

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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FOREWORD

Prepared in accordance with Section 51 of the Promotion of Access to Information Act. No. 2 of 2000.

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1 INTRODUCTION

On 9 March 2001, the Promotion of Access to Information Act. No.2 of 2000 ('the Act") became operative, giving effect to the section 32(2) Constitutional right of access to information.

One of the main requirements specified in the Act, is the compilation of an information manual that provides information on both the types and categories of records held by a private body.

This document serves as the company's information manual and provides reference to the records held by the company and the process to request access to such records.

2 SCOPE OF THE MANUAL

Nature of Business: Engineers and project managers, primarily in the mining and mineral processing fields

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

New SENET (Pty) Ltd

Earthstone Africa Investments (Pty) Ltd

Senergy Africa (Pty) Ltd

3 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 designated contact person referred to in this manual.

4 CONTACT INFORMATION

4.1 CONTACT DETAILS

Head of Business	Pieter Theron
Contact Number	+27 11 409 1300

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 (Pieter Theron)
Contact	The Deputy Information Officer (Craig Densham)
Email	privacy@draglobal.com

5 FURTHER GUIDANCE

5.1 GUIDE FOR REQUESTERS ON HOW TO USE THE ACT

The Information Regulator must update the Section 10 Guide compiled by the Human Rights Commission which contains information to assist a person wishing to exercise a right, in terms of the Act. The current Guide compiled by the South African Human Rights Commission is available here: <https://www.sahrc.org.za/home/21/files/SAHRC%20PAIA%20Section%2010%20Guide%202020%20FINAL%20WEB.pdf>

In terms of Section 110 of the Protection of Personal Information Act 4 of 2013, the functions of the Human Rights Commission have transferred to the Information Regulator. Their contact details are as follows:

Postal Address:	P.O Box 3153, Braamfontein, Johannesburg, 2017
Physical Address:	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
General E-Mail:	infoereg@justice.gov.za
Complaints E-Mail:	complaints.IR@justice.gov.za
Website:	https://www.justice.gov.za/infoereg/index.html

6 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

7 APPLICABLE LEGISLATION

7.1 LEGISLATION SCHEDULE

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

No.	Legislation
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
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

No.	Legislation
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
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

No.	Legislation
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
98	Water Services Act 108 of 1997

8 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	
Directors' names	Automatically available on request
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
Share register and other statutory registers	Request in terms of PAIA
Other statutory 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
NDAs	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

9 ACCESS REQUESTS

9.1 ACCESS REQUEST PROCEDURE

It is important to note that the successful completion and submission of an Access Request Form does not automatically allow the requester access to the requested record. An application to access a record is subject to certain limitations if the requested record falls within a certain category as specified with Part 3 and Chapter 4 of the Act.

9.2 COMPLETION OF ACCESS REQUEST FORM

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 (attached to this manual):

- The Access Request Form must be completed in full.
- Proof of identity is required to authenticate the identity of the requester. Therefore, in addition to the access form, requestors will be required to supply a copy of their identification document.
- Complete the form in BLOCK LETTERS and answer every question.
- 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 there is insufficient space on a printed form, additional information may be provided on an attached folio.
- When the use of an attached folio is required, precede each answer with the applicable title.

9.3 SUBMISSION OF ACCESS REQUEST FORM

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

An initial request fee of R50.00 (including VAT) is payable on submission.

This fee is not applicable to requesters requesting access to records that contain their personal information. Requesters are required to consult the DRA Data and Privacy Standard available here: www.DRAGlobal.com for the forms relating to access to personal information.

9.4 PAYMENT OF FEES

Payment details can be obtained from the Information Officer as indicated above and can be made via Electronic Funds Transfer. 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 successful, an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees.

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

9.5 NOTIFICATION

The company will within 30 days of receipt of the request decide whether to grant or decline the request and give notice with reasons to that effect. The 30-day period within which the company 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 company will notify the requester in writing should an extension be sought.

