

**MANUAL IN TERMS OF SECTION 51 OF THE PROMOTION  
OF ACCESS TO INFORMATION ACT 2 OF 2000**

[updated as at July 2021]



## INTRODUCTION

Bushveld Minerals Limited (AIM: BMN) (“**Bushveld**”), is quoted on the Alternative Investment Market (AIM) of the London Stock Exchange and is the parent of a group of companies, an integrated primary vanadium producer and energy storage provider, with ownership of high-grade assets in South Africa.

This Manual constitutes Bushveld’s PAIA manual. This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 (“POPIA”), which gives effect to everyone’s Constitutional right to privacy. POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.

This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

### 1. COMPANY CONTACT DETAILS: SECTION 51 (1) (A)

Persons designated/duly authorised persons:

Directors:	Mr Ian Watson (Chairman; Independent, Non-Executive) Mr Fortune Mojapelo (Chief Executive Officer) Mrs Tanya Chikanza (Finance Director) Mr Jeremy Friedlander (Independent, Non-Executive) Mr Michael Kirkwood (Senior Independent, Non-Executive) Mr Anthony Viljoen (Non-Executive)
Chief Executive Officer:	Mr Fortune Mojapelo
Postal Address:	PO Box 55295, Northlands, 2116
Street Address:	5 Harries Road, Illovo Edge Office Park, Building 3, 2nd Floor, Illovo, South Africa

Telephone Number: 011 268 6555  
E-Mail Address: [fortune.mojapelo@bushveldminerals.com](mailto:fortune.mojapelo@bushveldminerals.com)  
CC E-Mail Address: [wiki.rapelas@bushveldminerals.com](mailto:wiki.rapelas@bushveldminerals.com)

## **2. PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (“PAIA”): SECTION 51(1) (B)**

- 2.1 PAIA 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.
- 2.2 Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of PAIA.
- 2.3 An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is made available by the Information Regulator (established in terms of POPIA). Copies of the updated Guide are available from Information Regulator in the manner prescribed. Any enquiries regarding the Guide should be directed to:.
- 2.4 The contact details of the SAHRC are as follows:

Postal Address: P.O Box 31533, Braamfontein,  
Johannesburg,2017

Street Address: JD House, 27 Stiemens Street, Braamfontein,  
Johannesburg, 2001

Email address (general) [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za).

Email address [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

(complaints)Website: <https://www.justice.gov.za/>

## **3. APPLICABLE LEGISLATION: SECTION 51 (1) (C)**

1. The Constitution of the Republic of South Africa, 1996;
2. Mineral and Petroleum Resources Development Act, 2002 (MPRDA);
3. National Environmental Management Act, 1998 (NEMA);
4. National Environmental Management: Waste Act, 2008 (NEMWA);
5. National Environmental Management: Air Quality Act, 2004 (NEMAQA);
6. National Water Act, 1998 (NWA);
7. National Environmental Management: Protected Areas Act, 2003 (NEMPAA);
8. National Environmental Management: Biodiversity Act, 2003 (NEMBA) (and the relevant provincial conservation ordinances and statutes);

9. National Heritage Resources Act, 1999 (NHRA);
10. Mineral and Petroleum Resources Royalty Act, 2008;
11. Labour Relations Act, 1995;
12. Employment Equity Act, 1998;
13. Skills Development Act, 1998;
14. Mine Health and Safety Act, 1996 (MHSA);
15. Occupational Health and Safety Act, 1993 (OHSA);
16. Mining Charter II / Mining Charter III;
17. Broad-Based Black Economic Empowerment Code (BBBEE);
18. Companies, Tax, Information management:
19. Companies Act, 2008 (South Africa);
20. Companies (Guernsey) Law, 2008;
21. Companies Act, 2001 (Mauritius);
22. Companies Act, 2006 (UK)
23. Connecticut Business Corporation Act;
24. King IV (Code of Governance Principles);
25. Value Added Tax Act, 1991;
26. Income Tax Act, 1967;
27. SARS Regulations;
28. Electronic Communications Act, 2005;
29. Exchange Control Regulations (SARB);
30. International Financial Reporting Standards (IFRS);
31. Unemployment Insurance Act, 2001 (UIF);
32. Protection of Personal Information Act, 2013 (POPIA);
33. Promotion of Access to Information Act 2000 (PAIA);
34. AIM Rules for Companies
35. UK Market Abuse Regulations (EU Market Abuse Regulations up until 31 December 2020 when it was “onshored” under the European (Withdrawal) Act 2018)
36. Quoted Companies Alliance Corporate Governance Code

