

("Mwelase Group of Companies (Pty) Ltd 2021/029532/07")

PAIA MANUAL

THE PROMOTION OF ACCESS TO INFORMATION MANUAL

**Prepared in terms of section 51 of the Promotion of Access to
Information Act 2 of 2000 (as amended)**

**DATE OF COMPILATION: 01/11/2024
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TABLE OF CONTENTS

| | |
|---|----|
| 1. LIST OF ACRONYMS AND ABBREVIATIONS | 3 |
| 2. INTRODUCTION | 3 |
| 3. ABOUT MWELASE GROUP OF COMPANIES | 3 |
| 4. PURPOSE OF THE PAIA MANUAL | 3 |
| 5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF MWELASE GROUP OF COMPANIES | 4 |
| 6. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE | 4 |
| 7. CATEGORIES OF RECORDS OF MWELASE GROUP OF COMPANIES WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS | 5 |
| 8. DESCRIPTION OF THE RECORDS OF MWELASE GROUP OF COMPANIES WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION..... | 6 |
| 9. DESCRIPTION OF THE SUBJECTS ON WHICH MWELASE GROUP OF COMPANIES HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY MWELASE GROUP OF COMPANIES | 7 |
| 10. PROCESSING OF PERSONAL INFORMATION | 10 |
| 11. AVAILABILITY OF THE MANUAL..... | 13 |
| 12. REQUEST PROCEDURE..... | 13 |
| 13. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST. | 15 |
| 14. DISPOSAL OF RECORDS..... | 15 |
| 13. UPDATING OF THE MANUAL..... | 15 |
| ANNEXURE A – FORM 2: REQUEST FOR ACCESS TO RECORD | 16 |
| ANNEXURE B – FEES IN RESPECT OF PRIVATE BODIES | 19 |
| ANNEXURE C – FORM 1: REQUEST FOR A COPY OF THE GUIDE | 20 |
| ANNEXURE D – FORM 3: OUTCOME OF REQUEST AND FEES PAYABLE..... | 21 |
| 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) | 23 |
| ANNEXURE F – REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORDS OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)..... | 24 |

1. LIST OF ACRONYMS AND ABBREVIATIONS/

| | |
|--------------------------------------|--|
| DIO | Deputy Information Officer |
| Guide | Guide on how to use the Promotion of Access to Information Act 2 of 2002, as amended |
| IO | Information Officer |
| Minister | Minister of Justice and Correctional Services |
| PAIA | Promotion of Access to Information Act 2 of 2000, as amended |
| POPIA | Protection of Personal Information Act 4 of 2013 |
| Private body | <ul style="list-style-type: none">• A natural person who carries or has carried on any trade, business, or profession, but only in such capacity.• A partnership which carries or has carried on any trade, business, or profession.• Any former or existing juristic person but excludes a public body. |
| IR | Information Regulator |
| Republic | Republic of South Africa |
| Mwelase Group of Companies (Pty) Ltd | Mwelase Group of Companies (Pty) Ltd |

2. INTRODUCTION

- 2.1 This Manual constitutes the Mwelase Group of Companies PAIA Manual. This Manual is compiled in accordance with section 51 of PAIA as amended by 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 to establish minimum requirements for the processing of personal information. POPIA and PAIA balances the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an IR 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.

3. ABOUT Mwelase Group of Companies

- 3.1 The Manual is applicable to Mwelase Group of Companies (Pty) Ltd, subsidiary companies and/or the companies that form part of the Mwelase Group of Companies. A list of subsidiaries and companies forming part of the Mwelase Group of Companies group of companies will be made available on request.
- 3.2 The PAIA Manual of Mwelase Group of Companies is available to view at its premises at 28 Fricker Road, Ground Floor, Illovo, Sandton ,2196 as well as on its website at www.mwelasemining.co.za.
- 3.3 This Manual is compiled not only to ensure that Mwelase Group of Companies complies with PAIA and POPIA, but is also intended to:
- 3.3.1 foster a culture of transparency and accountability within Mwelase Group of Companies by giving effect to the right to information and records that is required for the exercise or protection of any right.
 - 3.3.2 actively promote a society in which the people of South Africa have effective access to information and records to enable them to exercise and protect their rights.

