

SAMANCOR CHROME LIMITED

**MANUAL COMPILED IN ACCORDANCE WITH
SECTION 51 OF THE PROMOTION OF ACCESS
TO INFORMATION ACT No 2 OF 2000 (“the Act”)**

samancor 

SAMANCOR CHROME LIMITED

Samancor was created in 1975 through the merger of SA Manganese Limited and African Metals Corporation Limited (Amcor). Samancor Limited was delisted from the Johannesburg Stock Exchange in December 1998 by BHP Billiton (60%) and Anglo American Corporation of South Africa Limited (40%), its then shareholders.

Until April 2006, the company consisted of two totally independent operating divisions, Samancor Manganese and Samancor Chrome and was jointly owned by BHP Billiton (60% shareholding) and Anglo American Corporation of South Africa Limited (40% shareholding).

In April 2006 the Manganese and other non chrome assets were unbundled from Samancor Limited, with only the Chrome assets remaining within Samancor Limited. At the same time BHP Billiton and Anglo American Corporation disposed of their shares in Samancor Limited to Kermas Proprietary Limited. Samancor Limited then changed its name to Samancor Chrome Limited, becoming a wholly owned subsidiary of Kermas Proprietary Limited.

Samancor Chrome comprises two chromite mining operations situated in and around Rustenburg (commonly referred to as Western Chrome Mines, or "WCM") and in and around Steelpoort (commonly referred to as Eastern Chrome Mines, or "ECM") and three ferrochrome smelting works in Witbank, known as Ferrometals, Middelburg, known as Middelburg Ferrochrome and Steelpoort, known as Tubatse Ferrochrome. Samancor Chrome has entered into various joint ventures with customers, which joint ventures are operated from Samancor Chrome's mining and ferrochrome smelting works. The relevant joint ventures are: NST Ferrochrome (Proprietary) Limited; Poschrome (Proprietary) Limited; Crometals (Proprietary) Limited; Middelburg Steel and Alloys (Proprietary) Limited, Tubatse Chrome Minerals (Proprietary) Limited and the Ferroveld Joint Venture.

Samancor Chrome Limited has subsidiaries and other associated private bodies (all referred to as "the Group Companies") which are listed in Part VI of this manual. The records of these subsidiaries and other private bodies are kept and administered by Samancor Chrome Limited and are covered by this manual.

PART I

The following information is supplied in accordance with section 51(1)(a) of the Act.

| | |
|---|--|
| Name of the Private Body | Samancor Chrome Limited |
| Registration No. | 1926/008883/06 |
| Head of the Private Body | Dr J Sittard |
| Physical Address | 1 st Floor, Block B Cullinan Close Cullinan Place Morningside Sandton 2196 |
| Postal Address | Postnet Suite 803 Private Bag X9 Benmore 2010 |
| Website Address | www.samancorcr.com |
| Telephone Number | (011) 245 1000 |
| Telefax Number | (011) 245 1200 |
| Designated Information Officer (1) | P M Calicchio |
| Telephone Number | (011) 245 1106 |
| Telefax Number | (011) 245 1225 |
| E-mail Address | Pietro.Calicchio@SamancorCr.com |
| Designated Information Officer (2) | G Ankiah |
| Telephone Number | (011) 245 1103 |
| Telefax Number | (011) 245 1221 |
| E-mail Address | Gobisha.Ankiah@SamancorCr.com |

PART II

The following information is supplied in accordance with section 51(1)(b) of the Act.

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 will contain the following information:

- The objects of the Act;
- Particulars of the information officer of every public body;
- Particulars of every private body as are practicable;
- The manner and form of a request for access to information held by a body;
- Assistance available from both the information officers and the Human Rights Commission in terms of this Act;
- All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
- Schedules of fees to be paid in relation to requests for access to information;
- Regulations made in terms of the Act.

Copies of the Guide will be available from the SAHRC following its publication. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

Post: South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department
Private Bag 2700
Houghton
2041

Telephone: (011) 484-8300

Fax: (011) 484-0582

Website: www.sahrc.org.za

E-mail: paia@sahrc.org.za

PART III

The following information is supplied in accordance with section 51(1)(c) of the Act.

