



# RAND YORK MINERALS (PTY) LTD

**1985/004951/07**

**Manual in terms of Section 51 of  
The Promotion of Access to Information Act, 2 of 2000 (the "ACT")**

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**SECTION 51 MANUAL OF RAND YORK MINERALS (PTY) LTD  
(REGISTRATION NUMBER: 1985/004951/07)**

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**1. CONTACT PARTICULARS**

|                          |   |                             |                                      |
|--------------------------|---|-----------------------------|--------------------------------------|
| <b>Head of business:</b> | Zelda du Preez                              | <b>Information officer:</b> | Zelda du Preez                       |
| <b>Postal Address:</b>   | PO Box 650755<br>Benmore<br>Gauteng<br>2010 | <b>Physical Address:</b>    | 63 Mount Street<br>Bryanston<br>2191 |
| <b>Telephone Number:</b> | +27 (11) 463 9000                           |                             |                                      |
| <b>Fax Number:</b>       | +27 (11) 463 7002                           |                             |                                      |
| <b>E-mail Address:</b>   | randyork@mweb.co.za                         |                             |                                      |

**2. INTRODUCTION**

Rand York Minerals (Pty) Ltd was incorporated in the Republic of South Africa in 1992. The company was founded with a view to supply chrome ore concentrates from Southern Africa to the global market. The company was built on the fundamental belief that specialisation and personalised service will ultimately ensure a world class service, a quality product and most importantly, a mutually beneficial relationship with its customers, while ensuring that all activities are conducted in an environmentally friendly manner.

A drying plant was conveniently constructed in the heart of the bushveld complex, the principal chromite ore deposit in South Africa, alongside the railway line in Durban and Richards Bay in an area referred to as Bleskop. The drying plant is situated approximately 160 km Northwest of Johannesburg. The drying plant is used for all the drying and bagging requirements of the company and all material is washed and processed under ISO 9000/2 standards.

Over the years the company has expanded its horizons to also distribute its products as wet bulk in containers and wet bulk into vessels and to provide technical support in advising customers on the selection of materials, methods and calculations to aid production of large steel castings and rolls. Rand York Minerals strives to achieve defect free "as cast" castings for some of the world's most demanding end-users and has developed a philosophy of "as cast, not after cast"

In 1998 Rand York Minerals received the prestigious South African President's award for export activities. An achievement which was repeated in 2000.

Rand York Minerals is a proud member of the International Chromium Development Association ("ICDA"), Proudly South African Foundrymen Association.

### **3. GUIDE IN TERMS OF SECTION 10 OF THE ACT**

- 3.1** The ACT grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2** Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates Provided.  
The forms and tariffs are dealt with in section 53 and 54 of the Act.
- 3.3** Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC. The contact details of the Commission are:

**Postal Address:** Private Bag 2700, Houghton, 2041  
**Telephone Number:** (+27)11 877 3600  
**Fax Number:** (+27)11 403 0625  
**Website:** [www.sahrc.org.za](http://www.sahrc.org.za)

### **4. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION**

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of The Act. Copies of the prescribed forms to be completed for submitting a request, are available from **RAND YORK MINERALS (PTY) LTD.**

### **5. INFORMATION AVAILABLE IN TERMS OF OTHER APPLICABLE LEGISLATION**

The following legislation is deemed applicable to the operations of Rand York Minerals (Pty) Ltd and access to these records can be made available upon request in terms of the Act, unless the disclosure of the information is prohibited in terms of legislation, regulations, contractual agreements or otherwise.

The distribution and disclosure of these records are dependent on the request procedure being followed accordingly (Clause 8 of this PAIA Manual) and the payment of prescribed fees.

- Basic Conditions of Employment Act 75 of 1997
- Broad-based Black Economic Empowerment Amendment Act 2013
- Companies Act 71 of 2008
- Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Competition Act 89 of 1991
- Copyright Act 98 of 1978
- Consumer Protection Act 68 of 2008
- Currency and Exchanges Act 9 of 1933
- Customs and Excise Act 91 of 1964
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 47 of 2013
- Financial Intelligence Centre Act (FICA)
- Income Tax Act 95 of 1967

- Labour Relations Amendment Act 66 of 1995 and 2014 as amended
- Occupational Health and Safety Act 85 of 1993
- Prevention of Organised Crime Act 121 of 1998
- Promotion of Access to Information Act 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protection of Personal Information (POPI) Act 4 of 2013
- Skills Development Levies Act 9 of 1999
- Skills Development Act 97 of 1998
- Unemployment Insurance Act 30 of 1996
- Value Added Tax Act 89 of 1991

