



PAIA Manual

Prepared in terms of Section 51 of the Promotion of Access to Information Act No. 2 of 2000, as amended.

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Table of Contents

i.	Forward by the CEO	3
1.	Definitions	4
2.	List of Acronyms and Abbreviations	6
3.	Introduction	6
4.	Overview of Fraser Alexander	6
5.	Information Required	7
6.	Particulars	8
7.	Purpose of the PAIA Manual	8
8.	Entities	8
9.	Contact Details	8
10.	Roles and Responsibilities of the Information Officer	9
11.	Roles and Responsibilities of Deputy Information Officer/s	9
12.	The Act	10
13.	Applicable Legislation	11
14.	Schedule of Records Available	14
15.	The Purpose of Processing of Personal Information	16
16.	Procedure for Requests for Access	16
17.	Information Security Measures to Protect Personal Information	18
18.	Trans-border Flows of Personal Information	19
19.	Personal Information Received from Third Parties	19
20.	Prescribed Fees	20
21.	Grounds for Refusal of Access to Records	20
22.	Remedies	21
23.	Availability of the Manual	22
24.	Updating of the Manual	22

i. Forward by the CEO

Fraser Alexander is proud to present our PAIA Manual designed to facilitate access to information held by Fraser Alexander in accordance with the Promotion of Access to Information (PAIA) Act No. 2 of 2000, as amended. We recognise the importance of compliance with the PAIA Act and the organisation's role in promoting access to information. Our PAIA Manual is to be read in conjunction with the Guide on how to use PAIA.

One of the fundamental values and principles governing public administration is transparency. The Constitution of the Republic of South Africa Act No. 108 of 1996 mandates that transparency must be fostered by providing the public with timely, accessible, and accurate information. As such, our organisation is committed to promoting transparency and accountability in all our operations, and we acknowledge the pivotal role that access to information plays in enhancing stakeholder participation, promoting accountability, and advancing good governance.

Our PAIA Manual serves as a vital instrument in facilitating access to information, and it outlines our policies and procedures for providing access to information in compliance with the PAIA Act and the Information Regulator's guidelines. We believe that this manual will serve as a comprehensive guide for accessing information from our organisation and promote transparency and accountability in all our operations.

We are proud of our organisation's commitment to transparency and remain dedicated to continuously improving our processes and practices to ensure that we maintain the highest standards of transparency and accountability. We are grateful for your continued support in our endeavours to promote access to information in compliance with the Information Regulator and the PAIA Act.

Yours sincerely,

Keith D. Scott

Chief Executive Officer

Fraser Alexander (Pty) Ltd

1. Definitions

Term	Description
Access Fee	A fee prescribed for the purposes of section 22(6) or 54(6), as the case may be
Data Subject	The person to whom personal information relates
Deputy Information Officer	The designated individual in the public or private body who is responsible for assisting the Information Officer with the PAIA Request
Guide	The guide on how to use PAIA by any person who wishes to exercise any right contemplated in Promotion of Access to Information Act 2 of 2000 (PAIA) and the Protection of Personal Information Act 04 of 2013, as contemplated in section 10 of PAIA
Information Officer	The head of a private body as contemplated in section 1, of the Promotion of Access to Information Act
Information Regulator	The Information Regulator established in terms of section 39 of the Protection of Personal Information Act, 2013
Internal Appeal	An internal appeal to the relevant authority in terms of section 74
Person	A natural person or a juristic person
Personal Information	Information relating to an identifiable natural person, including, but not limited to <ol style="list-style-type: none"> i. information relating to the race, 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; ii. information relating to the education or the medical, financial, criminal or employment history of the person;

Term	Description
Personal Information	<ul style="list-style-type: none"> iii. any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assigned to the person; iv. the biometric information of the person; v. the personal opinions, views or preferences of the person; vi. 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; vii. the views or opinions of another individual about the person; and viii. 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, but excludes information about an individual who has been dead for more than 20 years.
Private Body	<ul style="list-style-type: none"> i. a natural person who carries or has carried on any trade, business or profession, but only in such capacity; or ii. a partnership which carries or has carried on any trade, business or profession; or iii. any former or existing juristic person; or iv. a political party.
Record	<p>Any recorded information</p> <ul style="list-style-type: none"> i. regardless of form or medium; ii. in the possession or under the control of that public or private body, respectively; and iii. whether or not it was created by that public or private body, respectively
Responsible Party	A private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information