Categories of records which are available without a person having to request access in terms of this Act:

NONE.

PART IV

The following information is supplied in accordance with section 51(1)(d) of the Act.

A. Where applicable to our operations, information is also available in terms of certain provisions of the following statutes, including, but not limited to and as amended from time to time:

- Atmospheric Pollution Prevention Act No. 45 of 1965
- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Competition Act No. 89 of 1998
- Constitution of the Republic of South Africa Act No. 108 of 1996
- Customs and Excise Act No. 91 of 1964
- Electronic Communications and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Environmental Conservation Act No. 73 of 1989
- Health Act No. 63 of 1997
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Mine Health and Safety Act No. 29 of 1996
- Minerals Act No. 50 of 1991
- Mineral and Petroleum Resources Development Act No. 28 of 2002
- National Environmental Management Act No. 107 of 1998

- National Road Traffic Act No. 93 of 1996
- National Water Act No. 36 of 1998
- Occupational Health and Safety Act No. 85 of 1993
- Physical Planning Act No. 88 of 1967
- Road Transportation Act No. 74 of 1977
- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- Standards Act No. 29 of 1993
- Unemployment Insurance Act No. 63 of 2001

B. Where applicable to our operations, we also retain records and documents in terms of the following statutes, including but not limited to, and as amended from time to time:

- Atmospheric Pollution Prevention Act No. 45 of 1965
- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 61 of 1973
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Customs and Excise Act No. 91 of 1964
- Electronic Communications and Transactions Act No. 25 of 2002
- Employment Equity Act No. 55 of 1998
- Explosives Act No. 26 of 1956
- Health Act No.63 of 1977
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Machinery and Occupational Safety Act No. 6 of 1983
- Manpower Training Act No. 56 of 1981
- Mine Health and Safety Act No. 29 of 1996
- Minerals Act No. 50 of 1991
- National Environmental Management Act No. 107 of 1998
- National Road Traffic Act No. 93 of 1996
- National Roads Act No. 54 of 1971
- National Water Act No. 36 of 1998
- Occupational Diseases in Mines & Works Act No. 78 of 1973
- Occupational Health and Safety Act No. 85 of 1993
- Physical Planning Act No. 88 of 1967
- Road Traffic Act No. 29 of 1989
- Road Transportation Act No. 74 of 1977
- Regional Services Act No. 109 of 1995

- Skills Development Act No. 97 of 1998
- Skills Development Levies Act No. 9 of 1999
- Stamp Duties Act No. 77 of 1968
- Standards Act No. 29 of 1993
- Trust Property Control Act No.57 of 1988
- Value-Added Tax Act No. 89 of 1991

PART V

The following information is supplied in accordance with section 51(1)(e) of the Act.

The company holds the following categories of information:

CATEGORY

RECORDS

Commercial

Agreements
Audits
Correspondence with vendors
Securities (bonds and bank guarantees)
Policies and procedures
Tender Information
Vendor assessment documentation

Company Secretarial and Risk Management

Annual financial statements
Annual reports
Approval framework
Certificate of incorporation
Foreign exchange dealings
Insurance records
Internal audit reports
Memorandum and articles of association
Minutes of meetings
Policies and procedures
Register of directors, auditors and officers
Resolutions
Statutory company records and returns

CATEGORY

RECORDS

Exploration

Geological data (including analytical results)
 Geological information comprising:

- Borehole logs
- Geological reports
- Maps and plans

Finance & Admin & Treasury

Accounting records
 Annual financial statements
 Asset register
 Bank statements
 Banking details and bank account records
 Budget records
 Generally Accepted Accounting Practice
 Group accounting policy manual
 Policies and procedures
 Regional Services Council returns
 SARS reports and tax and VAT Returns

Health Safety & Environment

Annual sustainability reports
 Environmental procedures
 Health, safety, environment, community & quality policy
 Incident reports
 ISO certification
 Permits, licences, approvals, exemptions, authorisations, applications & registrations
 Policies and procedures
 Reports of compliance to relevant authorities
 Risk control documentation
 Statutory appointments

Human Resources

Agreements (including agreements with service providers)
 Applications for employment
 Appointments
 Audits
 Benefit arrangements rules and records

CATEGORY

RECORDS

Bursary scheme records
Communications booklets, brochures, newsletters
and other literature
Compensation for occupational injuries
Deferred compensation
Disciplinary procedure
Employee assistance programme
Employee benefits
Employee information
Employment equity plans, returns and reports
Facilities management
Forms and applications
Group life assurance cover
Health centre service and procedures
Housing guarantees and bond cover
Learnerships
Maintenance, safety and security
Medical aid rules
Motor vehicle scheme
Pension and provident fund records
Policies, codes, rules and procedures
Professional society membership
Remuneration policy and reports
Skills development returns and reports
Standard letters and notices
Study assistance
Training plans and procedures
Unemployment insurance cover (UIF)
Workplace and union agreements and records

Legal

Contracts
Litigation records
Opinions
Policies and procedures

CATEGORY

RECORDS

Marketing

Agreements
 Business plans and forecasts
 Customer information
 Published information on competitors
 Published trade statistics
 Crude steel production: figures and forecasts

Mineral Rights

Mineral leases
 Mining contracts
 Title deeds
 Prospecting Rights
 Mining Rights
 Mineral Cessions
 Water Licenses
 Property leases
 Exploration agreements
 Permits / authorisations / exemptions
 Environmental impact assessments

Rehabilitation

Acceptance letters and undertakings to comply with their duties by the trustees
 Certificates of estimates of costs for compliance for rehabilitation obligations by beneficiaries
 Letters of executorships
 Minutes of meetings of trustees

Other

Audits and assessments
 Business development records
 Drawings and specifications
 Engineering records and specifications
 Licenses
 Maintenance records
 Patents
 Policies and procedures
 Production records
 Reports

CATEGORY**RECORDS**

Trade marks

Trade names and / or product names

PART VISubsidiaries of Samancor Chrome Limited and associated private bodies covered by this Manual

| Private Body | Registration No. |
|---|-------------------------|
| Bathako Ferrochrome (Proprietary) Limited | 1985/070455/07 |
| Braklands Properties (Proprietary) Limited | 1972/007253/07 |
| Crometals (Proprietary) Limited | 1973/004916/07 |
| Ferroveld Joint Venture | N/A |
| Henry Gould (Proprietary) Limited | 1953/000691/07 |
| Marico Chrome Corporation (Proprietary) Limited | 1978/005144/07 |
| Middelburg Steel & Alloys (Proprietary) Limited | 1955/001490/07 |
| Middelburg Technochrome (Proprietary) Limited | 1995/004092/07 |
| NST Ferrochrome (Proprietary) Limited | 1971/010987/07 |
| Poschrome (Proprietary) Limited | 1996/008582/07 |

Separate manuals have been produced by the following associated private bodies:

- Samancor Rehabilitation Trust (No. IT 6256 / 98))
- Samancor Foundation (No. 179/90)
- Samancor Pension Fund (No. PF 12/8/37727)
- Samancor Provident Fund (PF 12/8/37714)
- Samancor Group Provident Fund (NBC Umbrella Trust Registration No. IT1529/99)

PART VII

Copyright

Where copyright subsists in the information and other resources contained in this Manual, the Company is the holder thereof and its use will not be permitted in the absence of written permission by a duly authorised officer as listed herein.

Unauthorised reproduction, adaptation, distribution or commercial exploitation of the work beyond the limited use of information permitted by law is prohibited.

Liability

While every effort is made to publish reliable information in this Manual, the Group Companies cannot guarantee that this information is both complete and accurate and makes no representation in that regard. All users of this resource are therefore cautioned to use the information entirely at their own risk.

The Group Companies and other entities whose details appear herein will not be liable for any loss or damage, action, proceedings, claims, demands, liability, damages, costs, charges or expenses, howsoever arising, as a result of the use of Samancor Chrome's website or the information contained in this Manual. All users agree to submit exclusively to the laws of the Republic of South Africa and the jurisdiction of the Courts of the Republic of South Africa in respect of any dispute arising out of the use of Samancor Chrome's website or the information contained in this Manual.

The Group Companies and other entities whose details appear herein absolutely reserve the right to refuse to disclose information that is the subject of a request where there are grounds for refusal of access to such records in terms of Chapter 4 of the Act.
