

Promotion of Access to Information Act (“PAIA”) Manual

Anglo American South Africa Proprietary Ltd (“AASA”)

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A copy of the manual will be available for inspection at Anglo American South Africa Proprietary Limited Head Office (at the address below) and is available on the company’s website at <https://southafrica.angloamerican.com/>



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1 Terms & Definitions

Term	Definitions
Data	Information which is stored electronically, on a computer or in certain paper-based filing systems.
Data Subjects	For the purpose of this manual, this classification includes all identifiable individuals and existing juristic entities about whom we hold personal data. The nationality of the data subject does not matter. All data subjects have legal rights in relation to their personal data.
Personal Data	Data or information relating to an identifiable natural person. An identifiable natural person is one who can be identified directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, and an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. For some jurisdictions, including South Africa, personal data is more broadly defined to also include data relating to identifiable, existing legal entities.
Processing	Any activity that involves use of personal data. It includes obtaining, collecting, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.
Information Officer	The individual within AASA who is responsible for ensuring that the company complies with PAIA and POPIA.

2 Compliance Statement

Anglo American South Africa Proprietary Limited is committed to ensuring its personal data processing activities are conducted in compliance with the Promotion of Access to Information Act 2 of 2000, as amended (“PAIA”) and the Protection of Personal Information Act, 4 of 2013, as amended (“POPIA”).

3 Introduction

This manual has been prepared in accordance with Section 51 of PAIA, which came into effect on 9 March 2001, read with the relevant sections of POPIA. PAIA gives effect to the constitutional right of access to information, as set out in Section 32 of the Bill of Rights.

Section 51 of PAIA requires private bodies to compile an information manual that outlines, among other things, the types and categories of records held by the private body. Additionally, and in so far as POPIA is concerned, the manual must include specific information relating to the processing of personal information, including the purpose of processing, categories of data subjects, planned transborder flows of personal information, and a general description of the information security measures implemented.

This manual has, therefore, been implemented to provide a reference to the records held by Anglo American South Africa Proprietary Limited (and the other entities falling within the scope of this manual). Additionally, this manual seeks to promote transparency by providing guidance on the procedures to be followed when requesting access to records held by AASA and/or its applicable subsidiaries. It outlines the categories of information available, the process for submitting access requests, and the rights and obligations of both the requester and AASA (or its relevant subsidiary).

Under PAIA, persons (referred to as data subjects, where applicable, or requesters) are afforded certain rights, including the following:

- a. The right to request access to records held by public or private bodies, provided the request complies with procedural requirements and, in the case of private bodies, is made for the exercise or protection of a right.
- b. The right to be informed of the outcome of an access request, including reasons for refusal where applicable.
- c. The right to lodge a complaint with the Information Regulator (the “Regulator”) or apply to court for appropriate relief if access is denied.

This manual also reflects the amendments introduced by POPIA, ensuring that access to information is balanced with the right to privacy and the lawful processing of personal information.

This manual is made available in English and IsiZulu for purposes of accessibility. This English version is the official and legally binding version of the manual. In the event of inconsistency, ambiguity, or dispute regarding the meaning or interpretation of any provision, this English version shall prevail.

The PAIA and the POPIA are collectively referred to in this document as the “Acts.”

This document serves as Anglo American South Africa Proprietary Limited’s manual in terms of the abovementioned Acts.

4 Company Overview

Anglo American South Africa Proprietary Limited (hereinafter referred to as “AASA”) was incorporated in South Africa in 1917 and is a wholly owned subsidiary of Anglo American plc, which is incorporated in the United Kingdom.

AASA is invested primarily in the mining and natural resources industries and through its own subsidiaries, is responsible for the administration of the business operations of the Anglo Corporate Division, the Anglo Technical Division and the Exploration Division.

