



PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

Prepared in terms of Section 51 of the Promotion of Access to Information Act, 2000

Sitef & Co PAIA Manual

Approved by: Sitef & Co Managing Director

Frequency of review: Annual

Date of next review JUNE 2027

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1. DEFINITIONS AND INTERPRETATION

1.1. For purposes of this Manual, the following words shall, unless otherwise stated or inconsistent with the context in which they appear, bear the following meanings and other words derived from the same origins as such words (that is, cognate words) shall bear corresponding meanings:

- 1.1.1 **"Tax Administration Act"** means the Tax Administration Act 28 of 2011.
- 1.1.2 **"BBBEEA"** means the Broad-Based Black Economic Empowerment Act 53 of 2003.
- 1.1.3 **"BCEA"** means Basic Conditions of Employment Act 75 of 1997.
- 1.1.4 **"BESS"** means a Battery Energy Storage System, being an energy storage facility that stores electrical energy for later use and forms part of electricity generation, transmission or distribution infrastructure.
- 1.1.5 **"Companies Act"** means the Companies Act 71 of 2008.
- 1.1.6. **"Data Subject"** means any identifiable, living natural person or an identifiable, existing juristic person to whom personal information relates and whose personal information is processed by the Sitef & Co.
- 1.1.7 **"EA"** means an Environmental Authorisation issued in terms of the National Environmental Management Act 107 of 1998.
- 1.1.8. **"Employment Equity Act"** means the Employment Equity Act 55 of 1998.
- 1.1.9. **"EMPr"** means an Environmental Management Programme.
- 1.1.10 **"ESG"** means Environmental, Social; and Governance.
- 1.1.11. **"FICA"** means the Financial Intelligence Centre Act 38 of 2001.
- 1.1.12. **"Guide"** means the guide issued by the Information Regulator in terms of section 10 of PAIA, which provides practical guidance on the exercise of the right of access to information and the procedures for requesting access to records held by public and private bodies.
- 1.1.13. **"Income Tax Act"** means the Income Tax Act 58 of 1962.
- 1.1.14. **"Information Officer"** means the person appointed in terms of section 1 of PAIA and section 55 of POPIA who is responsible for ensuring the Sitef & Co's compliance with PAIA and POPIA.
- 1.1.15. **"Information Regulator"** means the Information Regulator established in terms of section 39 of the Protection of Personal Information Act 4 of 2013.

1.1.16. "Legal Practice Act"	means the Legal Practice Act 28 of 2014.
1.1.17. "Manual"	means this PAIA Manual of Sitefane Inc. t/a Sitef & Co., prepared in accordance with section 51 of PAIA, and as amended or updated by Sitef & Co. from time to time.
1.1.18. "MHSA"	means the Mine Health and Safety Act 29 of 1996.
1.1.19. "MOI"	means the Memorandum of Incorporation as contemplated in the Companies Act 71 of 2008.
1.1.20. "MPRDA"	means the Mineral and Petroleum Resources Development Act 28 of 2002.
1.1.21. "MWP"	means a Mining Work Programme.
1.1.22. "PAIA"	means the Promotion of Access to Information Act 2 of 2000.
1.1.23. "POPIA"	means the Protection of Personal Information Act 4 of 2013.
1.1.24. "Requester"	means any person requesting access to a record of Sitef & Co in terms of PAIA and includes a personal requester.
1.1.25. "Sitefane Inc"	means Sitefane Incorporated, a South African incorporated legal practice and a personal liability company duly incorporated in accordance with the laws of the Republic of South Africa, with its registered office at 2 Bruton Road, Block A, Bryanston, Johannesburg, 2191, trading as Sitef & Co. , and includes its director, employees, authorised representatives and, where the context requires, its successors in title.
1.1.26. "UPRDA"	means the Upstream Petroleum Resources Development Act 23 of 2024.
1.1.27. "WUL"	means a Water Use Licence.

