Part of the Raubex Group

PAIA AND POPI MANUAL

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This manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act no. 2 of 2000) ("the PAIA Act") and to address the requirements of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) ("the POPI Act"). The PAIA Act and the POPI Act are collectively referred to herein as "the Acts".

The manual applies in respect of OMV Proprietary Limited ("the Company").

The PAIA Act grants a requester access to records of a private body if the record is required for the exercise or protection of any rights. Requests in terms of the PAIA Act shall be made in accordance with the prescribed procedures, at the rates provided.

THIS MANUAL WAS PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 AND TO ADDRESS REQUIREMENTS OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013

This manual applies to OMV Proprietary Limited
Registration Number 2014/011295/07
("the Company")

Registered office address:
N12 Highway
Stilfontein
Stilfontein, NW
2551

A copy of the manual is available for inspection at the Company offices and is available on the Company's website at www.omv.co.za.

1. INTRODUCTION

The Promotion of Access to Information Act, 2000 (the "PAIA Act") gives effect to the provisions of Section 32 of the Constitution of the Republic of South Africa, 1996 (the "Constitution"), which provides for the right of access to information. The PAIA Act gives third parties the right to approach public and private bodies and the government to request information held by them, which is required in the exercise and/or protection of any rights. On request, the public or private body or government is obliged to release such information unless the PAIA Act expressly states that the records containing such information may or must not be released.

The Protection to Personal Information Act, 4 of 2014 (the "POPI Act") gives effect to the provisions of Section 14 of the Constitution and provides that everyone has the right to privacy. The right to privacy includes a right to protection against the unlawful collection, retention, dissemination and use of Personal Information. A Responsible Party who processes Personal Information must notify the person to whom Personal Information relates ("Data Subject") of the manner in which the Data Subject can access their Personal Information held by the Responsible Party.

2. PURPOSE

The purpose of this Manual informs requestors of procedural and other requirements which a request must meet as prescribed by the PAIA Act. The POPI Act gives Data Subjects the right to request a Responsible Party to correct or delete Personal Information about the Data Subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or to destroy or delete a record of Personal Information about the Data Subject that the Responsible Party is no longer authorised to retain, access and/or request the correction or deletion of any Personal Information held about them that may be inaccurate, misleading or outdated.

The Company believes that this Manual will assist requestors in exercising their rights. The Acts seek, inter alia, to give effect to the constitutional right of access to any information held by the state or by any other person where such information is required for the exercise or protection of any right, as well as the right to privacy and protection of Personal Information.

This PAIA Manual was compiled in terms of Section 51 of the PAIA Act and sections 23 to 25 of the POPI Act to facilitate access to records held by the Company. It contains information required by a person wishing to exercise any right, contemplated by the PAIA Act. It is available in English.

A copy of this Manual is available to the public in a PDF ("Portable Document Format") version on the Company's website or on request from the Information Officer referred to in this Manual.

3. BACKGROUND TO THE COMPANY

The Company is the leading supplier of Aggregates, Ready-Mix Concrete, Gypsum based products as well as specialized industrial minerals in Southern-Africa and prides itself with hands-on management and employee relations.

4. INFORMATION REQUIRED UNDER SECTION 51(1)(A) OF PAIA

Name of body	OMV Proprietary Limited
Registration number	2014/011295/07
Information officer	Oscar Goudriaan
Deputy information officer	Michael Du Preez
Email address	sales@omv.co.za
Physical address	N12 Highway, Stilfontein, Stilfontein, NW, 2551
Postal address	N12 Highway, Stilfontein, Stilfontein, NW, 2551
Telephone number	+27 18 484 1312
Website	www.omv.co.za

5. DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51(1)(B)

The Regulator has, in terms of section 10(1) of the PAIA Act, as amended, updated and made available the 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 the PAIA Act and the POPI Act. The Guide is available in each of the official languages and in braille, and can be obtained from the website of the Regulator, or by contacting the Information Regulator using any of the following means:

The Information Regulator (South Africa)	JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001 PO Box 31533, Braamfontein, Johannesburg, 2017
General enquiries	inforeg@justice.gov.za
Complaints	Complaints.IR@justice.gov.za
Website	http://www.justice.gov.za/inforeg/

A copy of the Guide is also available at the Company's registered office, for public inspection during normal office hours.