5 Scope and Purpose

The scope of the manual includes AASA as well as its direct and indirect wholly owned subsidiaries in South Africa (collectively, “the Group”) as detailed below:

- a. Anglo South Africa Proprietary Limited
- b. Anglo South Africa Capital Proprietary Limited
- c. Anglo American SA Finance Proprietary Limited
- d. Anglo Corporate Enterprises Proprietary Limited
- e. Anglo Corporate Services South Africa Proprietary Limited and its operating divisions, namely:
 - i. Anglo Technical Division
 - ii. CEO’s Office
 - iii. Corporate Services
 - iv. Corporate Communications
 - v. Exploration
 - vi. Finance
 - vii. Human Resources
 - viii. Information Technology
 - ix. Legal

- x. Tax
- xi. Treasury

- f. Anglo American EMEA Shared Services Proprietary Limited
- g. Anglo American Group Employee Shareholder Nominees Proprietary Limited
- h. Anglo American South Africa Investments Proprietary Limited
- i. Anglo American Technical and Sustainability Services Limited (Incorporated in England and Wales)
- j. Ambase Investment Africa (DRC) Proprietary Limited
- k. Ambase Investment Africa (Botswana) Proprietary Limited
- l. Ambase Investment Africa (Tanzania) Proprietary Limited
- m. Ambase Investment Africa (Zambia) Proprietary Limited
- n. Balgo Nominees Proprietary Limited
- o. Dido Nominees Proprietary Limited
- p. Longboat Proprietary Limited
- q. Newshelf 480 Proprietary Limited
- r. Resident Nominees Proprietary Limited
- s. Spectem Air Proprietary Limited
- t. Tenon Investment Holdings Proprietary Limited
- u. Anglo American Zimele Loan Fund Proprietary Limited
- v. Anglo American Zimele Proprietary Limited
- w. Anglo American Sefa Mining Fund Proprietary Limited
- x. Anglo American Prospecting Services Proprietary Limited

The scope of this manual excludes AASA’s operations outside South Africa.

5.1 Purpose of the manual

This manual is useful for the public to-

- a. check the categories of records held by the Group which are available without a person having to submit a formal PAIA request;
- b. have a sufficient understanding of how to make a request for access to a record of the Group, by providing a description of the subjects on which the Group holds records and the categories of records held on each subject;
- c. know the description of the records of the Group which are available in accordance with any other legislation;
- d. access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- e. know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- f. know if the Group processes personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- g. know the recipients or categories of recipients to whom the personal information may be supplied;
- h. know if the Group does or plans to transfer or process personal information outside the Republic of South Africa; and
- i. know whether the Group has appropriate security measures in place to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

6 Key Contact Details

The Chief Executive Officer (CEO) of AASA has formally authorised and delegated responsibility for the administration of, and compliance with the Acts to the designated Information Officer as outlined below. All requests pursuant to the provisions of the Acts should be directed as follows:

Information Officer: Michael Schottler

Deputy Information Officer: Irma Ruocchio

Postal Address: Postnet Suite 153, Private Bag X31, Saxonwold, 2132

Physical Address: 144 Oxford Road, Rosebank, Melrose, 2196

Phone Number: +27 11 638 4197

7 Guide for requesters

PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request for information from the Group, the public body must be acting in the public interest. Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided.

The Regulator has, in terms of section 10(1) of PAIA updated and made available a revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

The Guide is available in English, IsiZulu and Afrikaans.

The aforesaid Guide contains a description of:

- a. The objects of PAIA and POPIA;
- b. The postal and street address, phone and fax number and, if available, electronic mail address of the Information Officer and Deputy Information Officer of every public body;
- c. The manner and form of a request for:
 1. access to a record of a public body contemplated in section 11; and
 2. access to a record of a private body contemplated in section 50;
- d. The assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- e. The assistance available from the Regulator in terms of PAIA and POPIA;
- f. All remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 1. An internal appeal;
 2. A complaint to the Regulator; and
 3. An application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- g. The provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- h. The provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

- i. The notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
- j. The regulations made in terms of section 92.

Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.

