

SENET

A  DRA Global Group Company

PAIA MANUAL

NEW SENET (PTY) LTD

REG NO. 2018/459169/07

In terms of Section 51
of The Promotion of Access to Information Act

No. 2 of 2000

(the "Act")

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1 INTRODUCTION

This Access to Information Manual is prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (“**the Act**”) in respect of SENET and the associated entities listed in section 2 (“**SENET**”).

The Act grants any person or entity access to records of a private body if the record is required for the exercise or protection of any rights, and where the entity is a public body, where the public body is acting in the public interest.

This manual provides information on the types and categories of records held by SENET and the process to request access to such records in accordance with the Act.

2 SCOPE OF THE MANUAL

The scope of the manual is limited to the records held by the following entities:

New SENET (Pty) Ltd, with registration number 2018/459169/07

Earthstone Africa Investments (Pty) Ltd, with registration number 2013/030595/07

Senergy Africa (Pty) Ltd, with registration number 2018/204855/07

3 SENET OVERVIEW AND CONTACT INFORMATION

SENET is one of the leading project management and engineering firms in the field of mineral processing in Africa and specialises in project delivery excellence throughout the continent, particularly in gold, copper, cobalt, uranium, and iron ore.

Any request pursuant to the provisions of the Act should be directed to the Information Officer or Deputy Information Officer at the details provided herein. The Information Officer’s responsibilities include:

- (a) the encouragement of compliance with the conditions for lawful processing of personal information;
- (b) dealing with requests made to SENET, pursuant to the Act; and
- (c) ensuring compliance by SENET with the Act.

3.1 CONTACT DETAILS

Head of Business	Marius von Wielligh
Contact Number	+27 82 879 6058

The responsibility for administration of, and compliance with the Act has been delegated to the Information Officer. Requests pursuant to the provisions of the Act should be directed as follows:

Contact	The Information Officer (Marius von Wielligh)
Contact	The Deputy Information Officer (Craig Densham)
Email	informationofficer@draglobal.com
Postal Address	P.O. Box 9820, Edenglen, Gauteng, 1613

Physical Address	Building 12, Greenstone Hill Office Park, Emerald Boulevard, Greenstone, Modderfontein, 1609
Telephone	+ 27 011 409 1300

4 RECORDS KEPT IN ACCORDANCE WITH LEGISLATION

Records are kept in accordance with legislation applicable to Senet, which includes but is not limited to, the following:

No.	Legislation
1	Advertising on Roads and Ribbon Development Act 21 of 1940
2	Arbitration Act 42 of 1965
3	Architectural Profession Act 44 of 2000
4	Basic Conditions of Employment Act 75 of 1997
5	Broad-Based Black Economic Empowerment Act 53 of 2003
6	Businesses Act 71 of 1991
7	Carriage by Air Act 17 of 1946
8	Carriage of Goods by Sea Act 1 of 1986
9	Companies Act 61 of 1973
10	Companies Act 71 of 2008
11	Compensation for Occupational Injuries and Diseases Act 130 of 1993
12	Competition Act 89 of 1998
13	Constitution of the Republic of South Africa, 1996
14	Construction Industry Development Board Act 38 of 2000
15	Consumer Affairs (Unfair Business Practices) Act 71 of 1988
16	Consumer Protection Act 68 of 2008
17	Copyright Act 98 of 1978
18	Conventional Penalties Act 15 of 1962
19	Cross Border Transport Act 4 of 1998
20	Criminal Procedure Act 51 of 1977
21	Customs and Excise Act 91 of 1964
22	Customs Duty Act 30 of 2014
23	Cybercrimes Act 19 of 2020
24	Electronic Communications Act 36 of 2005
25	Electronic Communications and Transactions Act 25 of 2002
26	Employment Equity Act 55 of 1998
27	Engineering Profession Act 46 of 2000
28	Environment Conservation Act 73 of 1989