4. PURPOSE OF PAIA MANUAL

- 4.1 This PAIA Manual is useful for the public to:
- 4.1.1 check the categories of records held by Mwelase Group of Companies which are available without a person having to submit a formal PAIA request.
 - 4.1.2 have a sufficient understanding of how to make a request for access to a record of Mwelase Group of Companies, by providing a description of the subjects on which Mwelase Group of Companies holds records and the categories of records on each subject.
 - 4.1.3 know the description of the records of Mwelase Group of Companies which are available in accordance with any other legislation.

- 4.1.4 access all the relevant contact details of the IO and DIO who will assist the requester with the records they intend to access.
- 4.1.5 know the description of the guide on how to use PAIA, as updated by the IR and how to obtain access to it.
- 4.1.6 know if Mwelase Group of Companies will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto.
- 4.1.7 know the description of the categories of data subjects and of the information or categories of information relating thereto.
- 4.1.8 know the recipients or categories of recipients to whom the personal information may be supplied.
- 4.1.9 know if Mwelase Group of Companies has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied.
- 4.1.10 know whether Mwelase Group of Companies has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF Mwelase Group of Companies

5.1 Information Officer

Name: Leon Fanoë
 Tel: +27 11 802 0565
 Email: popia@mwelasemining.co.za

5.2 Deputy Information Officer

Name: Themba Jnr Langa
 Telephone: +27 11 802 0565
 E-mail: popia@mwelasemining.co.za

5.3 Access to information general contacts

E-mail: popia@mwelasemining.co.za

5.4 Head Office

Physical Address: 28 Fricker Road
 West Block
 Ground Floor, Illovo, Sandton, 2196

Telephone: +27 11 802 0565

E-mail: popia@mwelasemining.co.za

Website: www.mwelasemining.co.za

6. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 6.1 The IR has, in terms of section 10(1) of PAIA, as amended, updated, and made available the revised guide on how to use PAIA (Guide), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 6.2 The IR's Guide is available in each of the official languages and in braille from the IR website.

- 6.3 A copy of the IR's Guide is also available in the official languages for public inspection during the IR's normal office hours.
- 6.4 The aforesaid IR's Guide contains the description of:
- 6.4.1 the objects of PAIA and POPIA.
- 6.4.2 the postal and street address, phone, and electronic mail address of:
- 6.4.2.1 the IO, and
- 6.4.2.2 the DIO designated in terms of section 17(1) of PAIA and section 56 of POPIA.
- 6.4.3 the manner and form of a request for access to a record of a private body contemplated in section 50.
- 6.4.4 the assistance available from the IO in terms of PAIA and POPIA.
- 6.4.5 all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging:
- 6.4.5.1 an internal appeal.
- 6.4.5.2 a complaint to the IR.
- 6.4.5.3 an application with a court against a decision by the IR or a decision of the head of a private body.
- 6.4.6 the provisions of section 51 requiring a private body, respectively, to compile a Manual, and how to obtain access to a Manual.
- 6.4.7 the provisions of section 52 providing for the voluntary disclosure of categories of records by a private body, respectively.
- 6.4.8 the notices issued in terms of section 54 regarding fees to be paid in relation to requests for access.
- 6.4.9 the regulations made in terms of section 92.
- 6.5 Members of the public can inspect or make copies of the Guide from the offices of Mwelase Group of Companies, including the office of the IR, during normal working hours.
- 6.6 The Guide can also be obtained:
- 6.6.1 upon request to the DIO at popia@mwelaseining.co.za.
- 6.6.2 from the website of the IR at <https://www.justice.gov.za/inforeg/> or by sending the form attached hereto as Annexure C to the IR.

