



PAIA MANUAL

The Sylvania Platinum Limited Group of Companies

This manual has been prepared in terms of the section 51 of the South African Promotion of Access to Information Act 2/2000 and to address the requirements of the Protection of Personal Information Act 4/2014, understanding that the primary operating functions of Sylvania Platinum Limited occur within the borders of South Africa, under the ambit of its South African based subsidiaries, therefore making the aforementioned legislation applicable.

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1. Definitions

- 1.1. **“Client”** refers to any natural or juristic person that received or receives services from the Sylvania Platinum Limited Group of Companies;
- 1.2. **“Conditions for Lawful Processing”** refers to the conditions for the lawful processing of Personal Information as fully set out in chapter 3 of POPI and in paragraph 11 of this Manual;
- 1.3. **“Data Subject”** - as ascribed thereto in section 1 of POPI;
- 1.4. **“Information Officer”** - the duly authorised Head (as defined in section 1 of PAIA) of each of the Sylvania Platinum Limited Group of Companies;
- 1.5. **“Manual”** - this manual prepared in accordance with section 51 of PAIA and regulation 4(1)(d) of the POPI Regulations;
- 1.6. **“PAIA”** - the Promotion of Access to Information Act 2 of 2000;
- 1.7. **“Personal Information”** - as ascribed thereto in section 1 of POPI;
- 1.8. **“Personnel”** - any person who works for, or provides services to or on behalf of the Sylvania Platinum Limited Group of Companies, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of the Sylvania Platinum Limited Group of Companies, which includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff as well as contract workers;
- 1.9. **“POPI”** - the Protection of Personal Information Act 4 of 2013;
- 1.10. **“POPI Regulations”**- the regulations promulgated in terms of section 112(2) of POPI;
- 1.11. **“Private Body”** - as ascribed thereto in sections 1 of both PAIA and POPI;
- 1.12. **“Processing”** - as ascribed thereto in section 1 of POPI;
- 1.13. **“Records”** – information requested and that can be obtained in accordance with this manual and applicable legislation as stipulated herein.
- 1.14. **“Requestor”** – as ascribed thereto in section 1 of PAIA;
- 1.15. **“Request for Access”** - as ascribed thereto in section 1 of PAIA;
- 1.16. **“Right”** – as ascribed thereto within the Bill of Rights enshrined in the Constitution of South Africa Act 108 of 1996.
- 1.17. **“SAHRC”** - the South African Human Rights Commission;
- 1.18. **“Sylvania”** – Sylvania Platinum Limited Group of Companies
- 1.19. Any other terms not described herein will have the meaning as ascribed to it in terms of PAIA or POPI.

2. Introduction

- 2.1. For the purposes of POPI and PAIA, the Sylvania Platinum Limited Group of Companies are defined as private bodies. In accordance with Sylvania’s obligations in terms of POPI and PAIA, of the Sylvania Platinum Limited Group of Companies have produced this manual.
- 2.2. This manual sets out all information required by both PAIA and POPI.
- 2.3. This manual also deals with how requests are to be made in terms of PAIA.

2.4. This manual also establishes how compliance with POPI is to be achieved.

3. Contact Details

- 3.1. **Business Name:** Sylvania Platinum Limited
- 3.2. **Registered Office:** Clarendon House, 2 Church Street, Hamilton, HM 11, Bermuda
- 3.3. **Office of Operations:** Constantia Office Park, Cycad House, Ground Floor, Block 17, Corner 14th Avenue and Hendrik Potgieter Road, Weltevreden Park, Gauteng, South Africa, 1709
- 3.4. **South African Postal Address:** PO Box 976, Florida Hills, Gauteng, 1716
- 3.5. **Directors:** Stuart Angus Murray, Roger Williams, Eileen Carr, Adrian Reynolds, Jacobus Johannes Prinsloo, Lewanne Carminati
- 3.6. **Contact Person:** Lisa Watermeyer
- 3.7. **Tel # of Contact Person:** 011 673 1171
- 3.8. **E-Mail Address of Contact Person:** lisa@sylvania.co.za

4. Guide of SAHRC

- 4.1. A guide to PAIA has been published pursuant to section 10 of PAIA.
- 4.2. The guide contains information required by an individual who may wish to exercise their rights in terms of PAIA.
- 4.3. Should you wish to access the guide you may contact the SAHRC at the following details:
PAIA UNIT
Postal Address: Private Bag 2700, Houghton, 2041.
Telephone: 011 484-8300
Website: <http://www.sahrc.org.za>
Email|: PAIA@sahrc.org.za

5. Latest Notices in terms of section 52(2) of PAIA

- 5.1. At this stage no Notice(s) has / have been published.