No.	Legislation
29	Exchange Control Amnesty and Amendment of Taxation Laws Act 12 of 2003
30	Explosives Act 15 of 2003
31	Finance Act 2 of 2007
32	Financial Intelligence Centre Act 38 of 2001
33	Hazardous Substances Act 15 of 1973
34	Harmful Business Practices Act 71 of 1988
35	Income Tax Act 58 of 1962
36	Insolvency Act 24 of 1936
37	Insurance Act 27 of 1943
38	International Health Regulations Act 28 of 1974
39	International Trade Administration Act 71 of 2002
40	Justices of the Peace and Commissioners of Oaths Act 16 of 1963
41	Labour Relations Act 66 of 1995
42	Legal Metrology Act 9 of 2014
43	Merchant Shipping (Safe Containers Convention) Act 10 of 2011
44	Mine Health and Safety Act 29 of 1996
45	Mineral and Petroleum Resources Development Act 28 of 2002
46	Mineral and Petroleum Resources Royalty Act 28 of 2008
47	Municipal Rates Act 6 of 2004
48	National Building Regulations and Building Standards Act 103 of 1977
49	National Building Regulations and Standards Act 103 of 1997
50	National Credit Act 34 of 2005
51	National Energy Act 34 of 2008
52	National Environmental Management Act 107 of 1998
53	National Environmental Management: Air Quality Act 39 of 2004
54	National Environmental Management: Integrated Coastal Management Act 24 of 2008
55	National Environmental Management: Protected Areas Act 57 of 2003
56	National Environmental Management: Waste Act 59 of 2008
57	National Forests Act 84 of 1998
58	National Health Act 61 of 2003
59	National Heritage Resources Act 25 of 1999
60	National Land Transport Act 5 of 2009
61	National Nuclear Regulator Act 47 of 1999
62	National Qualifications Framework Act 67 of 2008
63	National Radioactive Waste Disposal Institute Act 53 of 2008

No.	Legislation
64	National Railway Safety Regulator Act 16 of 2002
65	National Regulator for Compulsory Specifications Act 5 of 2008
66	National Road Traffic Act 93 of 1996
67	National Veld and Forest Fire Act 101 of 1998
68	National Water Act 36 of 1998
69	Nuclear Energy Act 46 of 1999
70	Occupational Health and Safety Act 85 of 1993
71	Occupational Diseases in Mines and Works Act 78 of 1973
72	Petroleum Products Act 120 of 1977
73	Precious Metals Act 37 of 2005
74	Preferential Procurement Policy Framework Act 5 of 2000
75	Prescription Act 68 of 1969
76	Prevention and Combating of Corrupt Activities Act 12 of 2004
77	Project and Construction Management Professions Act 48 of 2000
78	Promotion of Access to Information Act 2 of 2000
79	Promotion of Administrative Justice Act 3 of 2000
80	Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
81	Protected Disclosures Act 26 of 2000
82	Protection of Personal Information Act 4 of 2013
83	Public Holidays Act 36 of 1994
84	Regulation of Interception of Communications and Provision of Communication-related Information Act 70 of 2002
85	Securities Services Act 36 of 2004
86	Securities Transfer Tax Act 25 of 2007
87	Securities Transfer Tax Administration Act 26 of 2007
88	Skills Development Act 97 of 1998
89	Skills Development Levies Act 9 of 1999
90	South African Revenue Service Act 34 of 1997
91	Spatial Planning and Land Use Management Act 16 of 2013
92	Standards Act 8 of 2008
93	Trademarks Act 194 of 1993
94	Unemployment Insurance Act 63 of 2001
95	Unemployment Insurance Contributions Act 4 of 2002
96	Usury Act 73 of 1968
97	Value-Added Tax Act 89 of 1991