7. CATEGORIES OF RECORDS OF MWELASE GROUP OF COMPANIES WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

| Category of records | Types of the record | Available on website | Available upon request |
|----------------------------|---|--------------------------------------|--------------------------------------|
| News and media | <ul style="list-style-type: none"> • news releases • media coverage • investor day sessions • covid-19 response • transactions • features • photos • videos | X X X X X X X X | X X X X X X X X |
| Presentations | <ul style="list-style-type: none"> • investor days and meetings • financial and operational results • general | X X X | X X X |
| Reports and filings | <ul style="list-style-type: none"> • results updates • annual reports • regulatory reports | X X X | X X X |
| Governance | <ul style="list-style-type: none"> • Code of ethics | X | X |

| | | | |
|--|--|------------------|------------------|
| | <ul style="list-style-type: none"> strategy, policy- and position statements Board and committee documents | X X X X | X X X X |
|--|--|------------------|------------------|

8. DESCRIPTION OF THE RECORDS OF MWELASE GROUP OF COMPANIES WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

The records listed in the categories below may be formally requested but access to parts of these records, or the whole record, may be refused on legal grounds listed in sections 62 to 70 of PAIA.

| Category of records | Applicable legislation |
|---|---|
| <ul style="list-style-type: none"> Policies and Standard Operating Procedures Guidelines Codes of conduct Forms Reports Schedules Registers Transactional records | Arbitration Act 42 of 1965 |
| | Basic Conditions of Employment Act 75 of 1997 |
| | Broad Based Black Economic Empowerment Act 53 of 2003 |
| | Carbon Tax Act 15 of 2019 |
| | Companies Act 71 of 2008 |
| | Compensation for Occupational Injuries and Diseases Act 130 of 1993 |
| | Competition Act 89 of 1998 |
| | Constitution of South Africa Act 108 of 1996 |
| | Criminal Procedure Act 51 of 1977 |
| | Customs and Excise Act 91 of 1964 |
| | Cybercrimes Act 19 of 2020 |
| | Deeds Registries Act 47 of 1937 |
| | Electronic Communications and Transactions Act 25 of 2002 |
| | Engineering Professions Act 46 of 2000 |
| | Employment Equity Act 55 of 1998 |
| | Environment Conservation Act 73 of 1989 |
| | Environment Laws Rationalisation Act 51 of 1997 |
| | Explosives Act 26 of 1956 |
| | Explosives Act 15 of 2003 |
| | Firearms Control Act 60 of 2000 |
| | Financial Markets Act 19 of 2012 |
| | Hazardous Substances Act 15 of 1973 |
| | Income Tax Act 58 of 1962 |
| | Insider Trading Act 135 of 1998 |
| | Insolvency Act 24 of 1936 |
| | Liquor Products Amendment Act 8 of 2021 |
| | Labour Relations Act 66 of 1995 |
| | Marketable Securities Act 32 of 1948 |
| | Medical Schemes Act 131 of 1998 |
| | 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 Act 28 of 2008 |
| | Mineral and Petroleum Resources Royalty (Administration) Act 29 of 2008 |
| | National Credit Act 34 of 2005 |
| | National Environmental Management: Air Quality Act 39 of 2004 |
| | National Environmental Management Act 107 of 1998 |
| | National Environmental Management: Biodiversity Act 10 of 2004 |
| | 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 and Safety Act 85 of 1993 | |

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|---|
| Patents Act 57 of 1987 |
| Pension Funds Act 24 of 1956 |
| Precious Metals Act 37 of 2005 |
| Prevention and Combatting of Corrupt Activities Act 12 of 2004 |
| Prevention of Organised Crime Act 14 of 1998 |
| Private Security Industry Regulation Amendment Act 18 of 2014 |
| 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 |
| Safety at Sports and Recreational Events Act 2 of 2010 |
| Sarbanes Oxley Act of 2000 |
| Skills Development Act 97 of 1998 |
| Skills Development Levy Act 9 of 1999 |
| South African Reserve Bank Act 90 of 1989 |
| Stock Exchange Control Act 1 of 1985 |
| Tax Administration Laws Amendment Act 33 of 2019 |
| Transfer Duty Act 40 of 1949 |
| Unemployment Insurance Act 63 of 2001 |
| Value Added Tax Act 89 of 1991 |
| Water Services Act 108 of 1997 |