9.6 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, if the record contains:
 - 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 the company if the disclosure could put that third party to a disadvantage in negotiations or commercial competition
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement
- Mandatory protection of the safety of individuals and the protection of property
- Mandatory protection of the safety of individuals and the protection of property
- Mandatory protection of records which could be regarded as privileged in legal proceedings
- The Commercial Activities of the company which may include:
 - Trade secrets of the company

- Financial, commercial, scientific, or technical information which disclosure could likely cause harm to the financial or commercial interests of the company.

10 PROCESSING AND PROTECTION OF PERSONAL INFORMATION

We process the personal information of various categories of people for various purposes as set out in our DRA Data and Privacy Standard available here: www.DRAGlobal.com.

Annexure A: Access Request Form

**(Section 53(1) of the Promotion of Access of Information Act, 2000 (Act No 2 of 2000)
[Regulation 10]**

Particulars of Private Body

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 12, Greenstone Hill Office Park, Emerald Boulevard, Greenstone, Modderfontein, Gauteng, 1609, South Africa
Phone number	+27 (0)11 409 1300
E-mail	privacy@draglobal.com

Particulars of person requesting access to the record

The particulars of the person who requests access to the record must be given below

The address and/or E-mail in the Republic to which the Information is to be sent must be given

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

Full names and surname	
Identity number	
Postal address	
Telephone 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)

The particulars of the entity who requests access to the record must be given below

The address and/or E-mail in the Republic to which the information is to be sent must be given

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

Name of entity	
Registration number	
Postal address	
Telephone 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	

Particulars of 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 folio and attach it to this form. Please sign additional folios.

Description of record of relevant part of the record

Reference number (if available)	
Any further particulars of record	

Fees

A request for access to a record, other than a record containing personal information about yourself will be processed only after a request fee has been paid

You will be notified of the amount to be paid as the request 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

Form of Access to Record

Form in which record is required - Mark the appropriate box with an X

Notes

Compliance with your request in the specified form may depend on the form in which the record is available

Access in the form requested may be refused under certain circumstances. In such a case you will be informed whether access will be granted in another form.

The fee payable for access to the record, if any will be determined partly by the form in which access is requested.

If the record is in written or printed form

Copy of record		Inspection of record	
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If record consists of visual images

View the images		Copy of the images		Transcription of the images	
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If the record consists of recorded information that can be reproduced in sound:

Listen to the soundtrack (audio)		Transcription of soundtrack	
----------------------------------	--	-----------------------------	--

If the record is held on computer or in an electronic or machine-readable form (this includes photographs, slides, video recordings, computer generated images, sketches etc.)

Printed copy of record		Printed copy of information derived from the record		Copy in computer readable form	
------------------------	--	---	--	--------------------------------	--

If you requested a copy or transcription of a record (above) do you wish the copy of the transcription to be posted to you?	YES	NO
---	-----	----

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.

In which language would you prefer the record:

In the event of a disability

If you are prevented by a disability from reading, viewing, or listening to the record in the form of access provided for in 1 to 4 above, state your disability and indicate in the form in which the record is required

Disability

Form in which record is required

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?



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 folios completed
Sign additional folios completed	Copy of Identity Document

Fees

PRESCRIBED FEES

(Sections 52(3) and 54(7) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000) [Fees for record of Private Body- Regulation 11(1) and 11(3)]

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

For every photocopy of an A4 size page or part thereof	R	1.10
For every printed copy of an A4 size page or part thereof held on computer or in an electronic or machine-readable form	R	0.75
For a copy in a computer-readable form on		
(ii) compact disc	R	70.00
(i) For a transcription of visual images, for an A4 size page or part thereof	R	40.00
(ii) For a copy of visual images	R	60.00
(i) For a transcription of an audio record, for an A4 size page or part thereof	R	20.00
(ii) For a copy of audio record	R	30.00

To search for and prepare the record for disclosure – R30.00 for each hour or part thereof reasonably required for such search and preparation

Section 54(2) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000) [Regulation 11(3)]

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

Six hours as the hours to be exceeded before a deposit is payable; and

One third of the access fee is payable as a deposit by the requester

Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000) [Regulation 11(3)]

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

The actual postage fee is payable when a copy of a record must be posted to a requester