The Guide can also be obtained-

- a. upon written request submitted to the Group Information Officer and Deputy Information Officer at dataprotection@angloamerican.com;
- b. a copy of the Guide is also available in the following three official languages, for public inspection, during normal office hours at AASA’s offices: English, isiZulu and Afrikaans; and
- c. from the website of the Regulator <https://info regulator.org.za>

Please direct any queries to:

Information Regulator

Chairperson: Adv Pansy Tlakula

Access to general information contact:

- Email: enquiries@info regulator.org.za
- Telephone: 010 023 5200
- eService Portal: <https://eservices.info regulator.org.za/user/login.aspx>

Physical Address:

Woodmead North Office Park
54 Maxwell Dr, Woodmead,
Johannesburg
2191

Postal Address:

P.O. Box 31533
Braamfontein
Johannesburg
2017

8. Automatic availability of certain records

- a. Records lodged in terms of Government requirements with various statutory bodies, including the Registrar of Companies are available for inspection, purchase or copying on AASA’s website or at the relevant Group offices (subject to having made an appointment with the relevant Information Officer / Deputy Information Officer), without having to request access in terms of the request procedures set out in PAIA and detailed below in this manual.
- b. Categories of records of the Group which are available to a person without having to request access in terms of PAIA include, broadly, the following: (i) incorporation documents, (ii) B-BBEE certificates (if applicable), (iii) annual reports, (iv) financial reports, (v) public statements and communications, and (vi) general information pertaining to the Group.

9. Records held in accordance with regulations

- a. Records are held by the Group in accordance with, and are accessible under, certain legislation, other than PAIA, that applies to the Group from time to time. The specific records available in terms of such legislation, as amended from time to time, are outlined within those laws. In some cases, access to these records is restricted to individuals specified in the relevant legislation.
- b. In terms of legislation, the Group holds details and/or information as set out below. Please note that this list is not exhaustive:

Legislation (as amended)	Reference: Subjects and categories of records held by AASA
Arbitration Act No. 42 of 19658	10.13
Apportionment of Damages Act No. 34 of 1956	10.3
Assessment of Damages Act No. 9 of 1969	10.3
Atmospheric Pollution Prevention Act No. 45 of 1965	10.10
Aviation Act No. 74 of 1962	10.10
Basic Conditions of Employment Act No. 75 of 1997	10.13
Broad Based Black Economic Empowerment Act No. 53 of 2003	10.12
Broadcasting Act No. 4 of 1999	10.12
Companies Act No. 71 of 2008	10.3
Compensation for Occupational Injuries and Disease Act No. 130 of 1993	10.10
Competition Act No. 89 of 1998	10.2, 10.6
Conventional Penalties Act No. 15 of 1962	10.2, 10.3
Corporate Laws Amendment Act, 2006	10.3
Conservation of Agricultural Resources Act No. 43 of 1983	10.10

Legislation (as amended)	Reference: Subjects and categories of records held by AASA
Constitution of South Africa Act No. 108 of 1996	All
Copyright Act No. 98 of 1978	10.12
Currency and Exchanges Act No. 9 of 1933	10.2
Customs and Excise Act No. 91 of 1964	10.2
Deeds Registries Act No. 47 of 1937	10.12
Disaster Management Act No. 57 of 2002	10.10
Electronic Communications Amendment Act No. 1 of 2014	10.12
Electronic Communications and Transactions Act No. 25 of 2002	10.3
Employment Equity Act No. 55 of 1998	10.13
Environment Conservation Act No.73 of 1989	10.10
Environmental Laws Rationalisation Act No. 51 of 1997	10.10
Explosives Act No. 15 of 2003	10.10
Financial Advisory and Intermediary Services Act No. 37 of 2002	10.2
Financial Intelligence Centre Act No. 38 of 2001	10.2, 10.3
Financial Markets Act No. 19 of 2012	10.2
Financial Markets Control Act No. 55 of 1989	10.2
Fire Brigade Services Act No. 99 of 1987	10.10
Formalities in respect of Leases of Land Act No. 18 of 1969	10.12
Hazardous Substances Act No. 15 of 1973	10.10
Health Act No. 63 of 1977	10.10
Health Professions Act No. 56 of 1974	10.10
Immovable Property (Removal or Modification of Restrictions) Act No. 94 of 1965	10.12
Income Tax Act No. 58 of 1962	10.2
Insolvency Act No. 24 of 1936	10.2
Inquests Act No. 58 of 1959	10.2
Labour Relations Act No. 66 of 1995	10.13
Land Survey Act No. 8 of 1997	10.11, 10.12
Long-Term Insurance Act No. 52 of 1998	10.3
Marketable Securities Act No. 32 of 1948	10.2, 10.3
Medical Schemes Act No. 131 of 1998	10.13
Mine Health and Safety Act No. 29 of 1996	10.10