6. NOTICE IN TERMS OF SECTION 52(2)

The following records are available on the OMV (Pty) Ltd website and available for download without a requestor having to request access to the records.

Category of record	Types of Record	Available on Website	Available upon request
Company Policy	Business Conduct and Ethics	✓	✓
Company Policy	Fraud and Corruption	✓	✓
PAIA Manual	PAIA Manual	✓	✓
POPIA	Privacy Policy	✓	✓

7. SCOPE

This Manual has been prepared in respect of the Company.

8. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: [SECTION 51(1)(D)]

Records are kept in accordance with such other legislation as applicable to the Company, which includes, but is not limited to:

- Basic Conditions of Employment Act 75 of 1997;
- Companies Act 71 of 2008;
- Competition Act 89 of 1998;
- Consumer Protection Act 68 of 2008;
- Customs and Excise Act 91 of 1964;
- Employment Equity Act 55 of 1998;
- Finance Act 35 of 2000;
- Insider Trading Act 135 of 1998;
- Insurance Act 27 of 1943;
- Labour Relations Act 66 of 1995;
- Preferential Procurement Policy Framework Act of 2000;
- Promotion of Access to Information Act 2 of 2000;
- Skills Development Levies Act 9 of 1999;
- Broad-Based Black Economic Empowerment Act 53 of 2003;
- Compensation for Occupational Injuries and Diseases Act 130 of 1993;
- Constitution of South Africa Act 108 of 1996;
- Financial Intelligence Centre Act 38 of 2001;
- Income Tax Act 58 of 1962;
- National Environmental Management Act 107 of 1998;
- Occupational Health and Safety Act 85 of 1993;
- Skills Development Act 97 of 1998;
- South African Revenue Service Act 34 of 1997;
- Unemployment Insurance Act 63 of 2001;
- Value Added Tax Act 89 of 1991;
- Short Term Insurance Act 53 of 1998; and
- Unemployment Contributions Act 4 of 2002.

Such records will be made available only to those individuals/entities authorised to request access to such records in terms of the particular legislation. Any other person/s must follow the request for access of records procedure as outlined in this Manual.

While the Company has used its best endeavours to supply a list of applicable legislation, it is possible that the above list may be incomplete. Wherever it comes to the Company's attention that existing or new legislation allows a requestor access on a basis other than that set out in the PAIA or POPI Acts, we shall update the list accordingly.

A description of the subjects on which the Company holds records and the categories of the records held can be found in Annexure "B" of this Manual, which forms an integral part of this Manual.

9. RECORDS THAT ARE NOT AUTOMATICALLY AVAILABLE

Records of the Company which are not automatically available must be requested in terms of the procedure set out in this Manual, and the Regulations as set out in terms of the PAIA and POPI Acts, and which may be subject to the restrictions and right of refusal to access as prescribed.

No request shall be accepted telephonically, nor shall any information be supplied telephonically. Only the Information Officer or any Deputy Information Officer appointed shall have the mandate to disclose information in terms of this Manual.

10. POLICY WITH REGARD TO CONFIDENTIALITY, ACCESS TO INFORMATION AND PROCESSING OF INFORMATION

The Company will protect the confidentiality of information provided to it by third parties, subject to the Company's obligations to disclose information where we have a duty or a right to disclose in terms of law or industry codes, or where we believe it is necessary to protect our rights. If access is requested to a record that contains information about a third party, the Company is obliged to attempt to contact such third party to inform him/her/it of the request.

The Company will give the third party an opportunity of responding by either consenting to the access or by providing reasons why the access should be denied. In the event that the third-party furnishes reasons for the support or denial of access, the Information Officer will consider these reasons in determining whether access should be granted to the requestor or not.