2. List of Acronyms and Abbreviations

Term	Description
CEO	Chief Executive Officer
Constitution	Constitution of the Republic of South Africa, Act No. 108 of 1996
DIO	Deputy Information Officer
FA	Fraser Alexander (Pty) Ltd
I&T	Information and Technology
IO	Information Officer
PAIA	Promotion of Access to Information Act No. 2 of 2000
POPIA	Protection of Personal Information Act No. 4 of 2013
Regulator	Information Regulator

3. Introduction

The Promotion of Access to Information Act (the “Act”), together with all relevant legislation, provides for the right of access to information held by public and private bodies when such information is requested for the exercise of protection of any rights.

This manual is to assist any potential requesters with the procedural and other requirements that a request for information must meet as prescribed by the Act, as amended.

4. Overview of Fraser Alexander

Fraser Alexander is a globally operated mining services partner in the tailings and mineral processing sectors. We transform mine waste to societal, environmental, and economic value.

Fraser Alexander, with its headquarters in South Africa, is a 100% South African black- and majority women-owned company in the Mining, Oil and Gas Services (MOGS) Group. The MOGS Group is in turn owned by Royal Bafokeng Holdings (51%) and the Public Investment Corporation (49%).

Established in 1912 as a tailings deposition service on South Africa’s Witwatersrand goldfields, Fraser Alexander is now, globally, the leading hydro re-mining company, mining over 50 million tonnes a year. It is also the largest independent owner and operator of mineral processing plants in South Africa. The company builds some of the biggest tailings dams in the world and is the largest outsourced tailings management contractor, depositing more than 200 million tonnes a year. In addition, it treats over 25 million litres of water a day in its operation of more than 40 water treatment plants in South Africa. Currently, our operations are based in 11 countries and span two continents.

5. Information Required

Ref: In Terms of Section 51(1)(a) of the Act

<p>Registered Office 19 9th Street, Building 2 2nd Floor, Suite 3 Houghton Estate Rosebank Johannesburg</p>	<p>Bankers The Standard Bank of South Africa Limited Absa Bank Limited Nedbank Limited FirstRand Group Limited</p>
<p>Auditors SNG Grant Thornton 20 Morris Street East Woodmead 2191</p>	<p>Legal Advisors Webber Wentzel 90 Rivonia Road Sandton 2196</p>

6. Particulars

Ref: In Terms of the Section 51 Manual

This manual has been compiled in accordance with the Act and applies to all the entities identified in section 8 below.

The Chief Executive Officer of Fraser Alexander Holdings has delegated his powers in terms of the Act to the *Chief Financial Officer, Senior Manager: Digital* and *Senior Manager: Internal Controls and Business Processes*, who will handle all requests in terms of the Act on his/her behalf, thus making the *Chief Financial Officer, Senior Manager: Digital* and *Senior Manager: Internal Controls and Business Processes* Deputy Information Officers for the purposes of the Act.

7. Purpose of the PAIA Manual

This PAIA Manual is intended to ensure that Fraser Alexander complies with the requirements of the PAIA Act as amended by the Protection of Personal Information Act 4 of 2013 (POPIA), and to foster a culture of transparency and accountability within Fraser Alexander. This will give effect to the right to information that is required for the exercise of protection of all rights and to actively promote a society in which South Africans have effective access to information to enable them to exercise and protect their rights.