#### 4. SCHEDULE OF RECORDS: SECTION 51 (1) (D)

Records	Subject	Availability
Public Affairs	• Public Corporate Records	<a href="http://www.bushveldminerals.com">www.bushveldminerals.com</a>
	• Media Releases	<a href="http://www.bushveldminerals.com">www.bushveldminerals.com</a>
Financial	• Financial Statements	<a href="http://www.bushveldminerals.com">www.bushveldminerals.com</a>
	• Financial and Tax Records (Company & Employees)	Request in terms of PAIA <a href="http://www.bushveldminerals.com">www.bushveldminerals.com</a>
	• Asset Register	Interim results and annual financial statements are published on
	• Management Accounts	<a href="http://www.bushveldminerals.com">www.bushveldminerals.com</a>
Marketing	• Market Information	<a href="http://www.bushveldminerals.com">www.bushveldminerals.com</a>
	• Field Records	Request in terms of PAIA

#### 5. FORM OF REQUEST: SECTION 51 (1) (E)

To facilitate the processing of your request, kindly:

- Use the prescribed form, available on the website of the SAHRC at [www.sahrc.org.za](http://www.sahrc.org.za) (copy attached in Appendix A, for ease of reference);
- Address your request to the CEO, copied to the Group Legal Counsel;
- Provide sufficient details to enable the Company to identify:
  - the record(s) requested;
  - the requester (and if an agent is lodging the request, proof of capacity);
  - the form of access required;
  - the postal address or fax number of the requester in the Republic;
  - if the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
  - 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.
- POPIA provides that a data subject may, upon proof of identity, request Bushveld to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.
- POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, Bushveld must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pay a deposit for all or part of the fee.

- POPIA provides that a data subject may object, at any time, to the processing of personal information by Bushveld, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Appendix C and submit it to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above.
- A data subject may also request Bushveld 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 destroy or delete a record of personal information about the data subject that Bushveld is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.
- A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above on the form attached hereto as Appendix D.

## **6. PRESCRIBED FEES: SECTION 51 (1) (F)**

The following applies to requests (other than personal requests):

- A requestor is required to pay the prescribed fees (R50.00) 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 at [www.sahrc.org.za](http://www.sahrc.org.za) (copy attached in Appendix B, for ease of reference).

## **7. INFORMATION AVAILABLE IN TERMS OF POPIA**

In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by Bushveld will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected. Please also refer to the Bushveld's Privacy Policy for further information.

- **Categories of personal information collected by Bushveld**

Depending on the circumstances, Bushveld collects the following categories of personal information:

- name and surname;
- identification and/or passport number;
- gender;
- organisation name and registration number and other company information;
- contact details, including physical and postal addresses;
- location information;
- IP address; and
- health information.

- **The purpose of processing personal information**

Depending on the category of personal information which is collected, the purposes for processing may include:

- the provision of information, products or services to data subjects;
- communication with data subjects;
- conducting research and compiling research reports;
- provision of support services to data subjects;
- preparing aggregated and anonymised reports;
- to manage accounts, receive services and process payments;
- to assess the suitability of job applicants for employment;
- meeting legal obligations in respect of employment equity and to comply with other applicable laws; and
- provision of effective advertising.

- **A description of the categories of data subjects and of the information or categories of information relating thereto**

- employees (and employee dependants) and prospective employees;
- consumers and customers;
- public stakeholders;
- suppliers, contractors and service providers (and prospective suppliers /contractors / service providers).

- **The recipients or categories of recipients to whom the personal information may be supplied**

Depending on the nature of the personal information, Bushveld may supply information or records to the following categories of recipients:

- other companies within the Bushveld group;
- Bushveld's business partners;
- other parties in response to legal process or when necessary to conduct or protect its legal rights;
- other parties in connection with certain business transactions. In the event that Bushveld restructures or sells any of its businesses or assets, Bushveld may disclose data subjects' personal information to the prospective buyer of such business or assets or other transacting party;
- companies that provide services to Bushveld or act on its behalf may have access to information about data subjects. These companies are limited in their ability to use information they receive in the course of providing services to Bushveld or data subjects; and
- third-parties where the data subject provides consent.

