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## MANUAL

IN ACCORDANCE WITH

**THE PROMOTION OF ACCESS TO  
INFORMATION ACT (NO. 2 OF 2000)**



**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

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**NORTHAM PLATINUM LIMITED**

(Registration number 1977/003282/06)  
(Incorporated in the Republic of South Africa)

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE  
PROMOTION OF ACCESS TO INFORMATION ACT NO.2 OF 2000 ("the Act")****PART 1****(Information required under Section 51(1)(a) of the Act)**

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Address: Kenilworth House  
Rutherford Estate  
1 Scott Street  
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Postal address: P O Box 37160  
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Fax No. (011) 440 5944  
e-mail: [dwolstenholme@corp.norplats.co.za](mailto:dwolstenholme@corp.norplats.co.za)

**PART 2****(Information required under Section 51(1)(b) of the Act)**

The Human Rights Commission is required, in terms of Section 10 of the Act, to compile a guide containing such information as may reasonably be required by a person wishing to exercise any right contemplated in the Act.

This guide must be published by no later than the 28<sup>th</sup> of February 2003.

Please direct any queries in this regard to:

**THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION**

Postal Address: Private Bag 2700  
Houghton  
2041

Telephone: (011) 484 8300  
Fax: (011) 484 0582  
Website: [www.sahrc.org.za](http://www.sahrc.org.za)  
E-mail: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

**PART 3****(Copy of notice, if any, required under Section 51(1)(c) of the Act)**

The Minister of Justice and Constitutional Development must periodically publish a notice in the Government Gazette in terms of Section 52(1) of the Act.

No such notice has been published as yet.

Records available without a person having to request access in terms of the Act:

- Information available on the company's website ([www.northam.co.za](http://www.northam.co.za)) is accessible to anyone who has access to the internet and contains information about the company's operations and financial results.
- Annual reports.
- Interim reports.
- Preliminary announcements of results.
- Press releases.

#### **PART 4**

##### **(Information required under Section 51(1)(d) of the Act)**

Records are kept in accordance with the following legislation:

##### **Finance and Administration**

- Companies Act 61 of 1973
- Deeds Registries Act 47 of 1937
- Income Tax Act 58 of 1962
- Insider Trading Act 135 of 1998
- Leases of Land Act 18 of 1969
- Skills Development Levies Act 9 of 1999
- Stamp Duties Act 77 of 1968
- Statistics Act 6 of 1999
- Stock Exchange Control Act 1 of 1985 and the Listing requirements of the JSE Securities Exchange, South Africa
- Unemployment Insurance Act 30 of 1966
- Usury Act 73 of 1968
- Value Added Tax Act 89 of 1991

##### **Human Resources**

- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Employment Equity Act 55 of 1998
- Labour Relations Act 66 of 1995
- Manpower Training Act 56 of 1981
- Occupational Diseases in Mines and Works Act 78 of 1973
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Skills Development Act 97 of 1998

##### **Security**

- Explosives Act 26 of 1956
- Firearms Control Act 60 of 2000
- Private Security Industry Regulation Act 56 of 2001

**Environmental Issues**

- Atmospheric Pollution Prevention Act 45 of 1965
- Environmental Conservation Act 73 of 1989
- Hazardous Substances Act 15 of 1973
- National Environmental Management Act 107 of 1998

**Mining and Mine related**

- Mines and Works Act 27 of 1956
- Mine Health and Safety Act 29 of 1996
- Minerals Act 50 of 1991
- National Nuclear Regulator Act 47 of 1999
- National Water Act 36 of 1998
- Occupational Health And Safety Act 85 Of 1993
- Water Act 54 of 1956

**PART 5****(Information required under Section 51(1)(e) of the Act)**

The following is a description of the subjects of the records held by the company and the categories in which these records are classified:

**Company Secretarial**

- ✓ Memorandum and Articles of Association
- ✓ Minute books
- ✓ Attendance registers
- ✓ Statutory returns
- ✓ Annual Financial Statements
- ✓ Shareholder register

**Compliance**

- ✓ Code of Practice
- ✓ Exemptions
- ✓ Permissions
- ✓ Standard operating procedures

**Finance**

- ✓ Accounting records
- ✓ Budgets and forecasts
- ✓ Contracts and agreements
- ✓ External and internal audit reports
- ✓ Management reports
- ✓ Policies and procedures
- ✓ Statistic returns
- ✓ Policies and procedures

General Administration and internal communications

- ✓ Correspondence
- ✓ General "house-keeping" information
- ✓ In-house newspaper
- ✓ Internal phone and address lists
- ✓ Policies and procedures

Health, Safety and Environmental matters

- ✓ Records of legal appointments
- ✓ Reportable accidents investigations
- ✓ Lost time incidents
- ✓ Hazard Identification and Risk Assessments
- ✓ Health & Safety Policy
- ✓ Minutes of Health & Safety meetings
- ✓ Safety checklists
- ✓ Accident reports and statistics
- ✓ Audit reports
- ✓ Environmental Management Programme Report
- ✓ Environmental rehabilitation cost estimates
- ✓ Policies and procedures
- ✓ Code of practice for the slimes dam
- ✓ Quarterly report to the chief pollution control officer
- ✓ Listing of the hazardous substances
- ✓ Nuclear sources inspection records
- ✓ Gas monitoring records

Human Resources

- ✓ Agreements of employment
- ✓ Benefit arrangements rules and regulations
- ✓ Employee information
- ✓ Employment equity plan
- ✓ Forms and applications
- ✓ Policies and procedures
- ✓ Standard letters and notices
- ✓ Trade Union agreements and files
- ✓ Trade Union membership
- ✓ Skills development plan

Insurances

- ✓ Policies
- ✓ Insurance claim files

Marketing

- ✓ Market information
- ✓ Marketing agreements

Movable and immovable property and mining titles

- ✓ Lease agreements
- ✓ Mining authorisation
- ✓ Mining licenses
- ✓ Title deeds

National Qualifications Framework

Records to be kept in terms of section 14 of the Mine Health and Safety Act.

- ✓ Record of Learning (ROL) for each Learner (Employee and Other)
- ✓ The ROL will list each credit that the Learner has achieved for Unit Standards (US's) registered on the NQF
- ✓ "On-Job" Unit Standards
- ✓ "Off-Job" Unit Standards
- ✓ Detail of training providers/companies
- ✓ Employee contracts/service agreements
- ✓ Details of courses and training records
- ✓ Employee qualifications and unit standards

Operational information

- ✓ Information Technology Systems documentation and manuals
- ✓ Policies and procedures
- ✓ Production statistics
- ✓ Reports and supporting documentation

Pension/Provident Fund and Medical scheme

- ✓ Rules relating to Provident/Pension Fund and medical scheme
- ✓ Communication from/to Provident/Pension Fund medical scheme
- ✓ Employee dependants
- ✓ Membership
- ✓ Monthly payments and reconciliation's

Security

- ✓ Ammunition and firearm register
- ✓ Polygraph results
- ✓ Explosive registers

Survey information

- ✓ Survey field notes
- ✓ Survey calculations
- ✓ Peg index register
- ✓ Plans relevant to that mine
- ✓ Holing/gas/water warning notes

Ventilation records

- ✓ Letters of appointment of the Ventilation officer and Fire master
- ✓ Records of methanometer/flammable gas warning devices issued and returned
- ✓ Records of lamps issued and returned
- ✓ Records on self-contained self rescuers
- ✓ Reports on Environmental conditions
- ✓ Departmental returns in term of the Minerals Act 50 of 1991
- ✓ Records of all occupational hygiene measurements

Taxation

- ✓ Income tax returns and assessments

**Please note: the company will not give access to records containing the following information:**

- **Personal information about a third person**
- **Trade secrets or confidential information about a third person**
- **Information important to the safety of a third person**
- **Privileged information**
- **Trade secrets of the company**
- **Information under a non-disclosure agreement**

**PART 6**

(Availability on manual in terms of Section 52 (3) of the Act)

In accordance with Paragraph 9 (1) of the Regulations to the Act (Regulation R187 dated 15 February 2002), this manual has been made available to the Human Rights Commission, and is published on Northam's website. ([www.northam.co.za](http://www.northam.co.za))



**PART 7**

(Prescribed fees in terms of Part 3 of the Regulations to the Act (Regulation R187 dated 15 February 2002))

- 1) The fee for a copy of the manual, as contemplated in Paragraph 9 (2) (c) of the Regulations is R1.25 (including VAT) for every photocopy of an A4-size page or part thereof.

- 2) The fees for reproduction referred to in regulation 11(1) are as follows:

	<b>VAT exclusive fee R</b>	<b>VAT inclusive fee R</b>
(a) For every photocopy of an A4-size page or part thereof	1,10	1.25
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75	0.86
(c) For a copy in a computer-readable form on -		
(i) stiffy disc	7,50	8.55
(ii) compact disc	70,00	79.80
(d) (i) For a transcription of visual images for an A4-size page or part thereof	40,00	45.60
(ii) For a copy of visual images	60,00	68.40
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	20,00	22.80
(ii) For a copy of an audio record	30,00	34.20

1. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R57.00 (including VAT).

2. The access fees payable by a requester referred to in regulation 11(3) are as follows:

	<b>VAT exclusive fee R</b>	<b>VAT inclusive fee R</b>
(1) (a) For every photocopy of an A4-size page or part thereof	1,10	1.25
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75	0.86

- |      |  |       |       |
|------|--|-------|-------|
| (c)  | For a copy in a computer-readable form on –  |       |       |
| (i)  | stiffy disc  | 7,50  | 8.55  |
| (ii) | compact disc   | 70,00 | 79.80 |
| (d)  | (i) For a transcription of visual images, for an A4-size page or part thereof  | 40,00 | 45.60 |
|      | (ii) For a copy of visual images   | 60,00 | 68.40 |
| (e)  | (i) For a transcription of an audio record, for an A4-size page or part thereof  | 20,00 | 22.80 |
|      | (ii) For a copy of an audio record   | 30,00 | 34.20 |
| (f)  | To search for and prepare the record for disclosure, for each hour or part of an hour reasonably required for such search and preparation. | 30.00 | 34.20 |
| (2)  | For purposes of section 54(2) of the Act, the following applies:   |       |       |
| (a)  | Six hours as the hours to be exceeded before a deposit is payable; and   |       |       |
| (b)  | one-third of the access fee is payable as a deposit by the requester.  |       |       |
| (3)  | The actual postage is payable when a copy of a record must be posted to a requester.   |       |       |

### PART 8

(Prescribed form for a request for information in terms of Section 53 (1) of the Act)

A person requesting information or access to information must complete Form C, and either mail it, fax it or e-mail it to Northam.

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

Full names and surname:

Identity number:

Postal address:

Fax Number: ..... Telephone 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**

<i>This section must be completed ONLY if a request for information is made on behalf of another person.</i>
--

Full names and surname:

Identity number:

**D. Particulars of record**

- |   |
|---|
| (a) <i>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.</i> |
| (b) <i>If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.</i>          |

1. **Description of record or relevant part of the record:**
2. **Reference number, if available:**
3. **Any further particulars of record:**

**E. Fees**

- (a) A request for access to a record, other than a record containing personal information about you, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (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 for exemption from payment of fees:

**F. Form of access to record**

**If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.**

Disability:	Form in which record is required:
Mark the appropriate box with an X. NOTES: (a) Compliance with your request in the specified form may depend on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.	

<b>1.</b>	<b>If the record is in written or printed form:</b>		
	Copy of record*		Inspection of record
<b>2.</b>	<b>If record consists of visual images</b> (This includes photographs, slides, video recordings, computer-generated images, sketches etc.)		
	View the images	Copy the images	Transcription of the images
<b>3.</b>	<b>If record consists of recorded words or information which can be reproduced in sound.</b>		
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack*
<b>4.</b>	<b>If record is held on computer or in an electronic or machine-readable form:</b>		
	Printed copy of record*	Printed copy of information derived from the record*	Copy in computer- readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.			YES      NO

**G. Particulars of right to be exercised or protected**

*If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.*

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

**H. Notice of decision regarding request for access**

*You will be notified in writing whether your request has been approved/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?

Please place a **X** in the appropriate box

By post	<input type="checkbox"/>
By fax	<input type="checkbox"/>
By e-mail	<input type="checkbox"/>
By telephone	<input type="checkbox"/>

Signed at ..... this ..... day of ..... 20.....

(Signature of requestor / person on whose behalf request is made)

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