8. Entities

Fraser Alexander Holdings (Pty) Ltd	2005/028628/07
Fraser Alexander (Pty) Ltd	2005/028043/07
Fraser Alexander Offshore (Pty) Ltd	2015/098001/07

9. Contact Details

The Chief Executive Officer is the Information Officer. Delegation of duties have been made to the Deputy Information Officer. All queries in terms of PAIA should be made to the:

Deputy Information Officer

Fraser Alexander Holdings (Pty) Ltd

P O Box 14700, Witfield, 1467

19 9th Street, Building 2, 2nd Floor, Suite 3 Houghton Estate, Rosebank, Johannesburg

Telephone: +27 11 929 3600

Email: infosec@fraseralexander.com

Website: www.fraseralexander.com

10. Roles and Responsibilities of the Information Officer

An Information Officer (IO) must:

- encourage and ensure overall compliance with PAIA and POPIA;
- create and maintain a PAIA manual for Fraser Alexander;
- update the PAIA manual annually or when the relevant legislation changes;
- ensure that the PAIA manual is available at all Fraser Alexander offices, on the website and the office of the Information Regulator. The PAIA manual may also be published in the Government Gazette.
- evaluate and approve/deny requests for access to information received in terms of the grounds set out in PAIA, within the time constraint or any extended period;
- develop a list of information (categories and descriptions) that is automatically available without having to make a formal request.

11. Roles and Responsibilities of Deputy Information Officer/s

The Deputy Information Officer/s (DIO) is the person/s designated by the Information Officer to assist the requester in their information request. Therefore, the responsibilities of the Information Officer are cascaded to the Deputy Information Officer/s.

12. The Act

Ref: Section 51(1)(b)

12.1 Guide Referred to in Section 10 of the Act

In terms of Section 10 of the Act, the Information Regulator has updated and made available the revised guide to help people who wish to exercise any rights granted in the Act. The Guide is available for inspection, inter alia, at the offices of the Information Regulator, as follows:

Information Regulator

The Research and Documentation Department

Postal Address: P O Box 31533, Braamfontein, Johannesburg, 2017

Telephone: +27 10 023 5200

Website: www.inforegulator.org.za

E-mail (complaints): complaints.IR@justice.gov.za or
PAIAComplaints@inforegulator.org.za or
POPIAComplaints@inforegulator.org.za

E-mail (general enquiries): inforeg@justice.gov.za

12.2 Company Records – Classification Key

Classification No.	Access	Classification (PAIA Section)
1	May be disclosed	Public Access Document
2	May not be disclosed	Request after commencement of criminal or civil proceedings {s7}
3	May be disclosed	Subject to copyright
4	Limited Disclosure	Personal information that belongs to the requester of that information {s61}

Classification No.	Access	Classification (PAIA Section)
5	May not be disclosed	Unreasonable disclosure {s63(1)}
6	May not be disclosed	Likely to harm the commercial or financial interests of third party {s64(1a), s64(1b)}
7	May not be disclosed	Likely to harm the Company or third party in contract or other negotiations {s64(1c)}
8	May not be disclosed	Would breach a duty of confidence owed to a third party in terms of an agreement {s65}
9	May not be disclosed	Likely to compromise the safety of individuals or protection of property {s66}
10	May not be disclosed	Legally privileged document {s67}
11	May not be refused	Environment testing / investigation which reveals public safety/ environment risks {s64(2); s68(2)}
12	May not be disclosed	Commercial information of a private body {s68}
13	May not be disclosed	Likely to prejudice research and development information of the Company or a third party {s69}
14	May not be refused	Disclosure in public interest {s70}

13. Applicable Legislation

Ref: Section 51(1)(d)

Records are available in accordance with the following current South African legislation and any amendments thereof and regulations thereto (only to the extent that the relevant Act is applicable, and which therefore makes disclosure of records compulsory):

- Auditing Profession Act, No. 26 of 2005
- Basic Conditions of Employment Act, No. 75 of 1997