No.	Legislation
98	Water Services Act 108 of 1997

5 SCHEDULE OF RECORDS

Marketing Records	
Brochures	Available from SENET Offices
Media Releases	Available in the public domain
Product and Service Information	Freely available on website www.DRAGlobal.com and/or www.senet.co.za
Marketing Strategies	Request in terms of PAIA
Client Database	Request in terms of PAIA
Operational Records	
Project Statistics and Information	Request in terms of PAIA
Safety Statistics	Request in terms of PAIA
Processes and Procedures	Request in terms of PAIA
Financial Records	
Group Annual Financial Statements	Request in terms of PAIA
Audit reports	Request in terms of PAIA
Asset Register	Request in terms of PAIA
Management Accounts	Request in terms of PAIA
Tax Returns	Request in terms of PAIA
Accounting Records	Request in terms of PAIA
Banking details	Available on request
Banking Records	Request in terms of PAIA
Bank Statements	Request in terms of PAIA
Paid Cheques	Request in terms of PAIA
Electronic banking records	Request in terms of PAIA
Rental Agreements	Request in terms of PAIA
Invoices	Request in terms of PAIA
Insurance records	
Insurance policies held by the company	Request in terms of PAIA
Records of insurance claims	Request in terms of PAIA
Register of all immovable property owned by the company	Request in terms of PAIA
Income Tax Records	

PAYE Records	Request in terms of PAIA
Corporate tax records	Request in terms of PAIA
Documents issued to employees for income tax purposes	Request in terms of PAIA
Records of payments made to SARS on behalf of employees	Request in terms of PAIA
All other statutory compliances:	
VAT	Request in terms of PAIA
Regional Services Levies	Request in terms of PAIA
Skills Development Levies	Request in terms of PAIA
UIF	Request in terms of PAIA
Workmen's Compensation	Request in terms of PAIA
Companies Act Records	
Register of Directors	Available for inspection upon application in terms of the Companies Act 71 of 2008 (Form CoR24)
Documents of Incorporation	Request in terms of PAIA
Memorandum and Articles of Association	Request in terms of PAIA
Minutes of Board of Directors meetings	Request in terms of PAIA
Written resolutions	Request in terms of PAIA
Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers	Request in terms of PAIA
Securities register	Available for inspection upon application in terms of the Companies Act 71 of 2008 (Form CoR24)
Other statutory registers or records	Request in terms of PAIA
Human Resources	
Employment contracts	Request in terms of PAIA
List of employees	Request in terms of PAIA
Employee personal information	Request in terms of PAIA
Employment applications and appointment letters	Request in terms of PAIA
Employment policies and procedures	Request in terms of PAIA
Employment Equity Plan (if applicable)	Request in terms of PAIA
Health and safety records	Request in terms of PAIA
Medical Aid records	Request in terms of PAIA
Pension Fund records	Request in terms of PAIA
Disciplinary records	Request in terms of PAIA
Salary records	Request in terms of PAIA

SETA records	Request in terms of PAIA
Disciplinary code	Request in terms of PAIA
Disciplinary records	Request in terms of PAIA
Internal evaluation and performance records	Request in terms of PAIA
Leave records	Request in terms of PAIA
Operational manuals	Request in terms of PAIA
Training records	Request in terms of PAIA
Training manuals	Request in terms of PAIA
Policies and directives	
Internal relating to employees and the company	Request in terms of PAIA
External relating to clients and other third parties	Request in terms of PAIA
Information technology systems and documents	Request in terms of PAIA
Agreements or contracts	
Standard agreements	Request in terms of PAIA
Contracts concluded with customers	Request in terms of PAIA
NDA's	Request in terms of PAIA
Letters of intent, MOUs	Request in terms of PAIA
Third party contracts (such as JV agreements etc.)	Request in terms of PAIA
Office management contracts	Request in terms of PAIA
Bond agreements	Request in terms of PAIA
Rental agreements	Request in terms of PAIA
Supplier or service contracts	Request in terms of PAIA
Regulatory documents	
Permits	Request in terms of PAIA
Licenses	Request in terms of PAIA
Authorities	Request in terms of PAIA
Customer records	
Customer details	Request in terms of PAIA
Contact details of individuals within customers	Request in terms of PAIA
Communications with customers	Request in terms of PAIA
Sales records	Request in terms of PAIA
Transactional information	Request in terms of PAIA
Marketing records	Request in terms of PAIA

6 PROCESSING AND PROTECTION OF PERSONAL INFORMATION

SENET will process personal information lawfully, fairly and in a transparent manner in relation to data subjects and only for a specified, explicit and legitimate purpose. Further information on how SENET processes the personal information of various categories of people for various purposes are set out in the Privacy Policy available at <https://www.draglobal.com>.