11. THIRD PARTIES

11.1 If the request is for the record pertaining to the third party, the Information Officer of the Company must take all reasonable steps to inform the third party of the request. This will be done within 21 (twenty-one) days of receipt of the request.

11.2 The third party must be advised of the decision taken by the Information Officer of the Company whether to grant or to decline the request. A third party who is dissatisfied with the Information Officer of the Company's decision to grant a request for information, may within 30 (thirty) days of notification of the decision, apply to a Court for relief.

12. PROCESSING OF PERSONAL INFORMATION

The Company collects and uses Personal Information of the individuals and corporate entities with whom it works in order to operate and carry out its business effectively, and this may include but is not limited to, Personal Information of employees, contractors, vendors, suppliers, and service providers.

Refer to the Privacy Notice published on the OMV (Pty) Ltd website for more information about how the Company processes Personal Information, for what purpose(s) does processing take place, the categories of third-parties the Company may disclose Personal Information to, as well as any planned trans-border flows of Personal Information.

The Company's Privacy Notice is available from www.omv.co.za and incorporated by reference herein. A copy of the Privacy Notice can also be requested from the Information Officer using the contact details provided in this PAIA Manual.

12.1 DESCRIPTION OF THE CATEGORIES OF DATA SUBJECTS AND OF THE INFORMATION OR CATEGORIES OF INFORMATION RELATING THERETO

The Company may use or process any goods or services information, or optional information that you provide to the Company for the purposes that you indicated when you agreed to provide it. Processing includes gathering Personal Information, disclosing it, and combining it with other Personal Information.

Categories of Data Subjects	Personal Information that may be processed
Customers or clients	Name, address, registration numbers or identity numbers, contact numbers, director's information, bank details, VAT numbers
Contractors, Vendors, Service Providers	Company name, representative name(s) and contact information, registration number, VAT number, address, trade secrets and bank details
Employees or job applicants, directors and shareholders	Name, address, contact information, qualifications, gender and race, curriculum vitae
Visitors	Name, company name, contact information, CCTV footage
Community Stakeholders	Name, address, registration numbers or identity numbers, contact numbers

12.2 GENERAL DESCRIPTION OF INFORMATION SECURITY MEASURES

The Company has implemented good governance processes and procedures including implementing an Information Security Management System aligned to ISO/IEC 27001 and its related ISO/IEC 27002 guidelines.

Such measures include, but are not limited to:

- Information Security policies;
- Access and Network access controls;
- Management of Privileged Access controls;
- Endpoint Protection controls;
- Encryption controls;
- Information identification and classification controls;
- Mobile device and remote access controls;
- Incident Management policies and procedures;
- Data Breach reporting and notification procedures;
- Backup and Disaster Recovery plans;
- Capacity management controls;
- Change control procedures; as well as
- Numerous other information and cyber-security measures.

The Company has also implemented robust data privacy procedures including, but not limited to, handling of Data Subject requests, complaints, data breaches and related notifications, managing Operator security and agreements, and transborder information flow, among others.

The Company continuously implements and monitors technical and organisational security measures to protect the Personal Information it holds against unauthorised access, as well as accidental or wilful manipulation, loss or destruction.

13. REQUEST TO ACCESS PROCEDURE

13.1 Please be aware that the Company is concerned about protecting the private and/or confidential information of its Data Subjects. Please motivate any request for Personal Information very carefully, having regard to the POPI Act and the right that the requestor may rely upon. A request will not automatically be granted and short reasons for the refusal shall be supplied.

13.2 Any person making a request for access to records of the Company is referred to as a "requestor".

13.3 The requestor can obtain the latest PAIA and POPIA forms from the Information Regulator's website: https://inforegulator.org.za/, use the "**Annexure of Forms**" with hyperlinks at the end of this Manual, or request a copy of the form from the Company's Information Officer.

13.4 The requestor must complete the prescribed application form "**PAIA Form 2**" and submit the form as well as payment of the request fee and a deposit, if applicable, to the Information Officer of the Company at the postal or physical or electronic mail address as stated in section 4 of this Manual.

