



**PROMOTION OF ACCESS TO INFORMATION ACT**

**SECTION 51 MANUAL FOR**

**EVRAZ HIGHVELD STEEL AND VANADIUM LIMITED**

## 1. INTRODUCTION

This manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”).

The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractually or otherwise) to receive information, other than in terms of the Act.

It is important to note that the Act recognises certain limitations to the right of access to information, including but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective and good governance and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution. Any request for access to information may be refused on the grounds as set out in Chapter 4 of Part 3 of the Act i.e. Grounds for refusal of access to records.

## 2. SCOPE

This manual applies in respect of each entity, division or private body forming part of Evraz Highveld Steel and Vanadium Limited Registration Number 1960/001900/06 (“Evraz Highveld”) as set out in Annexure A to this manual. The Information Officer named below is appointed in respect of Evraz Highveld as a whole and in respect of each of the entities, divisions or private bodies constituting Evraz Highveld.

## 3. EVRAZ HIGHVELD

Evraz Highveld’s main areas of business are Steel making and the production of Vanadium rich slag.

## 4. CONTACT DETAILS

In terms of Section 51(1) (a) of the Act, the request for information should be made to the following individual:

Name of private body	:	Evraz Highveld Steel and Vanadium Limited
Postal Address	:	P. O. Box 111, Witbank, 1035

Physical Address : Portion 93 of the Farm Schoongezicht  
308 JS, Old  
Pretoria Road, eMalahleni

Information Officer : Ms Anre Weststrate  
Telephone : (013) 690 8888  
Facsimile : (013) 690 9293  
E-mail : [anrew@evrazhighveld.co.za](mailto:anrew@evrazhighveld.co.za)

The Information Officer named above is appointed in respect of Evraz Highveld as a whole and in respect of each of the private bodies constituting Evraz Highveld.

## 5. **HOW TO ACCESS THE GUIDE REFERRED TO IN SECTION 10 OF THE ACT (Section 51(1)(b) of the Act)**

Please contact the SAHRC (South African Human Rights Commission) to obtain the guide, their details are as follows:

South African Human Rights Commission

PAIA Unit

The Research and Documentation Department

Postal Address : Private Bag X 2700, Houghton, 2041

Telephone : +27 11 484 8300

Facsimile : +27 11 484 0582

Website : [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail : [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

## 6. **ACCESS TO RECORDS.**

### 6.1 **Voluntary Disclosure**

Notices in term of Section 52 of the Act are voluntary, and Evraz Highveld does make certain information freely available at [www.evrazhighveld.co.za](http://www.evrazhighveld.co.za) without request. The website contains various categories of information relating to Evraz Highveld, such as the structure of Evraz Highveld as well as details of associates, annual financial reports, interim financial results, press releases, career and contact details.

### 6.2 **Records available in terms of other legislation**

Evraz Highveld retains records in accordance with the following legislation, all of which records are available, subject to such legislation, the Act and any other legislation in force or that may be enacted with the purpose of promoting access to information or protecting personal or corporate information:

- Basic Conditions of Employment Act No. 75 of 1997
- Broad Based Black Economic Empowerment Act No. 53 of 2003
- Companies Act No. 71 of 2008
- Competition Act No. 89 of 1998
- Compensation for Occupational Injuries and Disease Act No. 130 of 1993
- Deeds Registries Act No. 47 of 1937
- Employment Equity Act No. 55 of 1998
- Explosives Act No. 26 of 1996
- Formalities in respect of Leases of Land Act No. 18 of 1969
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Mine Health and Safety Act No. 29 of 1996
- Mineral and Petroleum Resources Development Act No. 28 of 2002
- Occupational Health and Safety Act No. 85 of 1993
- 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
- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- South African Reserve Bank Act No. 90 of 1989
- Stamp Duties Act No. 77 of 1968
- Stock Exchange Control Act No. 1 of 1985
- Unemployment Contribution Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991
- Rules and Listing requirements of JSE (Johannes Stock Exchange)

### 6.3 Categories of records held by Evraz Highveld

Evraz Highveld maintains records of the below mentioned categories and subject matters. **However, note that recording a category or subject matter in this manual does not imply that a request for access to such records would be automatically honoured.** All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act and all other relevant legislation. Further, note that many of the records held by Evraz Highveld are those of third parties, such as customers; vendors and employees. Evraz Highveld takes the protection of third party confidential information very seriously and will evaluate the request for information pertaining to these parties in accordance with the requirement of the Act. Any information in respect of third parties which Evraz Highveld is not able to provide or is not entitled to provide should be requested directly from the third party concerned.

#### A) Financial and administration

- Financial reports
- VAT records
- PAYE asset register
- Fixed asset register

- Banking records
- Management reports
- Invoices
- Debtors information
- Creditors information

**B) Secretarial and statutory records**

- Memorandum and articles of association / Memorandum of Incorporation
- Minutes of Board Meetings
- Shareholder agreements
- Company register
- Share certificates
- Resolutions
- Appointment of directors
- Appointment of auditors
- Statutory filings

**C) Human Resource Records**

- Personal records provided to us by our personnel
- Employment contracts
- Medical aid records
- Pension fund and retirement benefit records
- Disciplinary codes
- Salary records
- Training records
- Leave records
- UIF records
- Correspondence relating to personnel
- Internal policies and procedures

**D) Customer-related records**

- Contracts with customers
- Any records that customers have provided to Evraz Highveld or to a third party acting for or on behalf of Evraz Highveld
- Records, reports and other similar information generated by Evraz Highveld for its customers

**E) Other parties**

Records held in respect of other parties, including without limitations joint ventures and consortia to which Evraz Highveld is a party to. Such other parties may possess records which can be said to belong to Evraz Highveld.