Legislation (as amended)	Reference: Subjects and categories of records held by AASA
Minerals Act No. 50 of 1991	10.11, 10.12
Mineral and Petroleum Resources Development Act No. 28 of 2002	10.10, 10.11, 10.12
Mutual Banks Act No. 124 of 1993	10.2
National Credit Act No. 34 of 2005	10.2
National Environmental Management Act No. 107 of 1998	10.10
National Environmental Management: Air Quality Act No. 39 of 2004	10.10
National Environmental Management: Biodiversity Act No. 10 of 2004	10.10
National Environmental Management: Integrated Coastal Management Act No. 24 of 2008	10.10
National Environmental Management: Protected Areas Act No. 57 of 2003	10.10
National Environmental Management: Waste Act No. 59 of 2008	10.10
National Payment Systems Act No. 78 of 1998	10.2
National Veld and Forest Fire Act No. 101 of 1998	10.10
National Water Act No. 36 of 1998	10.10
Occupational Diseases in Mines and Works Act No. 78 of 1973	10.10
Occupational Health and Safety Act No. 85 of 1993	10.10
Pension Funds Act No. 24 of 1956	10.13
Prevention and Combating of Corrupt Activities Act No. 12 of 2004	10.3
Prevention of Illegal Eviction from and Unlawful Occupation of Land Act No. 19 of 1998	10.2
Precious Metals Act No. 37 of 2005	10.12
Prescription Act No.68 of 1969	10.3
Promotion of Access to Information Act No. 2 of 2000	10.3
Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000	10.13
Protection of Personal Information Act No. 4 of 2013	10.3
Road Transportation Act No. 74 of 1977	10.10
Second Hand Goods Act No. 23 of 1955	10.2
Securities Transfer Tax Act 25 of 2007	10.2

Legislation (as amended)	Reference: Subjects and categories of records held by AASA
Securities Transfer Tax Administration Act No. 26 of 2007	10.2
Skills Development Levies Act No. 9 of 1999	10.13
Skills Development Act No. 97 of 1998	10.13
South African Reserve Bank Act No. 90 of 1989	10.2
Stock Exchanges Control Act No. 1 of 1985	10.3
Tax Administration Act No. 28 of 2011	10.2
Trademarks Act No. 194 of 1993	10.3
Transfer Duty Act No. 40 of 1949	10.12
Trust Property Control Act No. 57 of 1988	10.3
Unemployment Insurance Act No. 63 of 2001	10.13
Unemployment Insurance Contributions Act No. 4 of 2002	10.13
Value-Added Tax Act No. 89 of 1991	10.2
Water Services Act No. 108 of 1997	10.10

10 Subjects and categories of records held by the Group

For purposes of facilitating a request in terms of PAIA, this section aims to identify the subjects on which the Group holds records and the primary categories into which these fall.

Access to records will be granted in accordance with the provisions of PAIA, subject to the applicable limitations and grounds for refusal outlined in the Act. The records available relate to the following (non-exhaustive) areas of the Group business and operations:

a. Chief Executive’s Office

The Chief Executive’s Office records comprise the following main categories:

- Statutory Records
- Administration Records
- Government Records
- Research Records
- Sponsorship Records

b. Corporate Finance

The Corporate Finance Department provides specialist financial services to the Group. Corporate Finance records comprise of the following main categories:

- Technical Records
- Departmental Administration Records
- Technical Publications
- Quoted Company Records

c. Group Tax

Group Tax provides advice to the Group on all aspects of taxations. Group Tax records comprise of the following main categories:

- Tax Records
- Corporate, Subject and Country Records
- Administrative Records

d. Anglo Technical Division (ATD)

ATD provides technical and techno-business consulting and support services to the Group's operating divisions. ATD records comprise the following main categories:

- General Correspondence
- Contracts and Agreements
- Accounting Records
- General Correspondence
- Technical, Engineering, Mining related, geophysical and Safety, Health and Environment (SHE) Records
- Project Services Records
- Patent Records
- Insurance Records
- SHE (Safety, Health and Environment) Assessment Records
- SHE Audit Reports
- Group SHE Records

e. Corporate Services

The Corporate Services Department is involved in the overall management of the Group's properties and buildings. Corporate Services' records comprise of the following main categories:

- General Transport and Administration Records
- Contracts and Agreements
- General Correspondence
- General Administration Records

- Building and Property Records

f. Group Audit

Group Audit’s purpose is to provide the Corporate Offices and the Operations held through AASA with independent assurance that risks are being appropriately managed across the Group. Group Audit records comprise the following main categories:

- Risk Management Records
- General Correspondence
- Group Audit Practice Records
- General Administration Records
- Audit Reports and Supporting Working Papers

g. Corporate Accounting, Treasury and Investments

The Corporate Accounting Department maintains financial and management accounts for the Group and provides back-office activities that support integrated Treasury and Cash Management. Corporate Accounting records comprise of the following main categories:

- Accounting Records
- Investment Records
- General Correspondence
- Management Reports
- Treasury Dealing and Settlement Records
- Transactional Records
- VAT Records
- PAYE Records
- Tax Records
- Consolidation Records

h. Company Secretary

The Company Secretary provides company secretarial services to the Group. Company Secretary records comprise of the following main categories:

- Certain Contracts and Agreements
- General Correspondence
- Investment Records
- Share Registration Records
- Statutory Records

i. Corporate Communications

Corporate Communications provides public relations services to the Group and is responsible for all media and investor relations. Corporate Communications records comprise the following main categories:

- News Releases/Statements
- Media Cuttings

j. Human Resources (HR) Department

The HR Department's primary objective is to develop and implement a competitive resource strategy that will support the Group. HR records comprise the following main categories:

- General Correspondence
- Employee Records
- General HR Policies and Procedures
- Training Records
- Pension Records
- Employee Benefit Records
- Labour Relations Records
- Statutory Records
- Employment Equity Records
- Contracts

k. Labour and Environmental Law Unit

The Labour and Environment Law Unit provides legal consultancy to the Group and associated companies primarily in the areas of employment, health, safety, and environmental law. Labour and Environmental Law Unit records comprise the following category:

- General Correspondence

l. Legal Department

The Legal department provides assistance with all corporate legal matters material to the Group. Legal department records comprise the following categories:

- General Correspondence
- Property Records
- Mineral Rights Records

- Trademarks

m. Information Management

Information Management is responsible for developing, supporting and providing assurance on the implementation of IM policies, standards and best practice in the Group. IM records comprise the following main categories:

- General Correspondence
- Contracts and Agreements
- Operational Records
- Maps and Diagrams
- Asset Records
- Policy Records

n. Explorations Division (EAD)

Records comprise of the following main categories:

Legal and Secretarial Department

- Accounting Records
- Contracts and Agreements
- General Correspondence
- Employee Records
- Investment Records
- Property Records
- Share Registrations Records
- Statutory Records
- Tax Records

Anglo American Prospecting Services – Finance Department

- Accounting Records
- Tax Records
- VAT Records

Forex Department and Small Companies

- Forex Records
- Small Company Records
- Administration, Logistics and Purchasing Department
- Accounting Records

- Contracts and Agreements
- General Correspondence
- Employee Records
- Pension Records
- Administrative Records
- General Transport and Vehicle Records

Finance Secretarial Department

- Accounting Records
- Contracts and Agreements
- General Correspondence
- Employee Records
- Statutory Records
- Tax Records