1. INTRODUCTION

- 1.1 Sitefane Inc., trading as **Sitef & Co**, is a South African incorporated legal practice based in Bryanston, Sandton. Sitef & Co provides specialised legal services in the areas of mining law, energy law, environmental law, corporate and commercial law, ESG advisory, and regulatory compliance.
- 1.2 This Manual has been prepared in accordance with section 51 of PAIA and includes the relevant requirements under the POPIA. The purpose of this Manual is to facilitate requests for access to records held by Sitef & Co in accordance with PAIA and to provide information regarding the manner in which Sitef & Co collects, processes, stores, protects and, where applicable, discloses personal information in compliance with POPIA.
- 1.3 This Manual applies to all records held by Sitef & Co., irrespective of the medium in which such records are stores, including paper-based records, electronic records, emails, audio-visual material, and any other recorded information maintained by or on behalf of Sitef & Co.
- 1.4 This Manual is available for inspection at Sitef & Co's registered office and will be published on Sitef & Co's website.
- 1.5 Sitef & Co reserves the right to amend or update this Manual from time to time to reflect changes in applicable legislation, regulatory requirements, or Sitef & Co's information management and privacy practices. The most recent version of this Manual shall prevail.

2. CONTACT DETAILS FOR ACCESS TO INFORMATION

2.1. Sitef & Co. 's details and the details of the Information Officer are set out below:

2.1.1 Information Officer

Name: Mrs. Mhlali Sitefane

Email: msitefane@sitef.co.za

2.1.2 Access to information general contacts

Email: info@sitef.co.za

Telephone: 010 300 1006

2.1.3 Head Office

Physical Address: 2 Bruton Road, Block A, Bryanston,
Sandton, Gauteng, 2191

Postal Address: PostNet Suite #236, Private Bag
X9976, Sandton, 2146

Website: www.sitef.co.za

Email: info@sitef.co.za

3 GUIDE ISSUED BY THE INFORMATION REGULATOR

- 3.1 The PAIA requires the Information Regulator to make available a guide that explains the rights afforded under PAIA and the procedures to be followed when requesting access to records held by public and private bodies. If you require further assistance or clarity in relation to the PAIA, we refer you to the official Guide issued by the Information Regulator in accordance with Section 10 of PAIA.
- 3.2 The Guide is intended to help the public understand and exercise their rights and includes, among others:
- 3.1.1. an explanation of the objectives of the PAIA.
 - 3.1.2. relevant contact information for public and private bodies, where available;
 - 3.1.3. the steps to follow when requesting access to records;
 - 3.1.4. information about the support provided by the Information Regulator and 3.1.5. guidance from Information Officers;
 - 3.1.6. how to obtain a copy of a PAIA manual from a private body;
 - 3.1.7. a summary of the legal remedies available to requesters; and
 - 3.1.8. details of any fees payable in respect of access to records.
- 3.3. Individuals seeking further information regarding PAIA or assistance with access to information requests may contact the Information Regulator using its published contact details or consult the official website for the latest guidance and prescribed forms.
- 3.4. The Guide is available in all official languages and may be obtained directly from the Information Regulator. The most recent version should always be consulted, as it may be updated from time to time.

4 RECORDS AVAILABLE WITHOUT A FORMAL REQUEST

4.1. Certain records maintained by Sitef & Co., are available to members of the public without the need to submit a formal request in terms of PAIA, subject to any applicable legal, contractual or confidentiality restrictions.

4.2. The following categories of records may, where appropriate, be made available upon request or through the Sitef & Co's ordinary course of business:

- 4.2.1. Information published on Sitef & Co's official website;
- 4.2.2. Marketing and promotional material;
- 4.2.3. Client information brochures and newsletters;
- 4.2.4. Employment opportunities and recruitment notices;
- 4.2.5. Publications, legal insights and articles prepared by Sitef & Co;
- 4.2.6. Publicly available contact details of Sitef & Co;
- 4.2.7. This Manual;
- 4.2.8. Any records that are required by law to be made publicly available.

4.3. The availability of the above records does not imply that unrestricted access will be granted in every instance. Access may be limited where disclosure would contravene any applicable legislation, infringe the rights of third parties, compromise legal professional privilege, or breach contractual or confidentiality obligations.

4.4. Requests for records that are not ordinarily available without restriction must be submitted in accordance with the procedures set out in this Manual and will be considered in terms of PAIA.

5. CATEGORIES OF RECORDS HELD BY SITEF & CO

5.1. Sitef & Co., maintains records in both physical and electronic formats for the purposes of conducting its business and complying with its legal and regulatory obligations.

5.2. The categories of records maintained by Sitef & Co include, but are not limited to, the following:

CATEGORY	EXAMPLES OF RECORDS
Corporate Governance	Certificate of incorporation, MOI, statutory registers, resolutions, compliance reports, corporate records
Client & Matter Records	Engagement letters, mandate letters, legal opinions, correspondence, contracts, agreements, due diligence reports, transaction documents, and legal research.
Mining & Energy Law	Mining rights, prospecting rights, section 11, section 53 letters of no objections, and section 102 applications, SLPs, MWPs, regulatory submissions, energy infrastructure matters, BESS projects, solar projects, powerline projects and associated legal documentation
Environmental Law	EAs, EMPs, WUL matters, environmental appeals and objections, environmental compliance documentation and related regulatory records.
Property & Land Rights	Notarial deeds, servitude agreements, wayleave agreements, route determination agreements, property due diligence reports, and title deeds.
Corporate & Commercial	Commercial agreements, sale of business agreements, shareholders' agreements, memoranda of understanding, confidentiality agreements, and advisory memoranda
Dispute Resolution	settlement agreements, arbitration records, appeal documentation and dispute resolution records

Financial Records	invoices, trust account records, bank statements, taxation records, audit reports and financial statements
Human Resources	Employment contracts, payroll records, leave records, disciplinary records, performance management records, and recruitment records
Compliance & Risk	PAIA records, POPIA records, FICA documentation, risk registers, compliance reports, internal policies and governance documentation
Administrative Records	Internal correspondence, operational procedures and administration records.

5.3. The inclusion of a category of records in this Manual does not automatically entitle a requester to access such records. Access will be considered in accordance with PAIA and may be refused where a ground for refusal provided for in PAIA applies, including legal professional privilege, confidentiality obligations, the protection of personal information or the protection of commercially sensitive information.

5.4. Sitef & Co reserves the right to amend, expand or consolidate the categories of records described in this Manual as its business operations, regulatory obligations and information management practices evolve.

6. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

6.1. Sitef & Co maintains records in accordance with the requirements of applicable South African legislation. The table below identifies the principal legislation applicable to Sitef & Co and the categories of records maintained in terms thereof.

LEGISLATION	EXAMPLES OF RECORDS MAINTAINED
BCEA	Employment contracts, leave records, attendance records, remuneration records
BBBEEA	B-BBEE certificates, scorecards and related supporting documentation

Companies Act	MOI, share registers, directors' resolutions, statutory registers and annual returns
Employment Equity Act	Employment equity plans, workforce profiles and annual reports
Legal Practice Act	Trust accounting records, client files, mandate records and compliance records
Income Tax Act	Tax returns, PAYE records and supporting financial documentation
Administration of Tax Act	Tax registration records, tax returns, tax compliance status records, correspondence with the South African Revenue Service, assessments, objections and appeals, supporting financial documentation
PAIA	PAIA Manual, access to information requests and related correspondence
FICA	Client due diligence records, FICA verification documents and risk assessments
MPRDA	Prospecting right applications, mining right applications, mining permits, retention permits, reconnaissance permissions, environmental compliance records, consultation records, mining agreements and correspondence with the Department of Mineral and Petroleum Resources.
UPRDA	Petroleum right applications, technical and exploration reports, environmental and regulatory compliance records, stakeholder consultation records, petroleum agreements and correspondence with the relevant regulatory authorities, where applicable.
MHSA	Mine health and safety compliance records, health and safety policies.

7. PROCESSING OF PERSONAL INFORMATION

7.1. Sitef & Co processes personal information in accordance with POPIA. The categories of Data Subjects and the personal information processed are set out below:

CATEGORY OF DATA SUBJECT	PURPOSE OF PROCESSING	CATEGORIES OF PERSONAL INFORMATION
Clients	To provide legal and advisory services, manage client relationships, comply with legal obligations and maintain records	Names, identity or passport numbers, contact details, company information, financial information, legal documents, correspondence, FICA documentation
Employees	Recruitment, employment administration, payroll, benefits, performance management and statutory compliance	Identity numbers, contact details, qualifications, employment records, banking details, tax information, payroll records
Prospective Employees	Recruitment and selection	Curriculum vitae, qualifications, references, interview notes, identity documents
Directors and Shareholders	Corporate governance and statutory compliance	Identity details, shareholding information, company records
Suppliers and Service Providers	Procurement, contract administration and payment	Banking information, company registration documents, tax information
Business Partners and Consultants	Management of commercial relationships and contractual obligations	Contractual records, correspondence and financial information
Website Users and Visitors	Website administration, security and communication	IP addresses, cookies, electronic communications and usage information

Visitors to Sitef & Co Premises	Security and access control	Names, vehicle registration details and CCTV footage (where applicable)
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7.2. Sitef & Co may disclose personal information to third parties where such disclosure is necessary to fulfil the purpose for which the information was collected, to comply with a legal obligation, or where otherwise permitted by law. Such third parties may include regulatory authorities and government departments, courts and tribunals, external legal practitioners and advocates, auditors, accountants and other professional advisers, banks and financial institutions, information technology and cloud service providers, sheriffs and messengers of the court, as well as other service providers engaged by Sitef & Co in the ordinary course of its business.

7.3. Sitef & Co may also disclose personal information where such disclosure is authorised by applicable legislation, required for the performance of its functions, or made with the consent of the data subject, where such consent is required.

8. INTERNATIONAL TRANSFERS OF PERSONAL INFORMATION

Sitef & Co does not ordinarily transfer personal information outside the Republic of South Africa. Where such transfers become necessary, they will only occur in accordance with Chapter 9 of POPIA and appropriate safeguards will be implemented to ensure that the personal information remains adequately protected.

9. PROCEDURE TO REQUEST ACCESS TO RECORDS

9.1. Requests must be submitted in the prescribed format (Form 2), attached to this Manual as **Annexure A** and available at www.inforegulator.org.za.

9.3. The Information Officer will process all requests in accordance with PAIA and may refuse access to a record on any of the grounds for refusal provided for in PAIA, including where disclosure is necessary to protect the rights of Sitef & Co or those of third parties.

9.2. The form must be sent to the Information Officer by email or physical address provided under contact details for access of information of Sitef & Co.

9.3. A Requester will be required to pay a request fee.

9.4. All the pertinent sections of the request form must be completed fully, failing which the process will be delayed while the Information Officer obtains such additional information.

9.5. The Information Officer will respond within 30 days, which may be extended for another 30 days with notice.

9.6. If the request is refused, the Information Officer will provide the requester with written reasons for the refusal, unless the provision of such reasons is prohibited by law. The Requester who is dissatisfied with the decision may exercise any rights or remedies available under PAIA.

9.7. Access to certain records may be or must be denied on the grounds set out in the PAIA. The grounds for refusal include, but are not limited to:

9.7.1. information for the protection of the privacy of individuals;

9.7.2. information for the protection of commercial information and confidential information of third parties;

9.7.3. information privileged from production in legal proceedings;

9.7.4. commercial information of the Sitef & Co ; and research information; and

9.7.5. Protection of research information of Sitef & Co or a third party.

10. PAYABLE FEE

10.1. A Requester may be required to pay the prescribed fees applicable to a request for access to records in accordance with the PAIA and the Regulations issued thereunder.

10.2. The applicable fees may include:

10.2.1. a request fee, where applicable;

10.2.2. an access fee for the reproduction, search, preparation and disclosure of records;
and

10.2.3. postage or courier charges where records are provided by mail or courier.

10.3. The following fees are payable in respect of requests made to Sitef & Co:

DESCRIPTION	AMOUNT(ZAR)
Request fee	R140.00
Photocopy or printed black-and-white copy of an A4 page	R2.00 per page

Printed copy of an A4 page	R2.00 per page
E-mail	Actual expense, if any

8.4. Where the search for, and preparation of, the requested record exceeds the period prescribed under PAIA, the Information Officer may require the requester to pay a deposit, as permitted by PAIA, before the request is further processed.

8.5. The Information Officer will notify the requester in writing of any fees payable before access to the requested record is granted.

8.6. A personal requester requesting access to records containing his or her own personal information is not required to pay the prescribed request fee but may be liable for any applicable access fees prescribed by PAIA.

9. AVAILABILITY OF THE MANUAL

9.1. This Manual is available to the members of the public in the following manner:

9.1.1. at the Sitef & Co office during office hours;

9.1.2. upon written request submitted to the Information Officer at the email address specified in this Manual; and

9.1.3. On the Sitef & Co official website, where applicable.

9.2. Sitef & Co reserves the right to amend or update this Manual from time to time to ensure compliance with applicable legislation and regulatory requirements. The most recent version of the Manual shall prevail.

Issued by

Mihlali Sitefane – Managing Director

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

(Address)

E-mail address:

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Fax number:

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Mark with an "X"

☐

Request is made in my own name

☐

Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made <i>(when made on behalf of another person)</i>			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		
Full names of person on whose behalf request is made <i>(if applicable)</i> :			
Identity Number			
Postal Address			

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED <i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD (Mark the applicable box with an "X")			
Record is in written or printed form			
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(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)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	

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

FEES	
a)	A request fee must be paid before the request will be considered.
b)	You will be notified of the amount of the access fee to be paid.
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	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

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Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

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Signature of Information Officer