- Broad-Based Black Economic Empowerment Act, No. 53 of 2003
- Companies Act, No. 71 of 2008
- Compensation of Occupational Injuries and Diseases Act, No. 130 of 1993
- Competition Act, No. 89 of 1998
- Construction Industry Development Board Act, No. 38 of 2000
- Consulting Engineers South Africa (CESA) Advisory note – retention of drawings and records
- Consumer Protection Act, No. 68 of 2008
- Criminal Procedure Act, No. 51 of 1977
- Customs and Excise Act, No. 91 of 1964, Section 101 and Regulation 1.04 - Government Gazette No 4040 R1770 dated 5 October 1973.
- Debt Collectors Act, No. 114 of 1998
- Diamond Export Levy (Administration) Act, No. 14 of 2007
- Electronic Communications and Transactions Act, No. 25 of 2002
- Employment Equity Act, No. 55 of 1998
- Explosives Act, No. 26 of 1956
- Financial Intelligence Centre Act, No. 38 of 2001
- Firearms Control Act, No. 60 of 2000
- Hazardous Substances Act, No. 15 of 1973
- HPCSA Booklet 9, Guidelines on the keeping of patient Records 2016
- Income Tax Act, No. 58 of 1962
- Insolvency Act, No. 24 of 1936
- Intellectual Property Laws Amendment Act, No. 38 of 1997
- Labour Relations Act, No. 66 of 1995
- Merchant Shipping (International Oil Pollution Compensation Fund) Administration Act, No. 35 of 2013
- Mines and Works Act, No. 27 of 1956
- Mine Health and Safety Act, No. 29 of 1996
- Mineral and Petroleum Resources Development Act, No. 28 of 2002
- Mineral and Petroleum Resources Royalty (Administration) Act, No. 29 of 2008
- Mining Titles Registration Act, No. 16 of 1967

- National Credit Act No. 34 of 2005
- National Environmental Management Act, No. 107 of 1998
- National Environmental Management: Waste Act, No. 59 of 2008
- National Health Act, No 61 of 2003
- National Road Traffic Act, No. 93 of 1996
- National Water Act, No. 36 of 1998
- Occupational Health and Safety Act, No. 85 of 1993
- Pension Funds Act, No. 24 of 1956, Section 30L
- Precious Metals Act, No. 37 of 2005
- Prescription Act, No. 68 of 1969
- Prevention of Organised Crime Act, No. 121 of 1998
- Private Security Industry Regulation Act, No. 56 of 2001
- Promotion of Access to Information Act, No. 2 of 2000
- Protection of Personal Information Act, No. 4 of 2013
- Regulation of Interception of Communications and Provision of Communication - Related Information Act, No. 70 of 2002
- SARS Notice 787
- Second-Hand Goods Act, No.6 of 2009.
- Securities Transfer Tax Administration Act, No. 26 of 2007
- Skills Development Act, No. 97 of 1998
- Skills Development Levies Act, No. 9 of 1999
- Tax Administration Act, No. 28 of 2011
- Trade Metrology Act, No. 77 of 1973
- Transfer Duty Act, No. 40 of 1949
- Unemployment Insurance Act, No. 63 of 2001
- Value Added Tax Act, No. 89 of 1991

Although we have used our best endeavours to supply a complete list of applicable legislation, the above list may be incomplete. Wherever it comes to our attention that existing or new legislation allows a requester access on a basis other than that set out in the Act, we shall immediately update the list.

14. Schedule of Records Available

Ref: Section 51(1)(d)

14.1 Statutory and Legal

- Memorandum of Incorporation
- Company Registers
- Statutory Records and Returns
- Agreements
- Trademarks and Patents
- Title Deeds

14.2 Finance and Accounting

- Accounting Records
- Policies and Procedures
- Banking Details and Bank Statements
- Financial Statements
- Income Tax

14.3 Human Resources

- Policies and Procedures
- Employment Equity Plans
- Pension and Provident Fund Scheme details
- Skills Development Plans
- Records and Reports

14.4 Operations Management

- Permits, licences, consents, approvals, authorisations, applications, and registrations
- Policies and Procedures

- Reports and supporting documentation
- Contractor, client and supplier agreements and information
- Documentation on Customs and Excise
- Environmental, Health and Safety records

14.5 Information and Technology

- System documentation and manuals
- Policies and Procedures
- Project, disaster recovery and implementation plans

14.6 Protection of Personal information Act No. 4 of 2013

Subject	Category
Data subject categories and their personal information	Employees: record of employee life cycle General public: general enquiries and viewing the company website; name, e- mail address Industry bodies: membership records Media: records of media interactions Service providers: record of service provider life cycle
Recipients of personal information	Employee pension funds Industry bodies Law enforcement Medical aid schemes Purchasers on the sale or other substantial transfer of all of the business of Fraser Alexander or the Fraser Alexander group of companies Service providers Statutory authorities

15. The Purpose of Processing of Personal Information

Fraser Alexander processes personal information for a variety of purposes, including but not limited to the following:

- to provide or manage any information, products and/or services requested by data subjects;
- to help us identify data subjects when they contact Fraser Alexander;
- to maintain customer records;
- for recruitment purposes;
- for employment purposes;
- for apprenticeship purposes;
- for travel purposes;
- for general administration, financial and tax purposes;
- for legal or contractual purposes;
- for health and safety purposes;
- to monitor access, secure and manage our premises and facilities;
- to transact with our suppliers and business partners;
- to help us improve the quality of our products and services;
- to help us detect and prevent fraud and money laundering;
- to help us recover debts;
- to carry out analysis and customer profiling; and
- to identify other products and services which might be of interest to data subjects and to inform them about our products and services.

16. Procedure for Requests for Access

Ref: Section 51(1)(e)

- The requester must complete the prescribed form and submit this form together with a request fee, to the Deputy Information Officers at the physical or postal address, or electronic mail address as set out above.

- The form must:
 - provide sufficient particulars to enable the Deputy Information Officers to identify the record/s requested and to identify the requester;
 - indicate which form of access is required;
 - specify a postal address or electronic mail address of the requester in the Republic;
 - identify the right that the requester is seeking to exercise or protect, and provide an explanation of why the requested record is required for the exercise or protection of that right;
 - if, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, state that manner and the necessary particulars to be informed in the other manner;
 - if the request is made on behalf of another person, submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Deputy Information Officers.
- The Deputy Information Officers will process the request within 30 days after receiving the request. The Deputy Information Officers may request an extension for a period of no more than 30 additional days for specific reasons, which include the request involving (1) a large volume of documents, (2) consultation with other public or private entities, or (3) if the requester has granted the extension in writing.
- The Deputy Information Officers will notify the requester in writing whether or not the application for access has been denied or granted. In the event that the application is refused, the requester will be given adequate reasons for the refusal and will be informed that the requester may lodge an application with a Court against the refusal of the application, as well as the procedure (including the period) for lodging such an application.
- Please note that the correct completion and submission of a Request for Access form does not automatically entitle or allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a category as specified in Part 3 Chapter 4 of the Act.

- Please further note that if it is reasonably suspected that an applicant has obtained access to a record on the basis of the submission of materially incorrect, false or misleading information, legal proceedings may be instituted against such applicant.
- In the event that a request for access is successful, an access fee will be payable for the search, reproduction and/or preparation of records and will be calculated based on the fee prescribed under the Act.
- If the Deputy Information Officers has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to locate the record.
- If access is requested to a record that contains information about a third party, the Deputy Information Officers is obliged to attempt to contact the third party to inform them of the request. This enables the third party the opportunity to respond by either consenting to the access or by providing reasons why the access should be denied. In the event of the third-party furnishing reasons for the support or denial of access, the Deputy Information Officers will consider these reasons in determining whether access should be granted, or not.

17. Information Security Measures to Protect Personal Information

- Appropriate, reasonable, technical and organisational measures have been implemented for the protection of personal information processed by Fraser Alexander. Our security measures include:
 - Physical security measures;
 - Access control measures;
 - Internal security measures;
 - Cyber security measures;
 - Anti-virus measures;
 - Installing security firewalls;
 - Password control with Multi Factor Authentication;
 - Training programmes on information security;

- Information security audits and
- I&T-related company policies.
- We continuously implement and monitor technical and organisational security measures to protect the personal information we hold, against unauthorised access, as well as accidental or wilful manipulation, loss or destruction.
- We will take steps to ensure that operators that process personal information on behalf of Fraser Alexander apply adequate safeguards as outlined above. In terms of the POPI Act, operators are third parties that process personal information on behalf of Fraser Alexander.