- **Planned transborder flows of personal information**

Bushveld will only send personal information collected within a restricted legal framework, such as the United Kingdom and Guernsey and otherwise to countries which do not have data protection laws that are considered to provide appropriate levels of protection in the restricted legal framework in circumstances such as:

- where Bushveld have been instructed by the data subject to do so;
- in order to comply with a legal duty; or
- in order to work with Bushveld agents and advisers who help Bushveld run its business and services.

If Bushveld does transfer personal information to outside of the restricted legal framework, Bushveld will make sure that it is protected in the same way as if it was being used in that restricted legal framework. Bushveld will use one of the following safeguards:

- Transfer to another country whose privacy legislation ensures an adequate level of protection of personal information similar or equivalent to the country it was collected in; or
- Put in place a contract with the third-party that means they must protect personal information to the same standards as in the country the data was collected in.



- **A general description of information security measures to be implemented by Bushveld**

Bushveld takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in its possession. Bushveld takes appropriate technical and organisational measures designed to ensure that personal data remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.

## APPENDIX A - FORM C: REQUEST FORM

### ACCESS REQUEST FORM

#### Particulars of Bushveld's Information Officer

Requests can be submitted either via post, e-mail or fax and should be addressed to the Information Officer as indicated below:

<b>Information Officer</b>	Fortune Mojapelo
<b>Street Address</b>	Illovo Edge Office Park, Building 3, 2 <sup>nd</sup> Floor, 5 Harries Road, Illovo, Johannesburg, South Africa
<b>Postal Address</b>	PO Box 55295, Northlands, 2116, South Africa
<b>Telephone</b>	011 268 6555
<b>Email</b>	<a href="mailto:fortune.mojapelo@bushveldminerals.com">fortune.mojapelo@bushveldminerals.com</a> cc: <a href="mailto:wiki.rapelas@bushveldminerals.com">wiki.rapelas@bushveldminerals.com</a>
<b>Website</b>	<a href="http://www.bushveldminerals.com">www.bushveldminerals.com</a>

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#### Particulars of person requesting access to the record

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

**Full names and surname:**

**Identity number:**

**Postal address:**

**Fax number:**

**Telephone number:**

**E-mail address:**

**Capacity in which the request is made, when made on behalf of another person:**

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**Particulars of person requesting access to the record (if a legal entity)**

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

**Name of entity:**

**Registration number:**

**Postal address:**

**Fax number:**

**Telephone number:**

**E-mail address:**

**Particulars of person on whose behalf request is made**

*This section must ONLY be completed if a request for information is made on behalf of another person.*

**Full names and surname:**

**Identity number:**

**Particulars of record**

- a) *Provide full particulars of the record to which access is requested, including the reference number if it is known to you, to enable the record to be requested.*
- b) *If the space provided is inadequate, please use a separate folio and attach it to this form. Please sign any additional folios.*

**Description of record or relevant part of the record:**

**Reference number (if available):**

**Any further particulars of record:**

## **FEES**

- a) *A request for access to a record will be processed only after a request fee has been paid.*
- b) *You will be notified of the amount to be paid as the request fee.*
- c) *The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- d) *If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

**Reason for exemption of payment of fees:**

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## **FORM OF ACCESS TO RECORD**

Form in which record is required.

Mark the appropriate  
box with an X

## **NOTES**

- a) *Compliance with your request in the specified form may depend on the form in which the record is available.*
- b) *Access in the form requested may be refused under certain circumstances. In such a case you will be informed whether access will be granted in another form.*
- c) *The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.*

If the record is in written or printed form

Copy of record       Inspection of record

If record consists of visual images

View the images       Copy of the images       Transcription of the images

If the record consists of recorded information that can be reproduced in sound

Listen to the soundtrack (audio)       Transcription of soundtrack

If the record is held on computer or in an electronic or machine-readable form (this includes photographs, slides, video recordings, computer generated images, sketches etc.)

Printed copy of record       Printed copy of information derived from the record       Copy in computer readable form

If you requested a copy or transcription of a record (above) do you wish the copy of transcription to be posted to you? Note that postage is payable.