9. DESCRIPTION OF THE SUBJECTS ON WHICH MWELASE GROUP OF COMPANIES HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY MWELASE GROUP OF COMPANIES

The records listed in the categories below may be formally requested but access to parts of these records, or the whole record, may be refused on legal grounds listed in sections 62 to 70 of PAIA.

| Subjects on which Mwelase Group of Companies holds records | Categories of records |
|---|--|
| Customer | <ul style="list-style-type: none"> • correspondence • contractual records • transactional records |
| Other third-party records | <p>Records held by Mwelase Group of Companies pertaining to other parties, including:</p> <ul style="list-style-type: none"> • financial records • correspondence • contractual records • records provided by the other party. • records third parties have provided about the third party, contractor, or vendor |
| Transformation and Stakeholder Development | <ul style="list-style-type: none"> • proposals for funding received. • records concerning organisations receiving support. • social and labour plan • schedules of approved projects • reports, books, publications, and general information • contracts and agreements |
| Supply Chain | <ul style="list-style-type: none"> • policies, procedures, and manuals • purchasing agreements • material catalogue for stock items • vendor information • transactional records |

| | |
|---------------------------|--|
| Strategic Planning | <ul style="list-style-type: none">• operational plans• strategic plans• JSE socially responsible investment index questionnaire• benchmarking• intellectual property |
|---------------------------|--|

| Subjects on which Mwelase Group of Companies holds records | Categories of records |
|--|--|
| Corporate Affairs | <ul style="list-style-type: none"> • institutional investors • analysts • media • general mailing lists • promotional material • market research on Mwelase Group of Companies and peers • media coverage on Mwelase Group of Companies peers |
| Human Resources | <ul style="list-style-type: none"> • booklets and codes for employees • collective agreements • policies and procedures • 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 |
| Treasury | <ul style="list-style-type: none"> • correspondence • mandates and resolutions • contracts • facility letters • transactional records |
| Business Development | <ul style="list-style-type: none"> • books and publications • brokers notes • due diligence • information relating to: <ul style="list-style-type: none"> ○ Mwelase Group of Companies ○ competitors ○ mining and resource projects and assets ○ transactions and agreements with third parties |
| Finance | <ul style="list-style-type: none"> • transactional records • 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 • guarantees, undertakings, subordinations, bonds and similar liabilities. • financial correspondence |
| Audit, SOX, Risk and Insurance | <ul style="list-style-type: none"> • reports and audit records • risk registers. • contracts and schedules |
| Mineral Resource | <ul style="list-style-type: none"> • mineral resources and reserves reports • annual resource and reserve supplement • exploration projects, results, and reports • geographical and other information • mining leases • general mineral resource and reserve literature and plans |

| Subjects on which Mwelase Group of Companies holds records | Categories of records |
|--|---|
| Mining Rights/Property | <ul style="list-style-type: none"> • Competent Persons Reports • Agreements to which Mwelase Group of Companies 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 ○ real rights (rights to receive rentals in respect of mining title) ○ mining authorisations (licenses and permits) ○ mining rights ○ mining works programme ○ property leases (freehold farms and erven) ○ owner's 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 |
| Legal | <ul style="list-style-type: none"> • details of external counsel used by the company (locally and abroad) • copies of agreements to which group companies are party to • list of current matters • details of legal proceedings • general legal correspondence |
| Tax | <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 Mwelase Group of Companies e.g. employees' tax matters etc. |
| Corporate | <ul style="list-style-type: none"> • records relating to Mwelase Group of Companies 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 ○ dividend declarations and announcements ○ share schemes. ○ correspondence with investors ○ securities regulation panel dealings ○ shareholder agreements |

| Subjects on which Mwelase Group of Companies holds records | Categories of records |
|--|--|
| | <ul style="list-style-type: none"> • 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 • offshore company data sheets |
| Information and Communication Technology | <ul style="list-style-type: none"> • supply and maintenance contracts. • project feasibility studies and proposals. • policies, standards, and procedures • internal reports and correspondence • ICT strategy • audit reports pertaining to ICT. • project documentation. • software licensing agreements |
| Operations | <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 |
| Other records | <ul style="list-style-type: none"> • information relating to Mwelase Group of Companies • research information belonging to Mwelase Group of Companies or carried out on behalf of a third party • minutes of meetings • general correspondence |