Geology Department

- Geographic Information Systems Records
- Geological Services
- Geological Information Systems Records

11. Personal Information

POPIA defines personal information as follows:

“personal information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—

- a. 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;
- b. information relating to the education or the medical, financial, criminal or employment history of the person;
- c. any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier, or other particular assignment to the person;
- d. the biometric information of the person. “biometrics” means a technique of personal identification that is based on physical, physiological, or behavioural characterisation including blood typing, fingerprinting, DNA analysis, retinal scanning, and voice recognition;
- e. the personal opinions, views or preferences of the person;

- f. 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;
- g. the views or opinions of another individual about the person; and
- h. 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.

In accordance with Section 23 (1) (a) of POPIA, a requester to whom certain personal information relates may request AASA or any company within the Group to confirm, free of charge, whether or not it holds personal information about that particular requester.

a. Purpose of Processing

The purpose for which personal information is processed by AASA and/or the Group will depend on the nature of the information. In general, personal information is processed by AASA and/or the Group for business administration purposes, including:

- to carry out actions for the conclusion or performance of a contract;
- to comply with obligations imposed by law;
- to protect the legitimate interests of the data subjects; or
- where it is necessary for pursuing the legitimate interests of AASA and/or the Group.

The above list is non-exhaustive.

b. Categories Of Data Subjects And Information

AASA and/or the Group processes personal information relating to the following categories of data subjects:

Categories of Data Subjects

- Employees;
- Candidates/ job applicants;
- Visitors;
- Consultants;
- Contractors;
- Customers;
- Service providers;
- Suppliers;
- Investors;
- Directors;
- Shareholders;

- Beneficiaries;
- Website users
- Other third parties with whom AASA and/or the Group conducts business.

The above list is non-exhaustive.

c. Categories of Information

In respect of natural persons, the categories of personal information processed may include:

- name
- identifying number (identity or passport number)
- date of birth
- citizenship
- age
- gender
- race
- marital status
- language
- telephone number(s)
- email address(es)
- physical and postal addresses
- income tax number
- banking information
- disability information
- employment history
- medical records
- background checks
- fingerprints
- photographs
- CVs
- education history
- remuneration and benefit information
- details related to employee performance and disciplinary procedures
- general correspondence.

In respect of juristic persons, the categories of personal information processed may include:

- name
- registration number
- tax information
- contact details
- physical and postal addresses
- FICA documentation
- BEE certificates

- payment details (including bank accounts), invoices and contractual agreements
- general correspondence.

The above lists are non-exhaustive.

d. Categories of Recipients to whom the Personal Information may be supplied

The categories of recipients to whom the Group may supply the personal information will depend on the nature of the information. In general, such categories of recipients would include:

- Other companies in the Group;
- Service providers;
- Medical aid, pension or provident funds;
- Auditing and accounting bodies (internal and external);
- Professional advisers including attorneys and/or tax advisers;
- Third parties with whom AASA and/or the Group has contracted for the retention of data;
- Relevant authorities, government departments, statutory bodies or regulators;
- A court, administrative or judicial forum, arbitration or statutory commission making a request in terms of the applicable laws or rules.

The above list is non-exhaustive.

e. Planned Transborder Flows of Personal Information

AASA and/or the companies in the Group envisage that they may transfer personal information to third parties or other group companies, who are situated in a foreign country. In respect of such transfers, AASA and/or the relevant companies in the Group would be subject to, and will comply with, the relevant provisions of POPIA and, where applicable, the General Data Protection Regulation (GDPR).

f. Information Security Measures

AASA and/or the Group will endeavour to implement appropriate and reasonable technical and organisational safeguards to ensure the integrity and confidentiality of personal information in their possession or under their control. These measures can include:

- Back ups of data
- Encryption of data
- Secure storage of data
- Access controls to the data

- Firewall and anti-virus
- Subjecting individuals to appropriate confidentiality undertakings
- Implementing training
- Adopting information security policies

12. Access Requests

This section aims to guide requesters through the procedures required to request access to records held by the Group.