18. Trans-border Flows of Personal Information

- We will only transfer personal information across South African borders if the relevant business transactions or situation requires trans-border processing and will do so only in accordance with South African legislative requirements. It is likely that we may from time to time transfer personal information to our affiliates who as at the date hereof include parties located in Botswana, Brazil, Chile, the Democratic Republic of Congo, Ghana, Mali, Lesotho, Mozambique, Namibia, Tanzania, Zambia and Zimbabwe for the purposes stated in this provision.
- We will take steps to ensure that third parties to whom we transfer personal information are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information, in terms of the POPI Act.

19. Personal Information Received from Third Parties

- When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have a lawful justification for processing that personal information, have written consent from the data subject that they are aware of the contents of this PAIA manual and the Fraser Alexander Privacy Policy, and do not have any objection to our processing their information in accordance with the Fraser Alexander Privacy Policy.

20. Prescribed Fees

Ref: Section 54

The following applies to requests (other than personal requests):

- A requester is required to pay the prescribed fees as per the Information Regulator's schedule of fees before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee that would be payable if the request were granted);
- A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- Records may be withheld until the fees have been paid.
- The fees for accessing records of a private body are as per the Information Regulator's schedule of fees.
- Postage fees have to be paid by the requester for the delivery of their records.
- The fee structure is also available on the website of the Information Regulator.

21. Grounds for Refusal of Access to Records

Ref: Section 63 to 70 of the Act and the Protection of Personal Information Act, No. 4 of 2013

Access to certain records must be denied on the grounds set out in the Act. This includes:

- Mandatory protection of the privacy of a third party who is a natural person, including a deceased individual;
- Mandatory protection of commercial information of a third party;
- Mandatory protection of certain confidential information and confidential information of a third party;
- Mandatory protection of the safety of individuals, and protection of property;
- Mandatory protection of records privileged from production in legal proceedings and
- Mandatory protection of research information of a third party.

Access to records may be denied in the following scenarios:

- Commercial information, if the record:
 - contains trade secrets;
 - contains financial, commercial, scientific or technical information, the disclosure of which would be likely to harm the commercial or financial interests of the company.
 - contains information, the disclosure of which would reasonably be expected to put the company at a disadvantage in contractual or other negotiations, or to prejudice the company in commercial competition; or
 - is a computer programme owned by the Company.
- “Manifestly frivolous or vexatious requests or substantial and unreasonable diversion of resources”.

All the protections afforded to information as detailed above fall away if the release of the information is in the public interest. In this way, the public interest test overrides all the other grounds of refusal of access to information.

The following test must be applied by the Deputy Information Officers before refusing to allow access to information that falls within the categories for non-disclosure listed above. If these conditions are met, then the information must be disclosed on the grounds of public interest.

Does the information demonstrate a serious breach of a law?

or

Do the records in question contain information relating to an imminent and serious public safety or environmental risk?

and

Does the public interest in disclosing the information clearly outweigh the potential harm?

22. Remedies

The company does not have internal appeal procedures regarding PAIA and POPI Act requests. As such, the decision made by the duly authorised person in section 6, is final. If a

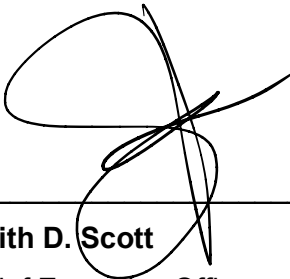
request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator, for relief.

23. Availability of the Manual

A Copy of this manual is available for inspection at the offices of Fraser Alexander Holdings, during normal business hours, at no cost. Copies are also available from the Information Regulator and from the Fraser Alexander website at www.fraseralexander.com.

24. Updating of the Manual

Fraser Alexander will, where necessary, update and publish this Manual on an ad hoc basis.



Keith D. Scott

Chief Executive Officer

Fraser Alexander (Pty) Ltd