10. PROCESSING OF PERSONAL INFORMATION

10.1 Purpose of processing personal information

10.1.1 Mwelase Group of Companies processes personal information for the purposes of:

- 10.1.1.1 concluding and executing an employment contract.
- 10.1.1.2 fulfilling a business agreement and matters relating to the agreement.
- 10.1.1.3 detecting and preventing fraud and money laundering and/or in the interest of security and crime prevention.
- 10.1.1.4 assessing and dealing with complaints and requests.
- 10.1.1.5 operational, marketing, auditing, legal and record keeping requirements.
- 10.1.1.6 due diligence, statistical and research purposes.
- 10.1.1.7 verifying identity of a person or the identify of a beneficial owner.
- 10.1.1.8 complying with applicable laws, including lawful requests for information received from local or foreign law enforcement, government, and tax collection agencies.
- 10.1.1.9 recording and/or monitoring electronic communications to/with Mwelase Group of Companies in order to accurately carry out instructions and requests.
- 10.1.1.10 to use as evidence and in the interests of crime prevention.
- 10.1.1.11 conducting market research to improve or evaluate the effectiveness of Mwelase Group of Companies business or products, services, or offerings.
- 10.1.1.12 monitoring, keeping record of and having access to all forms of correspondence or communications received by or sent from Mwelase Group of Companies or any of its employees, agents or contractors, including monitoring, recording and using as evidence.
- 10.1.1.13 prevention and control of any disease.

10.2 Description of the categories of data subjects and of the information or categories of information relating thereto

| Categories of Data Subjects | Personal Information that may be processed |
|------------------------------------|---|
| Employees | <ul style="list-style-type: none"> name, surname, title, address details, contact details, date of birth, age, place of birth, nationality, gender, identity number, passport number, work permit number, industry number, bank account details, vehicle registration number, details about employment history, tax number and financial information, education-, qualification-, and skills and training history, as well as assessment results. biometric information (such as images, fingerprints and x-rays), ethnicity and race, health information, union membership and criminal behaviour and records. |
| Contractor employees | <ul style="list-style-type: none"> name, surname, title, address details, contact details, date of birth, age, nationality, gender, identity number, passport number, work permit number, industry number, vehicle registration number, qualification-, and skills and training history, as well as assessment results. biometric information (such as images, fingerprints and x-rays), ethnicity and race, health information and criminal behaviour and records. |
| Vendors | <ul style="list-style-type: none"> company name, company registration number, company service category details, contact details, address details, Tax/VAT numbers, financial information, bank details, director information, criminal record information, trust details, share certificates and Broad Based Black Economic Empowerment (BBBEE) status. |
| Customers | <ul style="list-style-type: none"> company name, company registration number, name, surname, contact details, address details, VAT number, financial information, identity number. |
| Visitors | <ul style="list-style-type: none"> name, surname, contact details, vehicle registration number, identity number, driver's license information. |
| Third parties | <ul style="list-style-type: none"> company details, name, surname, contact details, address details, identity number. |