The following records fall under this category:

- Personnel, customer or Evraz Highveld records which are held by another party as opposed to being held by Evraz Highveld
- Records held by Evraz Highveld pertaining to other parties, including financial records, correspondence, contractual records provided by the other parties.

**F) Other records**

- Information relating to Evraz Highveld's own commercial activities
- Procurement and administrative records for Evraz Highveld

- Research and development records and information belonging to Evraz Highveld
- Legal proceedings records
- Safety, health and environmental records

8) **REQUEST FOR ACCESS TO INFORMATION**

- Request Procedures- Refer to the attached annexure marked '**Annexure B**' on how to request information in terms of the Act.
- Request Form – Refer to the attached annexure marked '**Annexure C**' being the form to be completed by the requester of information in terms of the Act.
- Fees – Refer to the attached annexure marked '**Annexure D**' for the fee schedule

9) **AVAILABILITY OF MANUAL**

This Evraz Highveld Manual compiled in terms of the Act is available at the following locations:

- Evraz Highveld's Office
- At the offices of the South African Human Rights Commission
- In the Government Gazette
- At the following Evraz Highveld website: [www.evrazhighveld.co.za](http://www.evrazhighveld.co.za)



## **ANNEXURE B**

### **REQUEST PROCEDURES IN TERMS OF THE ACT**

- a) The requester must use the prescribed form to make the request for access to a record. The request form is attached to this manual and is marked **Annexure C**. This must be made to the Information Officer of Evraz Highveld. This request must be made to the address, fax number or electronic mail address of Evraz Highveld as set out in point 3 of the manual.
- b) The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate the form of access required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- c) The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
- d) If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.
- e) A requester who seeks access to a record containing personal information about that requester is not required to pay the prescribed fee. Every other requester, who is not a personal requester, must pay the required request fee.

**Please note that if sufficient information is not given by the requester with regards to the record(s) required, it will delay the process until such time as the requester has given the necessary information.**

- f) The Information Officer must notify the requester (other than a personal requester) by notice, advising the requester to pay the prescribed fee (if any) and that no further processing will commence until such payment has been received.
- g) The fee that the requester must pay is indicated in the fee schedule attached to this manual as **Annexure D**. A requester may lodge an internal appeal or an application to court against the payment of the request fee.
- h) After the Information Officer has made a decision with regards to the request, the requester must be notified in the required form.
- i) If the request for access is granted then further fees as set out in Annexure D are payable for the actual search, reproduction, preparation and postage cost incurred in preparing the record for disclosure and providing copies thereof to the requester. The Information Officer must notify the requester (other than a personal requester) by notice in the requested format, advising the requester to pay the aforesaid fee (if any) and that the information will be provided once such payment has been received.



**ANNEXURE C**

**EVRAZ HIGHVELD STEEL AND VANADIUM LIMITED**  
**REQUEST FOR ACCESS TO INFORMATION FORM –**  
**(PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000)**

1. Name of Requester:  
\_\_\_\_\_
2. Requester's Postal Address:  
\_\_\_\_\_  
\_\_\_\_\_  
  
(in South Africa)  
\_\_\_\_\_
3. Requester's Telefax no:  
\_\_\_\_\_
4. Requester's Telephone no:  
\_\_\_\_\_
5. ID / Registration no:  
\_\_\_\_\_
6. Description of Records Requested:  
(specific detail is required)
  - 6.1 Date of Document:  
\_\_\_\_\_
  - 6.2 Subject of Document:  
\_\_\_\_\_
  - 6.3 Other detail:  
\_\_\_\_\_  
\_\_\_\_\_

(if more than one document is required, a list with above information must be attached to this form dealing with each document separately)
7. Description of the right on which Requester is basing the request.  
\_\_\_\_\_  
\_\_\_\_\_
8. Explanation of why the requested record is required for the exercise or protection of the right in 7 above.  
\_\_\_\_\_  
\_\_\_\_\_
9. Form of Response required:  
(i.e. in writing, by telefax or by telephone)  
\_\_\_\_\_
10. If Requester represents another, proof of capacity in which Requester is making the request must be attached hereto.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ .

\_\_\_\_\_  
Name of Signatory

\_\_\_\_\_  
Signature

**NOTE:**

1. A non-refundable initial request fee will be payable and you will be informed of the amount payable prior to the request being considered. If the request is granted and once the requested information has been collected and prepared you will be informed of the further fees payable for copying and preparation of the information. This amount will be payable prior to the information being provided to you.
2. The above information is required as provided for in Section 53 of the Promotion of Access to Information Act 2 of 2000. Failure to correctly complete this form will result in the request being rejected.
3. This form must be returned to:  
The Company Secretary  
EVRAZ HIGHVELD STEEL AND VANADIUM LIMITED  
PO Box 111  
Witbank  
1035

Telefax no: 013 - 690 9293

## **ANNEXURE D**

**On request for information the following fees will apply;  
PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE INCLUSIVE OF VALUE-ADDED TAX (VAT)**

- Initial request fee. **R57.00**
- For every photocopy of an A4-size page or part thereof. **R1.25**
- For every printed copy of an A4-size page of part thereof held on a computer or in an electronic or machine-readable form. **R0.85**
- - For a transcription of visual images, for an A4-size page or part thereof. **R45.60**
- -For a copy of visual images **R68.40**
- To search for and prepare the record for disclosure, **R34.20** for each hour or part thereof reasonably spent on such search and preparation.
- The actual postage fee is payable when a copy of a record must be posted to a requester.