6. Availability and publication of certain records in terms of PAIA

- 6.1. The Sylvania Platinum Limited Group of Companies hold and/or process the following records for the purposes of PAIA and POPI.

Employment Contracts	On request in terms of PAIA
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Personal records provided by personal and third parties	On request in terms of PAIA
Internal records, including internal evaluation of personnel	On request in terms of PAIA
Correspondence in relation to personnel	On request in terms of PAIA
Training of personnel	On request in terms of PAIA
Records relating to all clients of the Sylvania Platinum Limited Group of Companies	On request in terms of PAIA
Records generated for its clients by the Sylvania Platinum Limited Group of Companies	On request in terms of PAIA
Operational records	On request in terms of PAIA
Database	On request in terms of PAIA
Information technology	On request in terms of PAIA
Marketing records	On request in terms of PAIA
Internal Correspondence	On request in terms of PAIA
Internal Policies	On request in terms of PAIA
Financial records	On request in terms of PAIA
Trade Secrets	On request in terms of PAIA
Domain Name Registrations	On request in terms of PAIA
Tradename Registrations	On request in terms of PAIA
Trademark Registrations	On request in terms of PAIA
Company Documentation	On request in terms of PAIA
Agreements With Suppliers	On request in terms of PAIA
Supplier Agreements	On request in terms of PAIA
Customer Agreements	On request in terms of PAIA
Website Information	On request in terms of PAIA

6.2. Information is available in terms of the following South African legislation, if and where applicable (the Records):

- 6.2.1. Basic Conditions of Employment Act No. 75 of 1997
- 6.2.2. Companies Act No. 71 of 2008
- 6.2.3. Compensation of Occupational Injuries and Diseases Act No. 130 of 1993
- 6.2.4. Electronic Communications and Transactions Act No. 25 of 2002
- 6.2.5. Employment Equity Act No. 55 of 1998
- 6.2.6. Income Tax Act No. 58 of 1962

- 6.2.7. Insolvency Act No. 24 of 1936
- 6.2.8. Labour Relations Act No. 66 of 1995
- 6.2.9. Occupational Health and Safety Act No. 85 of 1993
- 6.2.10. Promotion of Access to Information Act No. 2 of 2000
- 6.2.11. Protection of Personal Information Act of 2013
- 6.2.12. Skills development Levies Act No. 9 of 1999
- 6.2.13. Trademarks Act No. 194.of 1993
- 6.2.14. Unemployment Insurance Act No. 30 of 1966
- 6.2.15. Value – Added Tax Act No. 89 of 1991

7. Request Process

- 7.1. An individual who wishes to place a request must comply with all the procedures laid down in PAIA. The requester must complete the prescribed form, which is attached hereto as annexure “A”. The prescribed form must be submitted as well as payment of a request fee and a deposit, if applicable to the information officer at the postal or physical address, fax number or electronic mail as is stated herein.
- 7.2. The prescribed form must be completed with enough particularity to enable the information officer to determine:
 - 7.2.1. The record(s) requested;
 - 7.2.2. The identity of the requestor;
 - 7.2.3. What form of access is required; and
 - 7.2.4. The Postal address or fax number of the requestor.
- 7.3. The requestor must state that the records are required for the requestor to exercise or protect a right, and clearly state what the nature of the right is so to be exercised or protected. An explanation of why the records requested is required to exercise or protect the right.
- 7.4. The request for access will be dealt with within 30 days from date of receipt, unless the requestor has set out special grounds that satisfy the information officer that the request be dealt with sooner.
- 7.5. The period of 30 days may be extended by not more than 30 additional days, if the request is for a large quantity of information, or the request requires a search for information held at another office of the Sylvania Platinum Limited Group of Companies, and the information cannot be reasonably

obtained within 30 days. The information officer will notify the requestor in writing should an extension be necessary.