7 AUTOMATIC DISCLOSURE

The following records are available automatically and do not require a requester to request access in terms of the 'Access Requests' section below:

- Brochures
- Trade circulars
- Pamphlets

In accordance with section 26 of the Companies Act 71 of 2008, application for access to the following records must be made to SENET on Form CoR24 and do not require a formal access request in terms of the Act:

- Register of directors
- Securities register

These records are available for inspection at SENET's offices during normal business hours.

8 ACCESS REQUEST PROCEDURE

8.1 ACCESS REQUEST FORM

A requester must complete and submit an Access Request Form, included as **Annexure A**, to request access to a record held by SENET.

The successful completion and submission of an Access Request Form does not automatically allow the requester access to the requested record. Access to records may be subject to certain limitations, as further detailed in section 8.6.

In order to facilitate a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form:

- The Access Request Form must be completed in full.
- Sufficient information must be provided to enable the identification of the record(s) requested.
- The requestor must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- Proof of identity must be provided to authenticate the identity of the requester.
- If a question does not apply, state "N/A" in response to that question.
- If there is nothing to disclose in reply to a particular question, state "nil" in response to that question.
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.

8.2 SUBMISSION OF ACCESS REQUEST FORM

The completed Access Request Form together with proof of identity must be submitted by e-mail and must be addressed to the Information Officer indicated above.

This fee is not applicable to requesters requesting access to records that contain their personal information. Requesters are required to consult the Privacy Policy available here: www.DRAGlobal.com for to request access to personal information.

8.3 PAYMENT OF FEES

An initial request fee of R140.00 (including VAT) is payable on submission.

The Information Officer must by notice require the requester to pay the prescribed request fee (if any) before further processing the request. Proof of payment must be supplied.

The access fee must be paid prior to access being given to the requested record.

If the request for access is granted, an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the fees prescribed in the Act.

If a deposit has been paid in respect of a request for access which is refused, then the deposit will be refunded to the requester.

8.4 NOTIFICATION

The Information Officer will within 30 days of receipt of a request decide whether to grant or refuse the request and give notice with reasons to that effect to the requester. The 30-day period within which the Information Officer has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days, if the request is for a large volume of information and the information cannot be reasonably obtained within the original 30-day period. The Information Officer will notify the requester in writing should an extension be necessary.

If the Information Officer cannot find the record the requester asked for or it does not exist, the Information Officer will notify the requester by affidavit stating it is not possible to give access to that record.

8.5 GROUND FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for refusal of a request for information are:

- Mandatory protection of the privacy of a third party who is natural person, which would involve the unreasonable disclosure of personal information of that natural person.
- Mandatory protection of the commercial information of a third party which may include:
 - trade secrets of that party
 - financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of that party
 - information disclosed in confidence by a third party to SENET if the disclosure could put that third party to a disadvantage in negotiations or commercial competition
- Mandatory protection of confidential information of a third party if it is protected in terms of any agreement.
- Mandatory protection of the safety of individuals and the protection of property.
- Mandatory protection of research information of a third party or SENET.

- Mandatory protection of records which could be regarded as privileged in legal proceedings.
- The commercial information of SENET which may include:
 - trade secrets of SENET
 - financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of SENET.

9 REMEDIES AVAILABLE TO REQUESTERS

If the Information Officer refuses the request for access, the requester may:

- apply to a court with competent jurisdiction; or
- complain to the Information Regulator (using the Information Regulator’s contact details provided below),

for the necessary relief within 180 calendar days of the Information Officer notifying the requester of their decision.

10 GUIDANCE BY INFORMATION REGULATOR

A guide on how requesters can exercise their rights under the Act has been issued by the Information Regulator. The guide is available in each official language of South Africa and published on the Information Regulator’s website at <https://inforegulator.org.za/paia-guidelines/>.

