



**TAM HOLDINGS**

INNOVATIVE SOLUTIONS IN ENERGY

## Access to Information Manual

In terms of Section 51 of the  
Promotion of Access to Information  
Act 2 of 2002 “PAIA”

TAM Holdings Limited

(Registration No: 2018/213567/06)



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## Preamble

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The Promotion of Access to Information Act No. 2 of 2000 (“the Act”) came into operation on 23 November 2001. Section 51 of this Act requires that we as a private body compile a manual, giving information to the public regarding the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

## Section A – Company details

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<b>Full Name</b>	<b>TAM Holdings Limited</b>
<b>Registered Address</b>	<b>63 Saal Street, Zwavelpoort, Pretoria East, Gauteng, South Africa 0081</b>
<b>Postal Address</b>	<b>PO Box 2334 Brooklyn Square 0075</b>
<b>Telephone Number</b>	<b>+27 12 996 3010</b>
<b>CEO</b>	<b>ME Smit CA (SA)</b>
<b>Designated Information Officer</b>	<b>ME Smit CA (SA)</b>
<b>Email address</b>	<b><a href="mailto:morrison@tamholdings.co.za">morrison@tamholdings.co.za</a></b>

TAM Holdings Ltd is a South African investment company focusing on the mining and processing of minerals.

We as a private body have compiled this manual, not only to comply with the provisions of the Act, but also to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights.

In this manual you will be able to view the categories of information which we possess. You will also be shown the correct procedure to follow should you require access to any of this information.

## Section B –The official guide

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Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a Guide containing information reasonably required by a person wishing to exercise or protect any right in terms of this Act.

The Guide is published on the website of the South African Human Rights Commission: [SAHRC](#) and deals with the following topics:

1. Introduction to the Promotion to Access to Information Act;
2. Where to find information that you need;
3. How to make a request for access to information;
4. When access to information can / may be refused;
5. Key references and resources for further information.

## Section C – Information available in terms of the Act

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**Note: It is recorded that the accessibility of the documents listed hereinbelow may be subject to the grounds of refusal set out in the Act.**

### 1. Categories of information

We hold the following categories of information:

(a) STATUTORY COMPANY INFORMATION

- (i) Certificate of Incorporation;
- (ii) Certificate of Change of Name (if any);
- (iii) Memorandum of Incorporation;
- (iv) Shareholders Minute Book and resolutions passed at general/shareholder meetings and attendance register;
- (v) Proxy Forms;
- (vi) Register of Members;
- (vii) Index of Members;
- (viii) Register of Directors' shareholdings;
- (ix) Register of Directors and Certain Officers;
- (x) Directors' Attendance Register;
- (xi) Annual Financial Statements for TAM Holdings Ltd, including:
  - (a) Annual accounts;
  - (b) Directors' report;
  - (c) Auditor's report.

(b) ACCOUNTING RECORDS

- (i) Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange, specifically with regard to the requesting person.

(c) STATUTORY EMPLOYEE RECORDS

- (i) Employees' names and occupations;
- (ii) Remuneration paid to employees.

(d) SALES AND MARKETING

- (i) Brochures, Newsletters and Advertising Materials.

## 2. Procedure for requesting access to the above information

If you wish to request access to any of the above categories of information, you are required to complete a request form as set out in annexure “A” hereto. These forms are available from:

- our information officer (whose contact details are in section A of this manual);
- our website;
- the SAHRC website ([www.sahrc.org.za](http://www.sahrc.org.za)); or
- the Department of Justice and Constitutional Development website ([www.doj.gov.za](http://www.doj.gov.za))

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are contained in the request form.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access is not automatic – you must identify the right you are seeking to exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

## Section D – Information available in terms of other legislation

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Where applicable to our operations, information is also available in terms of certain provisions of the following statutes:

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Customs and Excise Act No. 91 of 1964
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Occupational Health and Safety Act No. 85 of 1993
- Prevention of Organised Crime Act No. 121 of 1998
- Machinery and Occupational Safety Act No. 6 of 1983
- Mine Health and Safety Act No. 29 of 1996
- National Payment System Act No. 78 of 1998
- Value-added Tax Act No. 89 of 1991
- Promotion of Access to Information Act No. 2 of 2002
- Broad-Based Black Economic Empowerment Act No. 53 of 2003
- Copyright Act No. 98 of 1978
- Electronic Communications and Transactions Act No. 25 of 2002
- National Environmental Management Act No. 107 of 1998
- Prevention and Combatting of Corrupt Activities Act
- Tax Administration Act No. 28 of 2011



## Section E – Information automatically available

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The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotion of Access to Information Act.