The prescribed form must be filled in with sufficient particulars to at least enable the Information Officer of the Company to identify:

(a) record or records requested;
(b) identity of the requestor;
(c) which form of access is required, if the request is granted; and
(d) postal address, telephone number and email address of the requestor.

13.5 The requestor must state that he/she requires the information to exercise or protect her/his right and clearly state what the nature of the right is to be exercised or protected. In addition, the requestor must clearly specify why the records are necessary to exercise or protect such a right.

13.6 Such request must be processed within 30 (thirty) days after the request has been received.

13.7 The requestor shall be informed whether the access has been granted or denied within 30 (thirty) days of receipt of the request and give notice with reasons to that effect. The outcome of the request will be provided as per "**PAIA Form 3**" by the Information Officer.

13.8 The 30 (thirty) day period within which the Company has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 (thirty) days if the request is for a vast amount of information, or the information cannot reasonably be obtained within the original 30 (thirty) day period. The Information Officer will notify the requestor in writing should an extension be sought.

13.9 If the request for access is granted, the Information Officer of the Company must advise the requestor:

(a) the access fee (if any) to be paid upon access;
(b) the form in which access will be given; and
(c) that the requestor may lodge an application with a court against the access fee to be paid or the form of access granted, and the procedure, including the period allowed, for lodging the application.

13.10 If the request for access is refused, the Information Officer of the Company will:

(a) state adequate reasons for the refusal, including the provisions of the PAIA Act relied on;
(b) exclude, from any such reasons, any reference to the content of the record; and
(c) state that the requestor may lodge an application with a court against the refusal of the request, and the procedure (including the period) for lodging the application.

13.11 In terms of Section 54 of the PAIA Act, if all reasonable steps have been taken to find the record requested and there are reasonable grounds to believe that the record is in possession of the Company but cannot be found, and if it does not exist, then the Information Officer of the Company will notify by way of affidavit or affirmation, the requestor that it is not possible to give access to that record.

13.12 If after notice is given, the record in question is found, the requestor must be given access thereto unless the ground for the refusal of access exists.

13.13 If the request is declined for any reason the notice must include adequate reasons for the decision, together with the relevant provisions of the PAIA Act relied upon and provide the procedure to be followed should the requestor wish appeal the decision.

13.14 Section 59 provides that the Information Officer of the Company may serve a record and grant access only to that portion which the law does not prohibit access to.

13.15 The requestor must pay the prescribed fee, before any further processing can take place.

14. REQUEST TO ACCESS FEES

14.1 The Act provides for two types of fees, namely:

(a) A request fee, which will be a standard fee; and

(b) An access fee, which must be calculated by considering reproduction costs, search and preparation time and costs, as well as postal costs.

14.2 When the request is received by the Information Officer of the Company, such person shall by notice require the requestor to pay the prescribed request fee "**PAIA Form 3**", if any, before further processing of the request.

14.3 If a requestor requires access to records of his/her Personal Information, there shall be no request fee payable. However, the requestor must pay the prescribed access and reproduction fees for such Personal Information.

14.4 If the search for the record has been made and the preparation of the record for disclosure including arrangements to make it available in the request form, requires more than the hours prescribed in the regulations for this purpose, the Information Officer of the Company shall notify the requestor to pay as a deposit the prescribed portion of the access fee which would be payable if the request is granted.

14.5 The Information Officer of the Company shall withhold the record until the requestor has paid the fees as indicated in "**PAIA Form 3**". For more information on the current Prescribed Fee structure, please refer to "**Annexure A**" of this Manual.

14.6 A requestor whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the records for disclosure including making arrangements to make it available in the request form.

14.7 If a deposit has been paid in respect of a request for access, which is refused, then the Information Officer of the Company must repay the deposit to the requestor with interest at the prescribed rate.

For more information on the current Prescribed Fee structure, please refer to **Annexure B** of this Manual.