The contact details of the Information Regulator are as follows:

Postal Address:	P.O. Box 31533, Braamfontein, Johannesburg, 2017
Physical Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Phone Number:	010 023 5200
General E-Mail:	enquiries@inforegulator.org.za
Complaints E-Mail:	PAIAComplaints@inforegulator.org.za
Website:	www.inforegulator.org.za

11 AVAILABILITY OF THE MANUAL

A copy of this manual is available to the public for inspection on the company's website at www.senet.co.za and/or www.draglobal.com or on request from the Information Officer.

Annexure A: Access Request Form

Requests can be submitted either via delivery to our offices or e-mail and should be addressed to the relevant contact person as indicated below:

Contact person	The Information Officer
Physical Address	Building 33 Woodlands Office Park, 20 Woodlands Drive, Woodlands, Sandton, 2080, South Africa
Phone number	+27 (0)11 202 8600
E-mail	informationofficer@draglobal.com

Particulars of person requesting access to the record

*Proof of identity must be attached.
Proof of capacity in which request is made, if applicable, must be attached.*

Full names and surname	
Identity number	
Postal address	
Physical address	
Contact number	
E-mail address	
Capacity in which request is made, when made on behalf of another person	

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

*Proof of identity must be attached.
Proof of capacity in which request is made, if applicable, must be attached.*

Name of entity	
Registration number	
Postal address	
Physical address	
Contact number	
E-mail address	

Particulars of person on whose behalf request is made

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

Full names and surname	
Identity number	
Postal address	
Physical address	
Contact number	
E-mail address	

Particulars of the requested record

Provide full particulars of the record to which access is requested, including the reference number if it is known to you, to enable the record to be requested.

If the provide space is inadequate, please use a separate page and attach it to this form. Please sign additional pages.

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

Fees

A request fee must be paid before the request will be considered.

You will be notified of the amount to be paid as the access fee.

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.

If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption of payment of fees	
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Type of record

Type of record is required - Mark the appropriate box with an X

Record is in written or printed form	
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
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>Form in which record is required - Mark the appropriate box with an X</i>	
Printed copy of record (including copies of any 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 record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

Manner of Access	
<i>Manner in which record is required - Mark the appropriate box with an X</i>	
Personal inspection of record at registered address of public/private body (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)	
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)	

Particulars of Right to be Exercised or Protected	
Indicate the right to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right	

Notice of Decision Regarding Request for Access

You will be notified in writing whether your request has been approved or denied. If you wish to be informed in another manner, please specify the manner, and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record? (e.g., post or a specific type of electronic communication)

Signed at

on this

day of

20

Signature of requester/person on whose behalf request is made

You Must	Send with this Application
Complete all necessary spaces	The request fee (if not personal requester)
Sign the access request form	Any additional pages completed
Sign additional pages completed	Copy of Identity Document

Fees		
<i>Prescribed Fees</i>		
Photocopy or printed black and white copy of a A4 size page	R	2.00 per page or part of the page
Printed copy of A4-size page	R	2.00 per page or part of the page
For a copy in a computer-readable form on:		
(i) a flash drive (provided by the requester)	R	40.00
(ii) a compact disc (CD) if the requester provides the CD	R	40.00
(iii) a compact disc (CD) if the company gives the CD to the requester	R	60.00
For a transcription of visual images, for an A4 size page or part of the page		This service will be outsourced. The fee will depend on the quotation from the service provider.
For a copy of visual images		This service will be outsourced. The fee will depend on the quotation from the service provider.
For a copy of an audio record on:		
(i) a flash drive (provided by the requester)	R	40.00
(ii) compact disc (CD) if the requester provides the CD	R	40.00
(iii) compact disc (CD) if the company give the CD to the requester	R	60.00
For each hour or part of an hour (excluding the first hour) reasonably required to search for, and prepare the record for disclosure	R	145.00
The maximum fee the company can charge for search and preparation	R	435.00
<i>A deposit is only payable if the search exceeds 6 hours – the deposit will be one-third of the prescribed fee described above.</i>		
<i>For postage, email or any other electronic transfer, the actual fee is payable, if any.</i>		

PLEASE NOTE THAT ALL PRICES LISTED ABOVE ARE INCLUSIVE OF VALUE ADDED TAX