Request forms for these categories of information are also available from our information officer, whose contact details appear in section A of this manual.

1. Newsletters / magazines;
2. Booklets;
3. Pamphlets / Brochures;
4. Annual Reports;
5. Other literature intended for public viewing.

# Annexure “A” - Request for access to records of private body

## Form C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY  
(Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 10]

### A. Particulars of private body

The Head:

.....  
.....  
.....

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

- (a) The particulars of the person who request 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 the capacity in which the request is made, if applicable, must be attached.

Full names and surname: .....  
..... Identity  
number: ..... Postal address:  
.....  
..... Fax number:  
..... Email address:  
..... Capacity in which request is  
made, when made on behalf of another person: .....  
.....

### c. Particulars of person on whose behalf request is made

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

Full names and surname: ..... Identity  
number: .....

### d. Particulars of record

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

1. Description of record or relevant part of the record:  
.....  
..... 2.  
Reference number, if available: .....  
3. Any further particulars of record: .....  
.....

### e. Fees

(a) *A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.*  
(b) *You will be notified of the amount required 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 for the payment of any fee, please state the reason for exemption.*

Reason for exemption from payment of fees: .....  
.....

.....

## F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability: ..... .....	Form in which record is required: ..... .....
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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 in certain circumstances. In such a case you will be informed if 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.

<b>1. If the record is in written or printed form:</b>			
	Copy of record		Inspection of record
<b>2. If record consists of visual images:</b> (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
	View the image	Copy the images*	Transcriptions of the images*

<b>3. If record consists of a recorded words or information which can be reproduced in sound:</b>			
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
	Printed copy of record*	Printed copy of information derived from the record*	Copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?	<b>YES</b>	<b>NO</b>
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**g. Particulars of right to be exercised or protected.**

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

1. Indicate which right is to be exercised or protected: .....

.....

.....

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

.....

.....

h. Notice of decision regarding request for access.

*You will be notified in writing whether your request has been approved/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?

.....  
.....  
.....  
..... Signed at

..... this..... day of .....20

.....  
**SIGNATURE OF A REQUESTER /  
PERSON ON WHO'S BEHALF REQUEST  
IS MADE**

## Annexure “B” - Fees in respect of private bodies

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AN EXPLANATORY NOTE ON FEES TO BE CHARGED BY A PRIVATE BODY WHEN GRANTING A REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000.

The fees chargeable by private bodies are contained in Part III of Annexure “A” of the Regulations. A copy of Part III is attached below for your convenience. The present charges are as follows:

### 1. Copies of a manual

Should and individual require a copy of the private body’s manual, a fee of R1.10 is chargeable for every photocopy of an A4 page or part thereof.

### 2. Reproduction fees<sup>1</sup>

Reproduction fees apply to obtaining copies or transcriptions of information which is automatically available from the private body. The fees are listed in paragraph 2 of Part III of Annexure “A” to the Regulations.

### 3. Access fees<sup>2</sup>

Access fees are chargeable for copies or transcriptions of information requested under this Act. The fees are listed in paragraph 4 of Part III of Annexure “A” to the Regulations.

### 4. Other fees

4.1 A request fee<sup>3</sup> of R50.00 is payable by a requester who is seeking access to a record containing information which is not personal to the requester. See paragraph 6 of Part 1 of this Manual.

4.2 A search fee may be charged at a rate of a R30.00 per hour or part thereof for searching and preparing the record for disclosure provided such time was reasonably required for that purpose.

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1. Section 51(3) and Regulation 1(1).  
2. Section 54(7) and Regulation 11(3).  
3. Section 54(1) and Regulation 11(2).

- 4.3 If the request is not limited to records containing information which is personal to the requester and if the head of the private body is of the opinion that the time take to give effect to the request will exceed six hours the requester can be called upon to pay a deposit of not more than one third of an estimate of the access fee which will become payable<sup>4</sup>.
- 4.4 If a copy of a record is posted to a requester, the requester is obliged to pay the actual postage payable.



## PART III

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### FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2) is R1.10 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:

	R
(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) For a copy in a computer-readable form on- (i) compact disc.....	70.00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof... (ii) For a copy of visual images.....	40.00 60.00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is R50.00

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4. Annexure "A", Part III, Item 4(1)(f).

4. The access fees payable by a requester referred to in regulation 11  
 (3) are as follows:

	<b>R</b>
(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 in a computer or in electronic or machine-readable form.....	0.75
(c) For a copy in a computer-readable form on: (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) 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.	
(2) For purposes of section 54(2) of the Act, the following applies: (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.	
(3) The actual postage is payable when a copy of a record must be posted to a requester.	