Yes       No

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.

In which language would you prefer the record?

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**\_\_\_ In the event of a disability**

*If you are prevented by a disability from reading, viewing or listening to the record, state your disability and indicate in the form in which the record is required:*

**Disability**

**Form in which record is required**

\_\_\_\_\_  
\_\_\_\_\_

**PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

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

1. Indicate the right to be exercised or protected:

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

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**NOTICE OF DECISION REGARDING REQUEST FOR ACCESS**

*You will be notified in writing whether your request has been approved or denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.*

**How would you prefer to be informed of the decision regarding your request for access to the record?**

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

PRINT NAME:

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SIGNATURE OF  
REQUESTER/PERSON ON WHOSE  
BEHALF REQUEST IS MADE

**YOU MUST:**

- 1 Complete all necessary spaces
- 2 Sign the access request form Sign
- 3 Sign additional folios completed

**SEND WITH THIS APPLICATION**

- 1 The request fee
- 2 Any additional folios completed
- 3 Copy of Identity Document

**APPENDIX B: FEES IN RESPECT OF PRIVATE BODIES**

Description		Rand
1	The fee for a copy of the manual as contemplated in regulation 9(2)(c) - for every photocopy of an A4-size page or part thereof.	1,10
2	<b>The fees for reproduction referred to in regulation 11(1) are as follows:</b>	
(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,75
(c)	<b>For a copy in a computer-readable form on -</b>	
(i)	stiffy disc	7,50
(ii)	compact disc	70,00
(d)(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)	For a copy of visual images	60,00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)	For a copy of an audio record	30,00
3	The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	50,00
4	<b>The access fees payable by a requester referred to in regulation 11(3) are as follows:</b>	
4.1(a)	For every photocopy of an A4-size page or part thereof	1,10
(b)	For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,75
(c)	<b>For a copy in a computer-readable form on -</b>	
(i)	stiffy disc	7,50
(ii)	compact disc	70,00
(d)(i)	For a transcription of visual images, for an A4-size page or part thereof	40,00
(ii)	For a copy of visual images	60,00
(e)(i)	For a transcription of an audio record, for an A4-size page or part thereof	20,00
(ii)	For a copy of an audio record	30,00
(f)	To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.	
4.2	<b>For purposes of section 54(2) of the Act, the following applies:</b>	
(a)	Six hours as the hours to be exceeded before a deposit is payable; and	
(b)	one third of the access fee is payable as a deposit by the requester.	
4.3	<b>The actual postage is payable when a copy of a record must be posted to a requester.</b>	

**APPENDIX C - OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION IN TERMS OF SECTION 11(3) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**

[Regulation 2]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the objection may be attached.*
  
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
  
3. *Complete as is applicable.*

<b>A</b>	<b>DETAILS OF DATA SUBJECT</b>
Name(s) and surname/ registered name of data subject:	
Unique Identifier/ Identity Number	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number / E-mail address:	
<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname/ Registered name of responsible party:	
Residential, postal or business address:	
	Code (    )
Contact number(s):	
Fax number/ E-mail address:	





**APPENDIX D: REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)  
REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2018**

[Regulation 3]

Note:

1. *Affidavits or other documentary evidence as applicable in support of the request may be attached.*
  
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*
  
3. *Complete as is applicable.*

Mark the appropriate box with an "x".

**Request for:**

Correction or deletion of the personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorised to retain the record of information.

A	DETAILS OF THE DATA SUBJECT
Name(s) and surname / registered name of data subject:	
Unique identifier/ Identity Number:	
Residential, postal or business address:	
	Code (     )
Contact number(s):	
Fax number/E-mail address:	

<b>B</b>	<b>DETAILS OF RESPONSIBLE PARTY</b>
Name(s) and surname / registered name of responsible party:	
Residential, postal or business address:	
	Code (     )
Contact number(s):	
Fax number/ E-mail address:	
<b>C</b>	<b>INFORMATION TO BE CORRECTED/DELETED/ DESTROYED/ DESTROYED</b>
<b>D</b>	<p><b>REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(a) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY ; and or</b></p> <p><b>REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(b) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.</b></p> <p><i>(Please provide detailed reasons for the request)</i></p>

Signed at ..... this ..... day of .....20.....  
.....  
*Signature of data subject/ designated person*