8]

Note:

- 1. If your request is granted the-
 - a) amount of the deposit, (if any), is payable before your request is processed; and
 - b) requested record/portion of the record will only be released once proof of full payment is received.
- 2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

You requested:

| | |
|---|--|
| <p>Personal inspection of information at the registered address of Implats (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you are liable for the fess prescribed in Annexure B.</p> | |
|---|--|

OR

You requested:

| | |
|--|--|
| Printed copies of the information (including copies of a virtual images, transcriptions and information held on computer or in an electronic or machine readable form) | |
| Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.) | |
| Transcription of soundtrack (written or printed document) | |
| Copy of information on flash drive (including virtual images and soundtracks) | |
| Copy of information on compact disc drive (including virtual images and soundtracks) | |
| Copy of record saved on cloud storage server | |

To be submitted:

| | |
|--|--|
| Postal services to postal address | |
| Postal services to street address | |
| Courier service to street address | |
| Facsimile of information in written or printed format (including transcriptions) | |
| E-mail of information (including soundtracks if possible) | |
| Cloud share/file transfer | |
| Preferred language: (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) | |

Kindly note that your request has been:

Approved

Denied for the following reasons:

| |
|--|
| |
|--|

Fees payable with regards to your request:

| Item | Cost per A4-size page or part thereof/item | Number of pages / items | Total |
|---|---|-------------------------|-------|
| Photocopy | | | |
| Printed copy | | | |
| For a copy in a computer-readable form on: | | | |
| (iii) Flash drive (to be provided by requestor) | R40.00 | | |
| (iv) Compact disc | R40.00 | | |
| • If provided by requestor | R60.00 | | |
| • If provided to the requestor | | | |
| For a transcription of visual images per A4-size page | Service to be outsourced. Will depend on quotation from Service provider. | | |
| Copy of visual images | | | |
| Transcription of an audio record, per A4-size page | R24.00 | | |
| Copy of an audio record on: | | | |
| (iii) Flash drive (to be provided by requestor) | R40.00 | | |
| (iv) Compact disc | R40.00 | | |
| • If provided by requestor | R60.00 | | |

| | | | |
|--|--------------|--|--|
| <ul style="list-style-type: none"> • If provided to the requestor | | | |
| Postage, e-mail or any other electronic transfer: | Actual costs | | |
| TOTAL | | | |

Deposit payable (if search exceeds six hours):

Yes No

| | | | |
|-----------------|--|--|--|
| Hours of search | | Amount of deposit (calculated on one third of total amount per request) | |
|-----------------|--|--|--|

The amount must be paid into the following Bank account:

Name of bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch code: _____
 Reference number: _____
 Submit proof of payment to: _____

Signed at _____ on this _____ day of _____
 20_____

 Signature of Information Officer

Annexure E - OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 2]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

| A | DETAILS OF DATA SUBJECT |
|---|-------------------------------------|
| Name(s) and surname/ registered name of data subject: | |
| Unique Identifier/ Identity Number | |
| Residential, postal or business address: | |
| | |
| | |
| | Code () |
| Contact number(s): | |
| Fax number / E-mail address: | |
| B | DETAILS OF RESPONSIBLE PARTY |

| | |
|--|--|
| Name(s) and surname/ Registered name of responsible party: | |
| Residential, postal or business address: | |
| | |
| | |
| | |
| | Code () |
| Contact number(s): | |
| Fax number/ E-mail address: | |
| C | REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f) <i>(Please provide detailed reasons for the objection)</i> |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Signed at this day of20.....

.....

Signature of data subject/designated person

**Annexure F - REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR
DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF
SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF
2013)**

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018

[Regulation 3]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

Request for:

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

| A | DETAILS OF THE DATA SUBJECT |
|--|-----------------------------|
| Name(s) and surname / registered name of data subject: | |
| Unique identifier/ Identity Number: | |
| Residential, postal or business address: | |

| | |
|---|--|
| | |
| | Code () |
| Contact number(s): | |
| Fax number/E-mail address: | |
| B | DETAILS OF RESPONSIBLE PARTY |
| Name(s) and surname / registered name of responsible party: | |
| Residential, postal or business address: | |
| | |
| | |
| | Code () |
| Contact number(s): | |
| Fax number/ E-mail address: | |
| C | INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED |
| | |
| | |
| | |
| | |
| | |

| | |
|----------|---|
| D | REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) |
| | WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or |
| | REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) |
| | WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN. |
| | <i>(Please provide detailed reasons for the request)</i> |
| | |
| | |

Signed at this day of20.....

.....

Signature of data subject/ designated person

Annexure G

If request is for **access to** your own personal information records:

Last name appearing on records: same as below, or:

Mr. Mrs. Ms. Miss Last Name:

First Name: Middle Name:

Telephone Number () _____

Unique identifier (if applicable) _____

Request Form

Under section 23 of the Protection of Personal Information Act, 2013

| | |
|--|---|
| Name of Responsible Party request is made to: | : |
|--|---|

| |
|--|
| Detailed description of requested records and/or personal information. (If you are requesting access to your personal information, please identify the personal information record containing the person information, if known.) |
| |
| |

| |
|--|
| |
|--|

| | | | |
|--------------------------------------|---|------------|------|
| Preferred method of access to | <input type="checkbox"/> Examine Original | Signature: | Date |
| | <input type="checkbox"/> Receive Copy | | |

| | | |
|------------------------------|-----------------|----------|
| Responsible Party Use | | |
| Date Received: | Request Number: | Comments |

Personal Information contained on this form is collected pursuant to the Protection of Personal Information Act, 2013 and will be used for the purpose of responding to your request. Questions about this collection should be directed to the Information Officer of the Responsible Party at Implats