## **6. INFORMATION AUTOMATICALLY AVAILABLE**

- Newsletters
- Pamphlets \ Brochures
- Marketing and Promotional Material

## **7. INFORMATION AVAILABLE IN TERMS OF THE ACT - ON REQUEST**

### **Statutory Business Records**

- Certificate of Change of Name
- Certificate of Incorporation
- Certificate to Commence Business
- Dividend Register
- Memorandum of Incorporation
- Minutes of Shareholders Meetings
- Minutes of Directors Meetings
- Register of Allotments
- Register of Directors and Officers
- Register of Directors Shareholding
- Members Register
- Founding Statements and Amendments
- Minute Books

### **Accounting Records**

- Annual financial statements
- General ledger
- Secondary ledgers (receivables, payables, etc.)
- Bank statements, cheque books, cheques
- Customer and supplier statements and invoices
- Deposit slips
- Cash books and petty cash books
- Fixed asset register
- Tax returns and assessments
- VAT returns

- Lease or instalment sale agreements
- Insurance records
- Investment records
- Inventory records
- Systems documentation
- Management reviews
- Capital expenditure
- Credit agreements

#### **Distribution and Transportation**

- Permits and licenses
- Transportation system delivery plan and routing
- Transportation rights
- Transportation, warehouse and storage contracts

#### **Fixed Property**

- Lease agreements

#### **Information Technology**

- Agreements
- Capacity and utilisation of current systems
- Client database
- Development or investment plans
- Disaster recovery
- Hardware
- Internet
- Intranet
- Licenses
- Systems support, programming and development
- LAN Installations
- Operating systems
- Software packages
- Telephone exchange equipment
- Telephone lines, leased lines and data lines

#### **Insurance**

- Claim records
- Details of coverage, limits and insurers
- Insurance policies

#### **Intellectual Property**

- Agreements relating to intellectual property
- Copyrights
- Litigation and other disputes involving intellectual property
- Patents, patent applications and inventions
- Designs, trademarks, trade names and protected names

### **Legal, Agreements and Contracts**

- Acquisition or disposal documentation
- Agreements with contractors, suppliers and clients
- Agreements with customers
- Agreements with governmental agencies
- Agreements with shareholders, officers or directors
- Complaints, pleadings, briefs and other documents pertaining to actual, pending or threatened litigation, arbitration or investigation
- Distributor, dealer or agency agreements
- Joint venture agreements, partnership agreements, participation, franchise, co-marketing, co-promotion or other alliance agreements
- Material agreements relating to provision of services or materials
- Material licenses, permits and authorisations
- Contracts, including lease agreements and finance agreements
- Restraint agreements
- Sale agreements
- Settlement agreements
- Warranty agreements

### **Personnel Records**

- Arbitration awards
- Attendance register
- Disciplinary records
- Employee evaluation and performance records
- Employee information records
- Employee loans
- Employment applications
- Employment contracts
- Group life
- Health and safety records
- Industrial training records
- IRP 5 and IT 3 certificates
- Letters of appointment
- Leave applications
- Maternity leave policy
- Medical aid records
- Organisational design
- Payroll
- Pension fund information
- Personnel Files
- Policies and procedures
- Provident fund information
- Records of foreign employees
- Records of strikes, lockouts or protest action

- Recruitment and appointments
- Salary and wage registers
- Salary slips and wage cards
- Staff records after employment
- Time records
- Training and development
- UIF, PAYE and SDL returns
- Workmen's Compensation Documents

#### **Sales and Marketing**

- Brochures, newsletters and marketing material
- Customers
- Media releases
- Products
- Public relations policies and procedures
- Service and product information

## **8. GENERAL**

Although we have used our best endeavours to supply a list of applicable legislation, it is possible that this list may be incomplete. whenever it comes to our attention that existing or new legislation allows a Requester access on a basis other than as set out in PAIA, we shall update the list accordingly. If a Requester believes that a right of access to a record exists in terms of other legislation listed 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.

## **9. REQUESTING PROCEDURES**

A person who wants access to the records must complete the necessary request forms that is available at the offices of RAND YORK MINERALS (PTY) LTD or can be accessed on [www.justice.gov.za/inforeg](http://www.justice.gov.za/inforeg). The completed request form must be sent to the address or fax number provided in this manual and marked for the attention of the Information Officer.

Please provide sufficient details to enable the company to identify:

- a. The record(s) requested
- b. The requester (and if an agent is lodging the request, proof of capacity)
- c. The form of access required
- d. The postal address or fax number of the requester in the Republic
- e. If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof
- f. The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.



## 10. PRESCRIBED FEES

- A requestor is required to pay the prescribed fees before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit
- Records may be withheld until the fees have been paid.
- The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at [www.sahrc.org.za](http://www.sahrc.org.za) and as an appendix to this manual.