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

Depending on the nature of the personal information, Mwelase Group of Companies may share information or records with the following categories of recipients:

| Category of personal information | Recipients or categories of recipients to whom the personal information may be supplied |
|---|--|
| <ul style="list-style-type: none"> Identifiers Contact information. Biometric information Educational information Criminal record and -behaviour information | Verification agencies |
| <ul style="list-style-type: none"> Identifiers Financial information Medical information Children information Employment information | Employment bureau |
| <ul style="list-style-type: none"> Identifiers of data subject, next of kin, dependents, beneficiaries Contact information. Financial information Demographic information | Employee benefits related third parties |

| Category of personal information | Recipients or categories of recipients to whom the personal information may be supplied |
|---|---|
| <ul style="list-style-type: none"> • Medical information • Children information | |
| <ul style="list-style-type: none"> • Identifiers • Contact information. • Financial information • Demographic information • Educational information • Criminal record and -behaviour • Medical information • Employment information | Statutory and regulatory |
| <ul style="list-style-type: none"> • Identifiers • Financial information | Trade unions |
| <ul style="list-style-type: none"> • Identifiers • Financial information | Financial institutions |
| <ul style="list-style-type: none"> • Identifiers • Contact information. • Criminal record and -behaviour • Financial information • Educational information • Employment information • Medical information • Demographic information | Professional services including external auditors, attorneys, actuaries, etc. |
| <ul style="list-style-type: none"> • Identifiers • Contact information. • Employment information • Educational information • Demographic information | Training institutions and assessors |
| <ul style="list-style-type: none"> • Identifiers • Contact information. • Medical information | Medical services |
| <ul style="list-style-type: none"> • Identifiers • Contact information. • Medical information • Demographic information • Financial information | Research programmes |
| <ul style="list-style-type: none"> • Identifiers • Contact information. • Financial information • Criminal record and -behaviour | Legal and judicial proceedings |

10.4 Planned transborder flows of personal information.

- 10.4.1 Mwelase Group of Companies transfers personal information outside the Republic to Ireland, Australia and the United States for cloud hosting and storage purposes. The categories of personal information include:
- 10.4.1.1 Identifiers
 - 10.4.1.2 Contact information.
 - 10.4.1.3 Demographic information
 - 10.4.1.4 Financial information
 - 10.4.1.5 Educational information
 - 10.4.1.6 Employment information
 - 10.4.1.7 Medical information
 - 10.4.1.8 Criminal record and -behaviour
- 10.4.2 Mwelase Group of Companies, when transferring information to another country for any lawful purpose, will ensure that anyone to whom it passes personal information is subject to a law, binding corporate rules or binding agreement which provides an adequate level of protection and the

third party agrees to treat that information with the same level of protection as the Company is obliged under POPIA.

10.5 General description of information security measures to be implemented by Mwelase Group of Companies to ensure the confidentiality, integrity and availability of the information

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

The measures include:

- encryption
- monitoring, auditing, and reporting
- backups
- anti-virus and anti-malware solutions
- awareness and training programmes
- physical and logical security
- firewalls
- disaster recovery plans
- intrusion prevention systems
- information security policies and procedures
- operator agreements
- secure communications
- retention and disposal of information
- governance and regulatory policies
- monitoring access and usage of personal information
- investigating and reacting to security incidents and/or breaches

11. AVAILABILITY OF THE MANUAL

11.1 A copy of the Manual is available.

11.1.1 on www.mwelasemining.co.za.

11.1.2 at 28 Fricker Road, West Block, Ground Floor, Illovo, Sandton for public inspection during normal business hours.

11.1.3 to any person upon request and upon the payment of a reasonable prescribed fee, based on the discretion of the DIO.

11.1.4 from the IR upon request.

11.2 A fee, based on the discretion of the DIO, for a copy of the Manual as contemplated in Annexure B of the Regulations shall be payable per each A4-size photocopy made.

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 **Error! Reference source not found.**

12.1.2 A request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.

12.1.3 POPIA provides that a data subject may, upon proof of identity, request Mwelase Group of Companies 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.