It is important to note that a request for access may be declined if it does not meet the procedural requirements set out in PAIA. Furthermore, the completion and submission of the Access Request Form (Form 2) does not automatically entitle the requester to access the requested record.

Note: If there is reasonable suspicion that access to the Group’s records was obtained through the submission of false or misleading information, legal action may be taken against the requester.

a. Access Request Procedure

i. Completion of Access Request Form

- a. To enable the Group to respond to access requests efficiently and in a timely manner, requesters are required to complete the Access Request Form, taking careful note of the following instructions for completing the form:
 - a.1 The Access Request Form attached as Form 2 hereto, must be completed in the English language.
 - a.2 Type or print in BLOCK LETTERS an answer to every question
 - a.3 If a question does not apply, state “N/A” in response to that question
 - a.4 If there is nothing to disclose in reply to a particular question state “nil” in response to that question
 - a.5 If there is insufficient space on a printed form in which to answer a question, additional information may be provided on an additional folio.
 - a.6 When the use of an additional folio is required, precede each answer thereon with the title applicable to that question.
 - a.7 To verify the identity of the requester, proof of identity must be provided. In addition to completing the Access Request Form, individuals are required to submit a certified copy of their identity document or valid passport. If the requester is a legal entity, a certified copy of the Company Registration Certificate must be provided.

- a.8 If the request is made on behalf of a third party, the requester is also required to provide proof of the capacity in which the request is made (for example, a valid power of attorney).

ii. Submission of Access Request Form

- a. The completed Access Request Form, accompanied by any relevant supporting documents, including as set out above, must be submitted to the relevant Information Officer or Deputy Information Officer. Submission may be made via conventional mail, email, or fax, using the contact details specified in paragraph 6 of this manual.
- b. An initial, non-refundable request fee of **R140.00** is payable on submission. This fee is not applicable to Personal Requesters, referring to any person seeking access to records that contain their personal information

iii. Payment of Fees

- a. Payment details can be obtained from the relevant Information Officer/ Deputy Information Officer as indicated in this manual and payment can be made either via a direct deposit, or by postal order. Proof of payment must be supplied via e-mail to the e-mail address of cosec.aqjhb@angloamerican.com.
- b. 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 as set out in **Form 3**. The access fee must be paid prior to access being given to the requested record.

iv. Notification

1. The relevant Information Officer / Deputy Information Officer will, within 30 (thirty) days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
2. This 30 (thirty) day period may be extended for a further period of not more than 30 (thirty) days, if the request is for a large volume of information, or the request requires a search for information held at other offices of one or more of the companies within the Group and the information cannot reasonably be obtained within the original 30 (thirty) day period.
3. The requester will be notified in writing should an extension be sought including adequate reasons for the extension and notice that the requester

may lodge an application with a court against the extension and the procedure, including the period, for lodging the application.

v. Payment of Deposit (if applicable)

1. The requester may be notified whether a deposit is required. A deposit will be required depending on certain factors such as the volume and/or format of the information requested and the time required for search and preparation of the record(s). The notice will state:
 - i. The amount of the deposit payable (if applicable); and
 - ii. That the requester may lodge an application with a court against the payment of the deposit and the procedure, including the period, for lodging the application.
2. In the event that access is refused to the requested record, the full deposit will be refunded to the requester.

vi. Grounds for Refusal of Access to Records

1. The main grounds for refusal of a request for information are:
 - i. Mandatory protection of the privacy of a third party who is a natural person, where a record would involve the unreasonable disclosure of personal information of that natural person;
 - ii. Mandatory protection of the commercial information of a third party, if the record contains:
 1. Trade secrets of that party;
 2. Financial, commercial, scientific or technical information, the disclosure of which could likely cause harm to the financial or commercial interests of that party; and
 3. Information disclosed by a third party to any of the companies within the Group if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;