- 7.6. The requestor will be informed in writing whether access to the records has been granted or denied. If the requestor requires a reason for the decision the request must be expressed in the prescribed form, the requestor must be further stated what particulars of the reasoning the requestor requires.
- 7.7. If a requestor has requested the records on another individual's behalf, the requestor must submit proof of the capacity the requestor submits the request in, to the satisfaction of the information officer.
- 7.8. If the requestor is unable to complete the prescribed form due to illiteracy or disability, the requestor may request it orally from the information officer.

8. Grounds for refusal

- 8.1. The following are grounds upon which the Sylvania Platinum Limited Group of Companies may, subject to the exceptions in Chapter 4 of PAIA, refuse a request for access in accordance with Chapter 4 of PAIA:
 - 8.1.1. Mandatory protection of the privacy of a third party who is a natural person, including a deceased person, where such disclosure of Personal Information would be unreasonable
 - 8.1.2. Mandatory protection of the commercial information of a third party, if the records contain:
 - 8.1.2.1. Trade secrets of that third party;
 - 8.1.2.2. Financial, commercial, scientific or technical information of the third party, the disclosure of which could likely cause harm to the financial or commercial interests of that third party; and/or
 - 8.1.2.3. Information disclosed in confidence by a third party to the Sylvania Platinum Limited Group of Companies, the disclosure of which could put that third party at a disadvantage in contractual or other negotiations or prejudice the third party in commercial competition;
 - 8.1.3. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
 - 8.1.4. Mandatory protection of the safety of individuals and the protection of property;
 - 8.1.5. Mandatory protection of records that would be regarded as privileged in legal proceedings;
 - 8.1.6. Protection of the commercial information of the Sylvania Platinum Limited Group of Companies, which may include:

- 8.1.6.1. Trade secrets;
- 8.1.6.2. Financial/commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of the Sylvania Platinum Limited Group of Companies;
- 8.1.6.3. Information which, if disclosed, could put the Sylvania Platinum Limited Group of Companies at a disadvantage in contractual or other negotiations or prejudice the Sylvania Platinum Limited Group of Companies in commercial competition; and/or
- 8.1.6.4. Computer programs which are owned by the Sylvania Platinum Limited Group of Companies, and which are protected by copyright and intellectual property laws;
- 8.1.7. Research information of the Sylvania Platinum Limited Group of Companies or a third party, if such disclosure would place the research or the researcher at a serious disadvantage; and
- 8.1.8. Requests for records that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources.

9. Remedies should a request be refused

- 9.1. The Sylvania Platinum Limited Group of Companies do not have an internal appeal procedure in light of a denial of a request, decisions made by the information officer are final;
- 9.2. The requestor may in accordance with sections 56(3) (c) and 78 of PAIA, apply to a South African court with relevant jurisdiction for relief within 180 days of notification of the decision for appropriate relief.

10. Fees

- 10.1. Fees may be prescribed in terms of the regulation 11(1).
- 10.2. Reasonable fees may be charged for the;
 - a) Making the register available to the public
 - b) Providing copies of, or extractions from the register

11. POPI

11.1. Conditions for lawful processing

- 11.1.1. POPI has eight conditions for lawful processing and include:

- 11.1.1.1. Accountability
- 11.1.1.2. Processing limitation
- 11.1.1.3. Purpose specification
- 11.1.1.4. Further processing limitation
- 11.1.1.5. Information quality
- 11.1.1.6. Openness
- 11.1.1.7. Security safeguards
- 11.1.1.8. Data subject participation

11.1.2. The Sylvania Platinum Limited Group of Companies are involved in the following types of processing:

- 11.1.2.1. Collection
- 11.1.2.2. Recording
- 11.1.2.3. Organization
- 11.1.2.4. Structuring
- 11.1.2.5. Storage
- 11.1.2.6. adaptation or alteration
- 11.1.2.7. retrieval
- 11.1.2.8. consultation
- 11.1.2.9. use
- 11.1.2.10. disclosure by transmission
- 11.1.2.11. dissemination or otherwise making available
- 11.1.2.12. alignment or combination
- 11.1.2.13. restriction
- 11.1.2.14. erasure
- 11.1.2.15. destruction

11.1.3. The Sylvania Platinum Limited Group of Companies, process information for the following purposes:

- 11.1.3.1. to provide services to its Clients in accordance with terms agreed to by the Clients;
- 11.1.3.2. to undertake activities related to the provision of services, such as:
 - 11.1.3.2.1. to fulfil domestic legal, regulatory and compliance requirements
 - 11.1.3.2.2. to verify the identity of Customer representatives who contact the Sylvania Platinum Limited Group of Companies or may be contacted by the Sylvania Platinum Limited Group of Companies;
 - 11.1.3.2.3. for risk assessment, information security management, statistical, trend analysis and planning purposes;
 - 11.1.3.2.4. to enforce or defend Sylvania Platinum Limited Group of Companies affiliates' rights;
 - 11.1.3.2.5. to manage the Sylvania Platinum Limited Group of Companies relationship with its clients, which may include providing information to its clients and its clients' affiliates about the Sylvania Platinum Limited Group of Companies affiliates' products and services;
- 11.1.3.3. the purposes related to any authorised disclosure made in terms of agreement, law or regulation;
- 11.1.3.4. any additional purposes expressly authorised by the Sylvania Platinum Limited Group of Companies' client;
- 11.1.3.5. any additional purposes as may be notified to the Client or Data Subjects in any notice provided by the Sylvania Platinum Limited Group of Companies.

11.2. The Sylvania Platinum Limited Group of Companies process personal information the following categories of Data Subjects:

- 11.2.1. Juristic persons –
 - 11.2.1.1. Corporate clients
- 11.2.2. Natural persons –
 - 11.2.2.1. Individuals
 - 11.2.2.2. Staff

11.3. The Sylvania Platinum Limited Group of Companies process the following categories personal information:

- 11.3.1. Client profile information;

- 11.3.2. Bank account details;
- 11.3.3. Payment information;
- 11.3.4. Client representatives;
- 11.3.5. Names;
- 11.3.6. Email Addresses;
- 11.3.7. Telephone numbers;
- 11.3.8. Facsimile numbers;
- 11.3.9. Physical addresses;
- 11.3.10. Tax numbers;
- 11.3.11. Identity Numbers;
- 11.3.12. Passport Numbers;

11.4. Recipients of Personal Information:

- 11.4.1. The Sylvania Platinum Limited Group of Companies' affiliates, their respective representatives

11.5. When making authorised disclosures or transfers of personal information in terms of Section 72 of POPI, personal information may be disclosed to recipients in countries that do not have the same level of protection for personal information as South Africa does.

11.6. The following Security measures are implemented by the Sylvania Platinum Limited Group of Companies:

11.6.1. Personal information stored electronically is protected as follows:

- 11.6.1.1. The Sylvania Platinum Limited Group of Companies store all personal information with VIP which runs on a virtual machine with Windows Server 2016 Standard Edition.
- 11.6.1.2. VIP is only accessible by designated staff members.
- 11.6.1.3. No direct remote access through Remote Desktop is available.
- 11.6.1.4. To access VIP remotely, a VPN must first be established to the Fortigate 60D firewall on site at the Sylvania Platinum Limited Group of Companies' subsidiary,

Sylvania Metals, head office. This is verified through Active Directory Credentials. Once successfully established the user can then access the VIP system.

11.6.1.5. The Sylvania Platinum Limited Group of Companies have also implemented various policies to additional security such as the Confidential Treatment of Information Policy, Information Security and the Server Security Policy.

11.6.2. The personal information that is stored physically is protected as follows:

11.6.2.1. Where physical records of the data exist, such records will be stored in a secure area that can be 'locked-away' as to avoid a breach of the personal information.

11.6.2.2. Such physical data records will be 'locked-away' and secured when not in use.

11.7. Objection to the processing of personal information by a data subject:

11.7.1. Section 11(3) of POPI and regulation 2 of the POPI regulations provides that a data subject may, at any time object to the processing of their personal information in the prescribed form attached to this manual as annexure "B".

11.8. Request for correction or deletion of personal information:

11.8.1. Section 24 of POPI and regulation 3 of the POPI regulations provides that a data subject may request for their personal information to be corrected and/or deleted in the prescribed form attached hereto as annexure "C".



J752

REPUBLIC OF SOUTH AFRICA

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

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

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

Full names and surname:

Identity number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Postal address:

Telephone number: (.....) Fax number: (.....)

E-mail address:

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

C. Particulars of person on whose behalf request is made

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

Full names and surname:

Identity number:

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FORM 1
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>

FORM 2

**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	<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 of20.....

.....
Signature of data subject/ designated person