12.1.4 POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, Mwelase Group of Companies 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 Grounds for refusal of the data subject's request are set out in PAIA and are discussed below.
- 12.1.6 POPIA provides that a data subject may object, at any time, to the processing of personal information by Mwelase Group of Companies, 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 **Error! Reference source not found.** and submit it to the IO at the physical address or e-mail address set out above.
- 12.1.7 A data subject may also request Mwelase Group Of Companies 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 Mwelase Group Of Companies is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.
- 12.1.8 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 IO at the postal or physical address or e-mail address set out above on the form attached hereto as **Error! Reference source not found.**

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, based on the discretion of the DIO:
 - 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 or courier costs (these fees are set out in **Error! Reference source not found.**).
- 12.3.2 Section 54 of PAIA entitles Mwelase Group of Companies 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.
- 12.3.3 Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees as based on the discretion of the DIO, 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 DIO 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 (refer 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:
 - 12.5.1.1 the protection of personal information of a third party (who is a natural person) from unreasonable disclosure.
 - 12.5.1.2 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).
 - 12.5.1.3 if disclosure would result in the breach of a duty of confidence owed to a third party.
 - 12.5.1.4 if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person.

- 12.5.1.5 if the record was produced during legal proceedings unless that legal privilege has been waived.
 - 12.5.1.6 if the record contains trade secrets, financial or sensitive information or any information that would put Mwelase Group of Companies at a disadvantage in negotiations or prejudice it in commercial competition.
 - 12.5.1.7 if the record contains information about research being carried out or about to be carried out on behalf of a third party or by Mwelase Group of Companies.
- 12.5.2 Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal:
- 12.5.2.1 a substantial contravention of, or failure to comply with the law.
 - 12.5.2.2 there is an imminent and serious public safety or environmental risk.
 - 12.5.2.3 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. RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST

- 13.1 Requesters have the right to receive a response in the form of an affidavit or affirmation where records cannot reasonably be located, but to which a requester would have had access had the record been available.
- 13.2 Requesters also have the right to receive a response in the form of an affidavit or affirmation where requested records do not exist.

14. DISPOSAL OF RECORDS

- 14.1. Mwelase Group of Companies reserves the right to lawfully dispose of certain records in terms of relevant legislation.
- 14.2. Requesters will be advised whether a particular record has been disposed of where this is relevant to the records requested.

15. UPDATING OF THE MANUAL

The DIO of Mwelase Group of Companies will update this Manual when changes to legislation is published.

Issued by

**/s/ Leon Fanoë Chief
Executive Officer**

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: _____

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 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: | |

| FEES | |
|-------------|---|
| 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: | |
| Date received: | |
| Access fees: | |
| Deposit (if any): | |

Signature of Deputy 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 • 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 • 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: PAIACompliance@infoRegulator.org.za
Tel 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 |
|-------------------------------------|---------------|-----------------------------------|---------------|
| <input type="checkbox"/> Sepedi | | <input type="checkbox"/> Sesotho | |
| <input type="checkbox"/> Setswana | | <input type="checkbox"/> siSwati | |
| <input type="checkbox"/> Tshivenda | | <input type="checkbox"/> Xitsonga | |
| <input type="checkbox"/> Afrikaans | | <input type="checkbox"/> English | |
| <input type="checkbox"/> isiNdebele | | <input type="checkbox"/> isiXhosa | |
| <input type="checkbox"/> isiZulu | | | |

Manner of collection (mark with "X")

| | | |
|---|------------------------------------|--|
| <input type="checkbox"/> Postal address | <input type="checkbox"/> Facsimile | <input type="checkbox"/> 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:

| | |
|--|--|
| Personal inspection of information at the registered address of Mwelase Group Of Companies (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 fees prescribed in Error! Reference source not found. | |
|--|--|

OR

You requested:

| | |
|--|--|
| Printed copies of the information (including copies of 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 | | | |
| • If provided by requestor | R40.00 | | |
| • If provided to the requestor | R60.00 | | |
| 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 | | | |
| • If provided by requestor | R40.00 | | |
| • If provided to the requestor | R60.00 | | |
| 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 Deputy 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 of _____ 20____

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): | |
| E-mail address: | |

| | |
|----------|---|
| C | INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED |
| | |
| | |
| | |
| | |
| D | <p>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</p> |
| | <p>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.</p> <p><i>(Please provide detailed reasons for the request)</i></p> |
| | |
| | |
| | |
| | |
| | |
| | |

Signed at _____ this _____ day of _____ 20____

Signature of Data Subject/Designated Person