- iii. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement – the provisions of PAIA to apply in relation to the rights of the relevant third parties;
- iv. Mandatory protection of the safety of individuals and the protection of property;
- v. Mandatory protection of records which could be regarded as privileged in legal proceedings; and
- vi. The commercial activities of any companies within the Group, which may include:
 - 1. Trade secrets of the relevant companies; and
 - 2. Financial, commercial, scientific or technical information which, if disclosed, would likely cause harm to the financial or commercial interests of the relevant companies.

vii. Appeal Against Refusal to Grant Access

- 1. The Group does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requestors will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the information officer.
- 2. If a requester is aggrieved by the decision of the relevant Information Officer / Deputy Information Officer to refuse access to a record, they may, upon receiving notification of the decision or in the case of a deemed refusal. Alternatively, the requester may apply to a court for appropriate relief, within the timeframes prescribed by PAIA.

Form for Requesting Access to Record

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO:

Information Officer
Postnet Suite 153, Private Bag X31, Saxonwold, 2132
144 Oxford Road, Rosebank, Melrose, 2196
+27 11 638 4197

Email Address: dataprotection@angloamerican.com

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION OF REQUESTER

FULL NAMES	
IDENTITY NUMBER	
CAPACITY IN WHICH REQUEST IS MADE (WHEN MADE ON BEHALF OF ANOTHER PERSON)	
POSTAL ADDRESS	
STREET ADDRESS	
E-MAIL ADDRESS	
CONTACT NUMBERS	Tel: _____ Facsimile: _____ Cellular: _____

FULL NAMES OF PERSON
ON WHOSE BEHALF
REQUEST IS MADE (IF
APPLICABLE):

IDENTITY NUMBER

PARTICULARS OF RECORD REQUESTED

PROVIDE FULL PARTICULARS OF THE RECORD TO WHICH ACCESS IS REQUESTED, INCLUDING THE REFERENCE NUMBER IF THAT IS KNOWN TO YOU, TO ENABLE THE RECORD TO BE LOCATED. (IF THE PROVIDED SPACE IS INADEQUATE, PLEASE CONTINUE ON A SEPARATE PAGE AND ATTACH IT TO THIS FORM. ALL ADDITIONAL PAGES MUST BE SIGNED.)

DESCRIPTION OF
RECORD OR
RELEVANT PART
OF THE RECORD:

REFERENCE
NUMBER, IF
AVAILABLE

ANY FURTHER
PARTICULARS OF
RECORD

TYPE OF RECORD

(MARK THE APPLICABLE 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
 (MARK THE APPLICABLE BOX WITH AN "X")

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
 (MARK THE APPLICABLE BOX WITH AN "X")

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

IF THE PROVIDED SPACE IS INADEQUATE, PLEASE CONTINUE ON A SEPARATE PAGE AND ATTACH IT TO THIS FORM. THE REQUESTER MUST SIGN ALL THE ADDITIONAL PAGES.

INDICATE WHICH
RIGHT IS TO BE
EXERCISED OR
PROTECTED

FEES

- A)** *A REQUEST FEE MUST BE PAID BEFORE THE REQUEST WILL BE CONSIDERED.*
- B)** *YOU WILL BE NOTIFIED OF THE AMOUNT OF THE ACCESS FEE TO BE PAID.*
- C)** *THE FEE PAYABLE FOR ACCESS TO A RECORD DEPENDS ON THE FORM IN WHICH ACCESS IS REQUIRED AND THE REASONABLE TIME REQUIRED TO SEARCH FOR AND PREPARE A RECORD.*
- D)** *IF YOU QUALIFY FOR EXEMPTION OF THE PAYMENT OF ANY FEE, PLEASE STATE THE REASON FOR EXEMPTION.*

REASON

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address

Facsimile

Electronic communication
(Please specify)

Signature of Requester or person
on whose behalf request is made:

Date:

FOR OFFICIAL USE

REFERENCE NUMBER:

REQUEST RECEIVED BY:
(STATE RANK, NAME
AND SURNAME OF
INFORMATION OFFICER)

DATE RECEIVED:

ACCESS FEES:

DEPOSIT (IF ANY):

Signature of Information Officer:

Date:
