

BELL

Promotion of Access to Information Manual

Bell Equipment Ltd

Last updated: February 2022





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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 constitutional right to access to information as contained in section 32(2) of the Bill of Rights. The Act seeks to advance the values of transparency and accountability.

The Act establishes certain statutory rights of requestors to any record of a private body if:

- that record is required for the exercise of any of his or her legal rights;
- that requestor complies with all the procedural requirements; and access is not refused in terms of any ground referred to in the Act.

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 Bell Equipment Limited information manual and provides reference to the records held by Bell Equipment Limited, its subsidiaries and other juristic persons in which Bell Equipment Limited or its subsidiaries have an interest.

Similarly, the Protection of Personal Information Act 4 of 2013, also provides that data subjects have a right to access personal information held by the Company and make requests regarding the correction or erasure of incorrect personal information. The data subject also has a right to be informed when personal information is collected from him/her, of the purposes for which the personal information will be used, whether it will be shared with third parties and how the Company endeavours to protect personal information. The Information required to be disclosed in accordance with the Protection of Personal Information Act is provided in Section 10 of this Manual.

2. ABOUT BELL EQUIPMENT

Bell Equipment Limited, along with its subsidiaries (collectively “the Company”), manufactures, distributes and supports a wide range of mining, construction, agricultural and forestry equipment including Articulated Dump Trucks, Front End Loaders, Tractor Loader Backhoes, Tri-Wheeled Loaders (timber/sugar cane loading machines), Haulage Tractors, Rollers, Graders and Excavators. Through an extensive network of customer service centres and distributors in many parts of the world, supported by strategic financing partners, the Company is able to meet the requirements of customers in and suppliers to the mining, construction forestry and agriculture industries.

Further information on Bell Equipment, its operations, corporate structures, history, interests and activities can be obtained from its website at www.bellequipment.com.

3. SCOPE OF THE MANUAL

The scope of this manual includes **Bell Equipment Limited** as the holding company of a group of local and offshore companies involved in the manufacturing and distribution of heavy earth moving machinery (more fully described above in 2). Also included under the scope of this manual are the Group’s South African corporate entities Bell Equipment Group Services (Pty) Ltd and Bell Equipment Sales SA Limited.



4. DEFINITIONS

Authorised Person	The authorised person is the person who is making a request on behalf of someone else, and who has been properly authorised in writing to do so.
Automatically Available Records	These are records that a public or private body will provide to a requester without them needing to file a request. These records are listed a voluntary disclosure notice, which should be made public.
Data subject	Is the person to whom personal information relates.
Days	Unless specified as “working day” in a section in PAIA, a day is considered to be a calendar day. To calculate time period, the day on which the request is received is excluded, and every day thereafter is included including weekends and public holidays until the final day is counted. If the final day for responding to a request falls on a Sunday or public holiday, the next day is counted as the final day.
Deemed Refusal	If no response is received to a request within the prescribed time, this is defined as a “deemed refusal”.
Form 2	This Form is prescribed by Regulation and should be used to Request access to information held be a public or private body.
Information Officer - Private Body	Is the person authorised to handle PAIA requests. Chief Executive Officer or the Managing Director or equivalent officer or the juristic person or person duly authorised by the leader.
Private Body	A private body is a person, company or other kind of juristic entity that carries on trade, business or profession, including a political party.
Record	A record is any recorded information regardless of the from, including, for example, written documents, audio, digital and video materials. A record requested from a public or private body refers to a record that is in that body’s possession regardless of whether that body created the record.
Regulations	PAIA allows the Minister to issue regulations that supplement the Act, which must be published in the Government Gazette, and covers issues like the forms to be used and fees that may be charged for certain processes.
Relevant Authority	PAIA uses the term the “relevant authority” to define the person within a National, Provincial and Local Government to whom an internal appeal must be lodged, which generally the political head of the body concerned (this function can be officially delegated).



5. AVAILABILITY OF THE MANUAL

A copy of this manual is available to the public for inspection on the Bell Equipment Limited website at www.bellequipment.com and its investor website www.bellir.co.za. The manual is further available for viewing as a hard copy at the office of the Company Secretary of Bell Equipment Limited, at 13 – 19 Carbonode Cell, Alton, Richards Bay.

6. CONTACT PERSON – INFORMATION OFFICER (SECTION 51(1)(a))

The responsibility for the administration of, and compliance with the Act, has been delegated to the Company Secretary, Bell Equipment Limited. Requests pursuant to the provisions of the Act should be directed as follows:

Information Officer	Diana McIlrath
Postal address:	P/Bag X20046, Empangeni, 3880, South Africa
Physical address:	13 – 16 Carbonode Cell, Alton, Richards Bay, South Africa
Business phone:	+ 27 035 907 9111
E-mail address:	Diana.mcilrath@bellequipment.com

7. HUMAN RIGHTS COMMISSION GUIDE (SECTION 51(1)(b))

The Human Rights Commission has compiled a guide in terms of section 10 of the Act. This guide contains information to assist a person wishing to exercise a right in terms of the Act. Refer to attached Annexure 1 – Form 1 – Request for a copy of the Guide (Regulation 3).

The guide can also be obtained from:

The South African Human Rights Commission: PAIA Unit

- Website: www.sahrc.org.za
- Postal address: Private Bag 2700, Houghton, 2041
- Street address: 29 Princess of Whales Terrace, cnr. York and St. Andrews Street, Parktown.
- Business phone: + 27 11 484 8300
- Business fax: + 27 11 484 0582
- E-mail address: paia@sahrc.org.za

8. RECORDS AUTOMATICALLY AVAILABLE TO THE PUBLIC (SECTION 51(1)(c))

The following categories of information are automatically available for inspection or photocopying. It is not necessary to request this information in terms of the Act and it may be obtained by contacting our Information Officer:

- Statutory records as kept by the Registrar of Companies;
- The following information about Bell Equipment as provided in hard copy or at www.bellequipment.com:
- Company profile and vision;
- Bell Equipment Brand;
- Code of Ethics;
- Products and Services;
- Investor Information, including integrated annual reports, and released IFRS financial statements;
- Information about the Company's performance for the current and previous financial years, as supplied to the market;
- Bell Equipment corporate governance information,
- Bell Equipment contact details; and
- Legal notices (including this manual).

9. RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION (SECTION 51(1)(d))

Certain legislation provides that private bodies shall allow certain persons access to specified records, upon request.

Records are available in terms of the legislation detailed in **Annexure 6** to this manual (as amended from time to time).

If a requester believes that a right to access to a record exists in terms of the legislation above, or any other legislation, the requester is required to indicate what legislative right the request is based on, to allow the Information Officer the opportunity of considering the request in light thereof.

10. RECORDS – CATEGORIES AND SUBJECT OF RECORDS (SECTION 51(1)(e))

The information contained in this section is intended to identify the main categories of records held within the Company and to help the requester to gain a better understanding of the main business activities of the Company. Further assistance in identifying the records held by the Company is obtainable from the Information Officer. Records, to which the right and manner of access will be provided in accordance with the Act (subject to the restrictions and right of refusal to access provided for in the Act), are available in respect to the following aspects of the Company's businesses and operations:

Branding

- Brand Policy and Standards
- Brand and advertising material
- Print and audio-visual advertisements

Communications

- Documents relating to public communications



- Documents relating to internal communications

Company Secretarial Information

- Share Registers
- Memorandums of incorporation
- Statutory returns to appropriate authorities
- Annual reports
- Share certificates
- Applicable statutory documents such as, but not limited to, certificates of incorporation and certificates to commence business
- Corporate structure diagrams
- Corporate calendars
- Documents relating to share incentive schemes
- Access to information manual

Financial

- Audited financial statements
- Accounting records
- Income tax returns
- Banking records
- Invoices and statements
- Agreements

Information Management and Technology

- Information policies, standards, procedures and guidelines

Insurance

- Production and group liability policies
- Other insurance policies
- Documents relating to underwriting
- Claim documents
- Personal accident benefit rules

Intellectual Property

- Patents and designs
 - Applications for fillings, lapsing, abandonment, withdrawal, or defending of patents
 - Documents relating to the assignment, cession or transfer of patents and designs
 - Documents relating to validity attacks through a patent or design office or authority
- Trademarks
 - Applications for lapsing, abandonment, withdrawal or defence of trademarks
 - Assignment, cession, transfer of trademarks
 - Agreements relating to the licensing of trademarks
 - Documents relating to the validity attacks through a trademark office or authority
 - Documents relating to the assignment, cession, transfer, licensing or other arrangement concerning a trademark
- Copyright
 - Documents relating to the assignment, cession, transfer or licensing of copyright material
- Agreements



Risk Management

- Documents relating to generic risk management processes
- Audit plans

Investor Relations

- General Investor Relations communications
- Announcements on the JSE, Securities Exchange South Africa News Service
- Presentations to analysts

Labour and Human Resources

- Collective agreements and other agreements relating to collective issues conducted at sectoral or central level
- Collective or other agreements relating to collective issues conducted at plant floor level
- Documents relating to human resource policies and procedures
- Document relating to staff establishment and manpower planning
- Documents relating to appointments, promotions, dismissals, suspensions, demotions and disciplinary actions
- Returns to UIF
- Employment Equity reports
- Training schedules and material

Land Transactions

- Documents in connection with land and servitude transactions including:
 - Contracts
 - Approvals
 - Consents
 - Deeds
 - Agreements
 - Forms
 - Securities
 - Cancellations
 - Amendments and/or substitutions
- Documents that require to be registered or lodged at the Deeds Office
- Lease agreements
- Applications for changes in land use, re-zoning and consent uses

Library

- Bulletins
- Gazettes
- Publications including books, patents, standards, research and development publications
- Journals

All related to and required for the conduct of the business and operations of the Company

Logistics/Supply Chain Management

- Contracts relating to transportation
- Storage, handling, packaging and distribution agreements
- Clearing and forwarding and surveying agreements

Manufacturing, Production and Distribution

- Manufacturing and production specifications



- Production statistics
- Documents relating to deliveries and receipts of product
- Warehouse and storage records

Marketing

- Promotional material
- Audio-visual material
- Brochures and advertising material

Plant Maintenance

- Maintenance and inspection schedules
- Documents relating to preventative maintenance programmes
- Procedures and guidelines relating to maintenance programmes
- Emergency response plans
- Operating procedures

Procurement and Supply Management

- Documents and contracts relating to procurement and supply of commodities and services
- Documents relating to stock management

Research and Development

- Contracts and agreements
- Technical publications

Safety, Health and Environment

- Bell Equipment Safety, Health and Environment Policy
- Documents relating to business unit/division/country/site best practices
- Sustainable Development reports
- Safety, Health and Environment governance audits
- Environmental Impact Assessments
- Safety, Health and Environment audits, inspections, plans, programmes, procedures, training and emergency response
- Reports on Safety, Health and Environment related complaints or information
- Documents relating to investigation and reporting on Safety, Health and Environment incidents
- Applications in respect to permits, authorisations and exemptions
- Documents relating to corporate policy, standards and systems of managing and optimising aspects of health and hygiene in the workplace
- Documents relating to water conservation, waste management and emissions

11. PROTECTION OF PERSONAL INFORMATION ACT

Bell Equipment respects the conditions for the lawful processing of personal information set out in the Protection of Personal information Act, respects the rights of all data subjects from whom we collect personal information and endeavours to provide the appropriate technical and organisational security measures to maintain the confidentiality, integrity and accessibility of the personal information we process.

CATEGORIES OF PERSONAL INFORMATION COLLECTED BY THE COMPANY:

- Contact details (physical, postal and email addresses, telephone numbers)
- Demographics (age, birth date, identification number)
- History (employment, financial, educational or medical history)
- Correspondence (with or within the company)

- Biometric information (fingerprints, medical samples)
- Banking information
- Personal information necessary for the compliance with legal obligations regulating Human Relations within the Company

CATEGORIES OF DATA SUBJECTS:

The persons from whom we collect personal information includes:

- Employees
- Contractors
- Customers
- Suppliers
- Partners
- Shareholders

THE PERSONAL INFORMATION IS COLLECTED:

Personal Information Collected in respect of Customers, Suppliers, Dealers and Service Providers or their representatives:

- Name and Surname
- Business address
- Business telephone and fax numbers
- Business email address
- Banking details
- Correspondence with and within the Company
- Business contracts

Personal Information collected in respect of employees:

- Personal Contact details such as name, title, address, telephone numbers, email addresses
- Identity Number
- Date of birth
- Gender
- Copy of driving licence, passport, Identity Document, Marriage Certificate, Decree Absolute
- Marital status and dependants
- Next of kin, emergency contact number and death benefit nominee(s) information
- Bank Account Details, Payroll Records, Tax Administration Information
- Salary and Compensation history
- Annual, sick, maternity, paternity leave, family responsibility leave
- Information relating to pension and benefits
- Recruitment information (information included in your CV, cover letter as part of the application process)
- Copies of work permit or visa or immigration status, if applicable
- Full employment records (contract, terms and conditions of employment, job titles, work history, working hours, promotion, absences, attendances, training records, starting date and leaving date of employment, location of employment)
- Performance and appraisal information
- Disciplinary and grievance information
- Secondary employment information

- Access card records
- Information about your use of the Company's information and communication systems
- Photographs
- Injury at the workplace and third-party accident information
- Employee screening information
- Video Surveillance

The Purposes for which the Information is collected:

- The fulfilment of contractual obligations between the data subject and the Company or the Company and third parties;
- We require your contact details to communicate with data subjects and with their consent, provide them marketing material in areas of their interest;
- Ascertaining the Identity of the data subject
- Communicating with the data subject
- Making a decision about recruitment of employees
- Determining the terms and conditions employment for our employees
- Determining whether a prospective employee is legally entitled to work in the country
- Paying salaries and deducting tax and national insurance contributions
- Liaising with pension providers of employees
- Business management planning, including accounting and auditing
- Conducting performance reviews and compensation
- Assessing qualifications for a particular job, task or promotion
- Gathering evidence and any other steps relating to possible grievance or disciplinary matters and associated hearings
- Making decisions about an employee's continued employment
- Dealing with legal disputes involving
- Determining fitness to work of employees and complying with health and safety obligations
- To provide access to and monitor business and personal use of our information and communication systems
- To ensure network and information security and preventing access to our network and communication systems
- Ensuring employment equity
- Access control and security purposes

SPECIAL CATEGORIES OF PERSONAL INFORMATION

Although the processing of personal information is generally prohibited, the Company is allowed to process special personal information in the following circumstances:

- Where the data subject has granted us consent to process their special personal information
- Processing is necessary for the purposes of carrying out the obligations and exercising specific rights in the field of employment and social security

- The processing is necessary to protect the vital interests of the data subject or another person where the data subject is physically or legally incapable of consenting
- The processing is necessary for the purposes of preventative or occupational medicine, for the assessment of the working capacity of employees.

Special Categories of Personal Information Collected in respect of Employees

- Race or ethnicity
- Trade union membership
- Medical records collected at the on-site clinic, Information about your health, including any medical condition.
- Biometric data

Purposes for which Special Categories of Personal Information Collected

- We may process personal information relating to leave of absence, which may relate to illness, to comply with employment and other laws
- We may process personal information regarding our employees physical or mental health or disability status to assess their fitness to work in order to protect health and safety in the workplace
- We may process personal information about race or ethnic origin to comply with legal obligations regarding employment equity
- We may process personal information relating to trade union membership in order to pay union premiums and comply with labour law obligations

CATEGORY OF RECIPIENTS TO WHOM THE COMPANY TRANSFERS PERSONAL INFORMATION:

We will only process your personal information which is necessary for the abovementioned purposes and will not use it for purposes other than for which it was collected. We may share your personal information with any of the subsidiaries of the Bell Equipment Group or business partners who provide products and services on our behalf for the purposes abovementioned. We will not share your personal information with any third parties, except if:

- We are required to do so for legal purposes (eg. Labour Law and Tax Administration purposes)
- We are required to do so for the purposes of future legal proceedings
- The third party performs services relating to the processing of personal information on our behalf
- This is required in order to provide you with any information or services or manage any information or services relating to you

We will not transfer your personal information to foreign countries, unless the situation so requires in order to carry out the abovementioned purposes, in which case we will take reasonable steps to make sure that the third parties are bound by laws, corporate rules or binding agreements that provide an adequate level of protection and lawful processing.

RETENTION PERIODS FOR PERSONAL INFORMATION:

In terms of the Protection of Personal Information Act, we are required to keep your Personal Data for no longer than is necessary for the purposes for which it is processed. After your Personal Data is no



longer necessary for the purposes for which it was processed, it will be irreversibly destroyed. Any Personal Data submitted to us for marketing and service update notifications will be kept by us until such time that you notify us that you no longer wish to receive this information.

SECURITY MEASURES IMPLEMENTED FOR THE PROTECTION OF PERSONAL INFORMATION:

OPERATIONAL MEASURES

PERSONS RESPONSIBLE:

- **Information Officer:** responsible for overseeing the protection of personal information strategy and monitoring compliance with the POPI act.
- **Information Operations Manager:** responsible for protecting the Company's information by designing, implementing and enforcing security controls and safeguards.
- **Information Security Analysts:** Monitor computer networks for security issues. Investigate security breaches and other cyber security incidents. Install security measures and operate software to protect systems and information infrastructure, including firewalls and data encryption programs.
- **Compliance Officer:** Develops, initiates, maintains, and revises policies and procedures for the Information Security, Business Continuity and Quality assurance operation of the IT Compliance Program and its related activities to prevent illegal or improper conduct.

TRAINING

The Company has developed a Cybersecurity Awareness Training Course for end-users throughout the Group.

IMPACT ASSESSMENTS

Effectiveness of security controls are measured annually during audit assessments.

POLICIES

Various policies assist with regulating the manner in which information is processed, handled and stored as well how access to confidential information is limited and controlled. The Company has implemented the following Information Security Policies:

- Information Security Policy
- Acceptable use Policy
- Information Classification Policy
- Information Transfer Policy
- Account Management Policy
- Bring You Own Device Policy
- Clear Screen and Clear Desk Policy
- Disposal and Destruction Policy
- End-Point Security Standard

TECHNICAL AND PHYSICAL SECURITY MEASURES

ACCESS PROCEDURES

The Company follows an access control system for personal information stored on specific databases or software programmes, whereby access to certain information can be limited to authorised persons only, (ie. Persons who require access to personal information in order to carry out employment duties.) A manager would authorise an employee's access request based on his/her employment role. Access to the particular database or software programme is based on an authentication process. Once access is to the information is no longer necessary to his/her carry out an employment duties, the access will be relinquished.

Personal information stored in files on a computer are password protected and only transferred to authorised persons who require the information to carry out employment duties.

PHYSICAL ACCESS PROCEDURES

Access to the main data centres are limited via an access card clock-in system. Access is granted to those employees who require the access as a part of their employment duties. A Data Centre Access Policy stipulates who has access to the data centres and how access is granted and monitored.

PHYSICAL SECURITY OF INFORMATION ASSETS

Users are required to ensure that their information assets are kept safe at all times in accordance with the Acceptable Use Policy.

MONITORING OF SECURITY THREATS

The Information Security Analyst is responsible for continually monitoring security threats posed to the Company, taking measured to prevent threats and alerting the Company of potential security breaches.

SECURITY FEATURES ON SOFTWARE, APPLICATIONS AND ASSETS

Some of the security features employed by the Company include:

- Firewalls
- Threat Prevention
- Host Intrusion Prevention
- Full Disk Encryption
- Authentication systems
- VPN

BREACH AND SECURITY INCIDENTS

The Company implements a Security Incident Management Procedure regulating how security breaches should be handled. The Policy stipulates who is responsible for managing the incident, the measures which should be taken to prevent and minimize the occurrence of the incident, how the incident should be reported and who should be notified in the event of an incident. Incidents affecting the security of personal information must be reported to the relevant Supervisory Authority in accordance with the Contact with Authorities and Special Interest Groups Procedure.

12. ACCESS REQUESTS

COMPLETION OF REQUEST FOR ACCESS TO RECORD FORM 2

To facilitate a timely response to requests for access, all requesters should take note of the following when completing the Request for Access to Record Form 2:

- The Request for Access to Record Form 2, attached as **Annexure “2”** hereto, must be completed.
- Proof of identity is required to authenticate the identity of the requester – in addition to the Access Request Form, requesters will be required to supply a certified copy of their green bar-coded identification document or a valid passport document.
- Type or print in BLOCK LETTERS an answer to 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 the printed form, additional information may be provided on an additional attached folio.
- When the use of an additional folio is required, precede each answer with the applicable title.

Please 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 for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access to records through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

SUBMISSION OF ACCESS REQUEST FORM

The completed Access Request Form together with a certified copy of the requester’s identity document must be submitted either via conventional mail, e-mail or fax and must be addressed to the contact person as indicated above.

An initial **request fee of R57.00 (including VAT)** is payable on submission of the request.

This fee is **not applicable to Personal Requesters**, referring to any person seeking access to records that contain their personal information.

PAYMENT OF FEES

Payment details can be obtained from the Information Officer indicated above and can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). 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** as set out in **Annexure “2”** hereto.

NOTIFICATION

The 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.

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 and the information cannot reasonably be obtained within the original 30 (thirty) day period. The requester will be notified in writing should an extension be sought.

GROUNDINGS FOR REFUSAL OF ACCESS TO RECORDS (CHAPTER 4)

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

- Mandatory protection of the privacy of a third party who is a 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 by a third party to any of the Companies 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 records which could be regarded as privileged in legal proceedings.
- The commercial activities of the Companies, which may include:
 - ❖ Trade secrets of the Companies
 - ❖ Financial, commercial, scientific or technical information which, if disclosed, could likely cause harm to the financial or commercial interests of the Companies.

APPEAL AGAINST REFUSAL TO GRANT ACCESS

If a requester is aggrieved by the refusal of the Information Officer to grant a request for a record, the requester may, within 30 (thirty) days of notification of the Information Officer's decision (or his or her deemed refusal in terms of Section 58 of the Act), apply to court for appropriate relief.

To assist the Requester or Third Party (hereinafter referred to as "The Complainant) in requesting a review of the company's response or non-response to a request for access to records under the Promotion of Access to Information Act, 2000 (Act 2 of 2000) (PAIA) Please fill out Annexure 3 : Form 5 - Complaint Form and send it to the following email address : PAIAComplaints@inforRegulator.org.za

PAIA gives a member of the public a right to file a complaint with the Information Regulator about any of the nature of complaints detailed in part F of this complaint Form. It is the policy of the Information Regulator to defer investigating or to reject a complaint if the Complaint has not first given the public or private body (herein after referred to as "the Body") an opportunity to respond to and attempt to resolve the issue.

To help the Body address the concerns prior to approaching the Information Regulator, you are required to complete the prescribed PAIA Form 2 (Annexure 2) and submit it to the Body. A copy of the PAIA Form 2 (Annexure 2) will be provided to the Body that is the subject of your complaint. The information you provide on this form, attached to this form or that you supply later, will only be used to attempt to resolve the dispute, unless otherwise stated herein.

13. ADDITIONAL PRESCRIBED INFORMATION (SECTION 51(1)(f))

The Minister of Justice has not prescribed any additional information to be contained in this Manual.



ANNEXURE 1: FORM 1

REQUEST FOR A COPY OF THE GUIDE
(Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 3]

A. PARTICULARS OF PRIVATE BODY

Requests can be submitted either via conventional mail, e-mail or fax and should be addressed to the relevant contact person as indicated below.

The Group Company Secretary	Diana McIlrath
Postal Address	Private Bag X20046, Empangeni, 3880, South Africa
Street Address	16-18 Carbonode Cell, Alton, Richards Bay, 3901
Business Phone	+27 35 907 9111
Business Fax	+27 35 797 4453
Email Address	dianam@bell.co.za

Full name				
In my capacity as (mark with "X")	Information Officer		Other	
Name of *public / private body (if applicable)				
Postal Address				
Street Address				
Email Address				
Fax Number				
Contact numbers	Tel. (B):		Cellular:	

Hereby request the following copy (ies) of the Guide:

Language (mark with "X")	No of copies	Language (mark with "X")	No of copies
<input type="checkbox"/> Sepedi		<input type="checkbox"/> Sesotho	
<input type="checkbox"/> Setswana		<input type="checkbox"/> siSwati	
<input type="checkbox"/> Tshivenda		<input type="checkbox"/> Xitsonga	
<input type="checkbox"/> Afrikaans		<input type="checkbox"/> English	
<input type="checkbox"/> isiNdebele		<input type="checkbox"/> isiXhosa	
<input type="checkbox"/> isiZulu			

Manner of collection (mark with "X")

Personal collection	Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20____

Signature of Requester



ANNEXURE 2: FORM 2

REQUEST FOR ACCESS TO A RECORD
(Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
 [Regulation 7]

A. PARTICULARS OF PRIVATE BODY

Requests can be submitted either via conventional mail, e-mail or fax and should be addressed to the relevant contact person as indicated below.

The Group Company Secretary	Diana McIlrath
Postal Address	Private Bag X20046, Empangeni, 3880, South Africa
Street Address	16-18 Carbonode Cell, Alton, Richards Bay, 3901
Business Phone	+27 35 907 9111
Business Fax	+27 35 797 4453
Email Address	dianam@bell.co.za

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.

Mark with "X"	
<input type="checkbox"/> Request is made in my own name	<input type="checkbox"/> Request is made on behalf of another person

PERSONAL INFORMATION			
Full name			
ID Number <i>Proof of Identity must be attached</i>			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
Email Address			
Contact Numbers	Tel. (B)		Facsimile:
	Cellular		
Full names of person on whose behalf request is made (if applicable):			
Identity Number			
Postal Address			
Street Address			
Email Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		



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 of 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	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a) A request fee must be paid before the 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)

Signed at _____ this _____ day of _____ 20____

 Signature of Requester/ Person on whose behalf request is made

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



ANNEXURE 3: FORM 5

COMPLAINT FORM
(Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
 [Regulation 10]

A. PARTICULARS OF THE PAIA COMPLAINTS REGULATOR

Requests can be submitted either via conventional mail, e-mail or fax and should be addressed to the relevant contact person as indicated below.

Postal Address	P. O Box 31533, Braamfontein, Johannesburg, 2017
Street Address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Business Number	+27 010 023 5200
Email address	PAIACompliants@infoRegulator.org.za

The information Regulator will only accept the data subject complaint once he/she confirm having complied with the prerequisites below.

Please attach copies of the following documents, if you have them:

- a) Copy of the form to the Body requesting access to records,
- b) The Body's response to your complaint or access request,
- c) Any other correspondence between you and the Body regarding your request,
- d) Copy of the appeal form, if your complaint relate to a public body,
- e) The Body's response to your appeal,
- f) Any other correspondence between you and the Body regarding your appeal,
- g) Documentation authorizing you to act on behalf of another person (if applicable),
- h) Court Order or Court documents relevant to your complaint, if any.

If the space provided in this Form is inadequate, submit information as an Annexure to this Form and sign each page.

CAPACITY OF PERSON / PARTY LODGING A COMPLAINT (Mark with an "X")	
<input type="checkbox"/>	Complainant Personally
<input type="checkbox"/>	Representative of Complainant
<input type="checkbox"/>	Third Party

PREREQUISITES				
Did you submit request (PAIA form) for access to record of a Public/Private Body?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Has 30 days lapsed from the date on which you submitted your PAIA form?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Did you exhaust all the internal appeal procedure against a decision of the information officer of a public body?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Have you applied to Court for appropriate relief regarding this matter?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>



FOR INFORMATION REGULATOR'S USE ONLY	
Received by; (Full Names)	
Position	
Signature	
Complaint accepted	Yes <input type="checkbox"/> No <input type="checkbox"/>
Reference Number	

Postal Address	Facsimile	Other electronic communication (Please specify)

**PART A
PERSONAL INFORMATION OF COMPLAINANT**

Full Names				
Identify Number				
Postal Address				
Street Address				
Email Address				
Contact numbers	Tel.(B)		Facsimile	
	Cellular			

**PART B
REPRESENTATIVE INFORMATION**

(Complete only if you will be represented. A power of Attorney must be attached if complainant is represented, failing which the complaint will be rejected)

Full Name of Representative				
Nature of representation				
Identity Number / Registration Number				
Postal Address				
Street Address				
Email Address				
Contact Numbers	Tel.(B)		Facsimile	
	Cellular			



PART C
THIRD PARTY INFORMATION
(Please attach letter of authorisation)

Type of Body	Private	<input type="checkbox"/>	Public	<input type="checkbox"/>
Name of Public / Private Body				
Registration Number (If any)				
Name, Surname and Title of person authorised to lodge a complaint				
Postal Address				
Street Address				
Email Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			

PART D
BODY AGAINST WHICH THE COMPLAINT IS LODGED

Type of Body	Private	<input type="checkbox"/>	Public	<input type="checkbox"/>
Name of Public / Private Body				
Registration Number (If any)				
Name, Surname and Title of person you dealt with at the public or private body to try to resolve your complaint or request for access to information				
Postal Address				
Street Address				
Email Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
Reference Number given (if any)				

PART E
COMPLAINT

Tell us about the steps you have taken to try to resolve your complaint (Complaints should first be submitted directly to the public or private body for response and possible resolution)

Date on which request for access to records submitted.	
Please specify the nature of the right(s) to be exercised or protected, if a complaint is against a private body.	



Have you attempted to resolve the matter with the organisation?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, when did you receive it? (Please attach the letter to this application.)				
Did you appeal against a decision of the information officer of the public body?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, when did you lodge an appeal?				
Have you applied to Court for appropriate relief regarding this matter	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, please indicate when was the matter adjudicated by the Court? Please attach Court Order, if there is any.				

PART F

DETAILED TYPE OF ACCESS TO RECORDS

(Please select one or more of the following to describe your complaint to the Information Regulator)

Unsuccessful appeal (Section 77A(2)(a) or section 77A(3)(a) of PAIA	I have appealed against the decision of the public body and the appeal is unsuccessful.	
Unsuccessful application for condonation (Sections 77A(2)(b) and 75(2) of PAIA	I filed my appeal against the decision of the public body late for condonation. The condonation application was dismissed.	
Refusal of a request for access (Section 77A(2)(d)(i) or 77A(3)(b) of PAIA	I requested access to information held by a body and that request was refused or partially refused.	
The Body requires me to pay fee and I feel it is excessive (Sections 22 or 54 of PAIA)	Tender or payment of the prescribed fee.	
	The tender or payment of a deposit.	
Repayment of the deposit (Section 22(4) of PAIA)	The information officer refused to repay a deposit paid in respect of a request for access which is refused.	
Disagree with time extension (Sections 26 or 57 of PAIA)	The body decided to extend the time limit for responding to my request, and I disagree with the requested time limit extension or a time extension taken to respond to my access request.	
Form of access denied (Section 29(3) or 60(a) of PAIA)	I requested access in a particular and reasonable form and such form of access was refused.	
Deemed refusal (Section 27 & 58 of PAIA)	It is more than 30 days since I made my request and I have not received a decision	
	Extension period has expired and no response was received.	
Inappropriate disclosure of a record (Mandatory grounds for refusal of access to record)	Records (that are subject to the grounds for refusal of access) have inappropriately / unreasonably been disclosed.	
No adequate reasons for the refusal of access (Section 56(3)(a) of PAIA)	My request for access is refused, and no valid or adequate reasons for the refusal, were given, including the provisions of this Act which were relied upon for the refusal.	
Partial access to record (Section 28(2) or 59(2) of PAIA)	Access to only a part of the request records was granted and I believe that more of the records should have been disclosed.	
Fee waiver (Section 22(8) or 54(8) of PAIA)	I am exempt from paying any fee and my request to waive the fees was refused.	
Records that cannot be found or do not exist (Section 23 or 55 of PAIA)	The Body indicated that some or all of the requested records do not exist and I believe that more records do exist.	
Failure to disclose records	The Body decided to grant me access to the requested records, but I have not received them.	
No jurisdiction (exercise or	The Body indicated that the requested records are	



protection of any rights) Section 50(1)(a) of PAIA	excluded from PAIA and I disagree.	
Frivolous or vexatious request (Section 45 of PAIA)	The Body indicated that my request is manifestly frivolous or vexatious and I disagree.	
Other (Please explain)		

**PART G
 EXPECTED OUTCOME**

How do you think the Information Regulator can assist you? Describe the result or outcome that you seek

**PART H
 AGREEMENTS**

The legal basis for the following agreements is explained in the Privacy Notice on how to file your complaint document. In order for the Information Regulator to process your complaint, you need to check each one of the checkboxes below to show your agreement:

<input type="checkbox"/>	I agree that the Information Regulator may use the information provided in my complaint to assist it in researching issues relating to the promotion of the right access to information as well as the protection of the right to privacy in South Africa. I understand that the information Regulator will never include my personal or other identifying information in any public report, and that my personal information is still protected by the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) . I understand that if I do not agree, the Information Regulator will still process my complaint.
<input type="checkbox"/>	The Information in this Complaint is true to the best of my knowledge and belief.
<input type="checkbox"/>	I authorise the Information Regulator to collect my personal complaint information (such as the information about me in this complaint form) and use it to process my human rights complaint relating to the right of access to information and / or the protection of the right to privacy.
<input type="checkbox"/>	I authorise anyone (such as an employer, service provider, witness) who has information needed to process my complaint to share it with the Information Regulator. The Information Regulator can obtain this information by talking to witnesses or asking for written records. Depending on the nature of the complaint, these records could include personnel files or employer data, medical or hospital records, and financial or taxpayer information.
<input type="checkbox"/>	If any of my contact information changes during the complaint process, it is my responsibility to inform the information Regulator, otherwise my complaint could experience a delay or even be closed.

Signed at _____ this _____ day of _____ 20____

 Complaint / Representative /Authorised person of Third party



ANNEXURE 4: FORM 13

REQUEST FOR ASSESSMENT
(Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
 [Regulation 14(1)]

i) **PARTICULARS OF INFORMATION REGULATOR**

Requests can be submitted either via conventional mail, e-mail or fax and should be addressed to the relevant contact person as indicated below.

Postal Address	P. O Box 31533, Braamfontein, Johannesburg, 2017
Street Address	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
Business Number	+27 010 023 5200
Email address	PAIACompliance@infoRegulator.org.za

Full Names			
Postal Address			
Street Address			
Email Address			
Contact Numbers	Tel.(B)		Facsimile
	Cellular		

Hereby, in terms of section 77H of the Promotion of Access to Information Act, 2000 (Act No 2 of 2000), request that the Information Regulator assess whether the under-mentioned public or private body generally complies with the provisions of the Act insofar as its policies and implementation procedures are concerned.

Name of Private / Public Body			
Postal Address			
Street Address			
Email Address			
Contact Numbers	Tel.(B)		Facsimile
	Cellular		

PARTICULARS OF INFORMATION TO BE ASSESSED

--

PERSONS AFFECTED BY THE RELEVANT INFORMATION PRACTICE/S

--



THE REASON WHY AN ASSESSMENT IS REQUESTED
SPECIFIC ASPECTS OF THE INFORMATION THAT THE ASSESSMENT SHOULD ADDRESS

Signed at _____ this _____ day of _____ 20____

Requester _____



ANNEXURE 5: PRESCRIBED FEES

In accordance with Section 54(7) of the Promotion of Access to Information Act as determined by the Minister

- | | |
|---|--------|
| a) Photocopy of A4 size page or part thereof | R1.10 |
| b) Printed copy of an A4 size page of an electronic document | R0.75 |
| c) For a copy in a computer-readable form on compact disk | R70.00 |
| d) (i) For a transcription of visual images, an A4 size page | R40.00 |
| (ii) For a copy of the visual images | R60.0 |
| e) (i) For a transcription of an audio record, an A4 size page | R20.00 |
| (ii) for a copy of an audio record | R30.00 |
| f) To search for and prepare the record for disclosure or part thereof costs R30.00 for each hour or part thereof reasonably required for search and preparations | |
| g) Six hours of searching is to be exceeded before a deposit is payable | |
| h) One this of the access fee is payable as a deposit by the requester | |
| i) The actual postage fee is payable when a copy of a record must be posted to a requester | |

All prices listed are inclusive of value added tax

Annexure 6: Records held in accordance with other Legislation (Section 51(1)(D))

Records are available in terms of the following legislation, as amended from time to time.

Auditing Profession Act 26 of 2005
Basic Conditions of Employment Act No. 75 of 1997
Broad Based Black Economic Empowerment Act No. 53 of 2003
Close Corporations Act 69 of 1984
Companies Act No. 71 of 2008
Compensation for Occupational Injuries and Disease Act No. 130 of 1993
Competition Act No. 89 of 1998
Constitution of South Africa Act No. 108 of 1996
Copyright Act No. 98 of 1978
Consumer Protection Act No. 68 of 2008
Criminal Procedure Act 51 of 1977 (updated 2008/04/15)
Customs And Excise Act 91 of 1964 (updated 2008/05/13)
Deeds Registries Act No. 47 of 1937
Electronic Communications Act 36 of 2005
Electricity Act 41 of 1987 (updated 2008/03/31)
Electricity Regulation Act 4 of 2006 (updated 2008/04/30)
Electronic Communications and Transactions Act 25 of 2002 (updated 2007/06/27)
Engineering Profession Act 46 of 2000 (updated 2008/04/15)
Employment Equity Act No. 55 of 1998
Environment Conservation Act No. 73 of 1989
Environmental Laws Rationalisation Act No. 51 of 1997
Explosives Act No. 26 of 1956 (updated 2008/01/14)
Firearms Control Act No. 60 of 2000
Financial Markets Act No. 9 of 2012
Formalities in respect of Leases of Land Act No. 18 of 1969
Gas Act No. 48 of 2001
Gas Regulator Levies Act 75 of 2002 (updated 2008/04/07)
Hazardous Substances Act No. 15 of 1973
Health act 63 of 1977 (updated 2007/04/10)
Immovable Property (Removal or Modification of Restrictions) Act No. 94 of 1965
Income Tax Act 58 of 1962
Information Act No. 70 of 2002
Labour Relations Act No. 66 of 1995
Long-Term Insurance Act No. 52 of 1998
Marketable Securities Act No. 32 of 1948
Medical Schemes Act No. 131 of 1998
Medicines and Related Substances Act 101 of 1965 (updated 2008/05/08)
Minerals Act 50 of 1991
Mine Health and Safety Act No. 29 of 1996
Mineral and Petroleum Resources Development Act No. 28 of 2002
National Credit Act 34 of 2005 (updated 2007/08/31)
National Environmental Management: Protected Areas Act 57 of 2003 (updated 2008/03/03)
National Building Regulations and Buildings Standards Act No. 103 of 1997
National Environmental Management Act No. 107 of 1998
National Environmental Management: Air Quality Act No. 39 of 2004
National Environmental Management: Biodiversity Act No. 10 of 2004
National Road Traffic Act No. 93 of 1996
National Water Act No. 36 of 1998
Occupational Diseases in Mines and Works Act 78 of 1973 (updated 2008/01/02)
Occupational Health and Safety Act No. 85 of 1993
Patents Act No. 57 of 1987

Pension Funds Act No. 24 of 1956
Petroleum Pipelines Levies Act 28 of 2004 (updated 2008/04/07)
Preferential Procurement Policy Framework Act No. 5 of 2000
Promotion of Access to Information Act No. 2 of 2000
Promotion of Equality and Prevention of Unfair Discrimination Act No. 4 of 2000
Protected Disclosures Act No. 26 of 2000
Protection of Personal Information Act 4 of 2013
Regulation of Interception of Communications and Provision of Communication Related
Revenue Laws Amendment Act 35 of 2007
Revenue laws second amendment 36 of 2007
Sea Transport Documents Act No. 65 of 2000
Securities transfer tax act 25 of 2007 (added 2008/01/14)
Security by means of Movable Property Act No. 57 of 1993
Short-Term Insurance Act No. 53 of 1998
Skills Development Act No. 97 of 1998
Skills Development Levy Act No. 9 of 1999
South African Reserve Bank Act No. 90 of 1989
Standards Act 29 of 1993 (updated 2008/04/14)
Stock Exchange Control Act No. 1 of 1985
Tobacco Products Control Act No. 12 of 1999
Trademarks Act No. 194 of 1993
Trade Metrology Act 77 of 1973 (updated 2007/07/24)
Unemployment Insurance Act No. 63 of 2001
Unemployment Insurance Contributions Act 4 of 2002 (updated 2008/02/04)
Value Added Tax Act No. 89 of 1991
JSE Listing Requirements
King Code IV on Good Corporate Governance

PLEASE NOTE:

Although endeavours have been used to provide a complete list of applicable legislation herewith it is possible that the above list may be incomplete. Wherever it comes to our attention that existing or new legislation allows a requester access on a basis other than that set out in the Act we shall immediately update the list.