## **11. PROTECTION OF PERSONAL INFORMATION PROCESSED**

Rand York Minerals (Pty) Ltd is committed to protecting the privacy of personal information of our data subjects. The information you share with us as a data subject allows us to provide you with the best experience with our products and services, or as a stakeholder.

Rand York Minerals (Pty) Ltd has dedicated policies and procedures in place to protect all personal information collected and processed by us. Please read below for more information on how we collect, process, use and disclose personal information.

### **11.1 The purpose of processing of personal information**

We process personal information for various reasons, including but not limited to the following:

- To manage information, products and/or services requested by data subjects
- To help us identify data subjects when they contact us
- Manage customers
- To maintain customer records
- Recruitment purposes
- Employment purposes
- Apprenticeship purposes
- Training purposes
- Travel purposes
- General administration
- Financial and tax purposes
- Legal or contractual purposes
- Health and safety purposes
- To monitor access, secure and manage our premises and facilities
- To transact with our suppliers
- To improve the quality of our products and services
- To help us detect and prevent fraud and money laundering under FICA
- To help us recover debts
- Marketing purposes
- Engaging with the public

## 11.2 Data subject categories and personal information processed

|  |  |
|--|--|
| <b>Customers</b>                         | Registered and trading name<br>Company registration details<br>e-mail address<br>Physical address<br>Postal Address<br>Telephone number<br>VAT number<br>Banking details<br>Details of company directors<br>Trade reference details<br>Principal contact person details<br>Holding company and shareholder details |
| <b>Suppliers &amp; Service Providers</b> | Registered and trading name<br>Company registration details<br>Product supply details<br>Principal contact person details<br>Holding company and shareholder details<br>Banking details<br>Details of company directors<br>Trade reference details   |
| <b>Employees</b>                         | Name and Surname<br>ID number<br>Passport number<br>Physical address<br>Postal address<br>Telephone numbers<br>Bank Account details<br>Marital status<br>Spouse name<br>Number of dependents<br>Language preference<br>Emergency contact details<br>Income tax number<br>Remuneration details                      |
| <b>Visitors (Walk-in)</b>                | Name and Surname<br>ID number<br>Telephone number<br>Symptoms check<br>Body temperature  |

## 11.3 Recipients with whom personal information is shared

In processing your personal information, we may share it within the group of companies or with other third parties. These include but are not limited to:

- Statutory authorities
- Law enforcement agencies
- Tax authorities
- Medical schemes

- Employee pension and provident funds
- Industry bodies
- Contractors, vendors, or suppliers
- Payment processors
- Email management and distribution tools
- Data storage providers
- Server hosts
- Group companies
- Agents
- Service providers

#### **11.4 Security measures implemented to protect personal information**

We have identified our security risks over the personal information we process in line with the Protection of Personal Information Act, and we have implemented various security measures to ensure reasonable protection against the risk of loss, misuse, unauthorised access and disclosure, alteration and destruction of the personal information.

We also take steps to ensure that employees and operators that process personal information on behalf of the company apply adequate safeguards as outlined above and that they are adequately trained and informed about the company privacy policy.

#### **11.5 Trans-border flows of personal information**

We may transfer to, and store personal information we collect about you, in countries other than South Africa, if the relevant business transactions or situation requires trans-border processing. These countries may not have the same data protection laws as South Africa, and in this instance, we will only transfer the information if we have consent from you, or it is necessary for the performance or conclusion of a contract between us.

#### **11.6 Personal information received from third parties**

When we receive personal information from a third party on behalf of a data subject, we require confirmation that they have written consent from the data subject that they are aware of the contents of this PAIA manual and the Privacy Policy, and do not have any objection to our processing their information in accordance with this policy.

Where information on third parties is provided by a data subject, or a third party provides information on a data subject, that information may be taken into account with other personal information.

## 11.7 Data Breaches

Where there are reasonable grounds to believe that the personal information of a data subject has been accessed or acquired by any unauthorised person, RAND YORK MINERALS (PTY) LTD shall notify:

- a) the Regulator; and
- b) the data subject unless the identity of such data subject cannot be established.

The notification will be made as soon as reasonably possible after the discovery of the compromise, taking into account the legitimate needs of law enforcement or any measures reasonably necessary to determine the scope of the compromise and to restore the integrity of the responsible party's information system.

## 12. AVAILABILITY OF THE MANUAL

Copies of the manual are available for inspection, free of charge, at the offices of RAND YORK MINERALS (PTY) LTD and from the South African Human Rights Commission.

Signature Head of Business:



Signed on:

1 July 2021