15. OTHER FEES

The following requests are not subject to fees, prescribed or otherwise:

15.1 Objection to the Processing of Personal Information;

15.2 Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information; and

15.3 Complaint Regarding Interference with the Protection of Personal Information.

16. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS IN TERMS OF SECTION 62 TO 70 OF THE PAIA ACT

The Company has the right to refuse access to information on legal grounds as set out in POPI Act and in PAIA Act, chapter 4 section 62 to 70 and the outcome recorded on "**PAIA Form 3**".

17. APPEAL – REMEDIES [SECTION 57(1)]

The Company does not have an internal appeal procedure. As such, the decision made by the Information Officer (or the Deputy Information Officer) of the Company is final and requestors will have to exercise such external remedies at their disposal if the request for information is refused and the requester is not satisfied with the answer supplied by the Information Officer of the Company.

18. COMPLAINTS

We kindly request that any complaints regarding a PAIA or POPIA request first be addressed to the Company's Information Officer at the contact details provided in section 4 of this Manual, however, as a requestor you have a right to complain about the outcome of your request.

A complaint contemplated in terms of section 77 of the PAIA Act may be lodged in writing to the Information Regulator on "**PAIA Form 5**", and a complaint contemplated in terms of section 74 of the POPI Act may be lodged in writing to the Information Regulator on "**POPIA Form 5**".

The Information Regulator's contact information is provided in section 5 of this Manual.

19. UPDATING OF THE MANUAL

The Information Officer of The Company will on a regular basis update the Manual.

Annexure of forms	
Annexure A	Fees in respect of private bodies
Annexure B	Subjects and categories of records held by the Company

PAIA forms	
Form 1	Request for a Copy of the Guide from an Information Officer [Regulations 3]
Form 2	Request for Access to Record [Regulation 7]
Form 3	Outcome of request and of fees payable [Regulation 8]
Form 5	Complaint Form [Regulation 10]

POPIA forms	
Form 1	Objection to the Processing of Personal Information
Form 2	Request for Correction or Deletion of Personal Information or Destroying or Deletion of Record of Personal Information
Form 5	Complaint Regarding Interference with the Protection of Personal Information/Complaint Regarding Determination of an Adjudicator

ANNEXURE A

FEES IN RESPECT OF PRIVATE BODIES

The following fees are prescribed by **Annexure B** of the PAIA Regulations (GG 45057, GoN 757, 27 Aug 2021), and payable on reproduction of a record if the request is granted as contemplated in Regulation 4, 5 or 7.

If the search exceeds 6 hours, a 33% deposit is payable and access to records may be withheld until the deposit is paid by the requester.

The request fee payable by every request	R140.00
For every B&W photocopy of an A4-size page	R2.00 per page or part thereof
For every printed copy of an A4-size page held on a computer or in electronic or machine-readable form	R2.00 per page or part thereof
For a copy in a computer-readable form on:	
Compact disc	R40.00 (if provided by requester) R60.00 (if provided by company)
USB thumb drive	R40.00 (to be provided by requester)
For a transcription of visual images per A4-size page	Actual costs (service to be outsourced. Will depend on quotation from the transcription service provider)
Copy of visual images	
Transcription of an audio records, per A4-size page	R24.00
Copy of an audio record	
Compact disc	R40.00 (if provided by requester) R60.00 (if provided by company)
USB thumb drive	R40.00 (to be provided by requester)
To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation	R145.00 (to not exceed a total cost of R435.00)
Deposit (If search exceeds 6 hours)	1/3 of the amount per request calculated in terms of the above
Postage, e-mail or any other electronic transfer	Actual costs, if any

Requestors who are also Data Subjects may request whether the Company holds any of their Personal Information free of charge and without needing to submit a formal request in terms of PAIA.

ANNEXURE B

SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE COMPANY: [SECTION 51(1)(E)]

The list(s) below depict records of information which the Company has available in terms of laws applicable to it. Some of this information and the access thereto may be restricted to protect the Privacy and Private information of Data Subjects:

1. CORPORATE SECRETARIAT AND GOVERNANCE

- Annual Reports
- Applicable statutory documents
- Board of Directors and Board Committee terms of reference
- Codes of Conduct
- Compliance certification
- Fraud alerts and whistle blowing policy
- Health & Safety records
- Legal compliance records
- Memorandum of Incorporation
- Policies and procedures
- Records relating to the appointment of Directors/ Auditor/Secretary/Public Officer and other officers
- Share certificates
- Share register and other statutory registers
- Statutory returns to relevant authorities

2. COMPANY POLICIES AND DIRECTIVES

- Internal relating to employees and the Company
- External relating to clients and other third parties

3. FINANCE AND TAXATION

- Annual Financial Statements
- Accounting Records
- Business plan
- Documents issued to employees for income tax purposes
- Financial Policies and Procedures
- All other statutory compliances
  - Income Tax Returns
  - Skills Development Levies Returns
  - UIF Returns
  - VAT Returns
  - Workmen's Compensation Returns
- Leases
- Management Reports
- PAYE Records
- Records of payments made to SARS on behalf of employees
- Rental agreements
- Risk Management and Insurance
- Tax Records and Returns
- Treasury Dealing

4. PERSONNEL DOCUMENTS AND RECORDS

- CVs, application details
- Disciplinary Code and Records
- Disciplinary Procedures, CCMA and court matters, Retrenchment and legal processes re-employment matters
- All employment records of employees, education and training Records, Union membership and information
- Employee Benefit Records
- Employee Relations
- Employment Contracts
- Employment Equity Plan
- Employee Information
- Group HR Policies and Procedures
- IRP5s
- Letters of Appointment and Employment Contracts
- Medical Aid Records
- Organisational Structures
- Payroll Reports
- Pension and Retirement Funding Records
- Performance Records
- SETA Records
- Social Responsibility
- Training and Development
- Job Profiles

ANNEXURE B continued

5. INFORMATION TECHNOLOGY AND INFRASTRUCTURE

- Device Management
- Disaster Recovery Policy and Plans
- E and Voice mail
- Equipment Specifications
- Facilities
- Faults, Troubleshooting and Reporting
- Hardware and Software Manuals
- ICT Policies, Standards, Procedures and Templates
- Information, Communication and Technology Policies
- Internal Systems Support and Programming
- ISAE3402 Audit Reports
- License Agreements
- Maintenance Plans
- Network Topologies/Diagrams
- Performance of Client Call Desk
- Performance of IT Infrastructure
- Root Cause Analyses
- Security Access
- Software Licences
- Supplier Agreements/Vendor Agreements
- System/Application landscape Diagrams
- System documentation and manuals

6. CORPORATE AFFAIRS AND INVESTOR RELATIONS/COMMUNICATIONS

- Client Events
- Corporate Social Investment
- Newsletters and Publications
- Public Corporate Records

7. LEGAL

- Agreements and Contracts
- Competition Notifications
- Documents pertaining to commercial disputes, litigation, arbitration or regulatory investigations
- Disputes with third parties and ex-employees

8. SALES, MARKETING AND COMMUNICATION

- External Publications
- Point of Sale ("POS")
- Proposals and Tenders
- Media and Advertising
- Products and Services Brochures
- Marketing Brochures

9. BUSINESS INTERACTIONS WITH OTHER ENTITIES

- Agreements with third parties (clients, vendors and suppliers)
- Contractual disputes with third parties
- Licensing and Maintenance Agreements
- Customer Credit vetting

10. INSURANCE

- Insurance Declarations and Policies
- Insurance Claim Files

11. ENVIRONMENTAL

- Impact Assessment
- Maintenance Records
- Records of disposal of equipment
- Standards

12. REGULATORY

- Applications
- Exemptions
- Licenses
- Permits
- Registrations
- Submissions

13. LOGISTICS AND PROCUREMENT

- Dispatch
- Procurement Policy
- Supplier and Contractor Agreements
- Standard Terms and Conditions of Supply of Services, Products and Software to the Company
- Inventory Records

14. ADMINISTRATIVE

- Correspondence with internal and external parties
- Intranet

www.omv.co.za

Registered office
N12 Highway
Stilfontein
Stilfontein, NW
2551

Tel: +27 (0)12 648 9400

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