

## PROMOTION OF ACCESS TO INFORMATION MANUAL

Prepared in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (as amended by the Protection of Personal Information Act, 2013)

for

Liberty Coal (Pty) Ltd

(Registration Number: 2020/681596/07)

Last Updated: 10 July 2025

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### 1. Interpretation

Key terms in this manual carry the same meanings as defined in the **Promotion of Access to Information Act (PAIA)** and the **Protection of Personal Information Act (POPIA)**—e.g., “Information Officer”, “record”, “personal information”, etc.

### 2. Introduction

This manual is published in terms of **Section 51 of PAIA** (as amended) and POPIA. It enables stakeholders to understand how to request access to records held by Liberty Coal, and outlines how personal information is processed, safeguarded, and shared.

### 3. Guide to PAIA

A comprehensive guide to PAIA (Section 10 guide) is available from the **Information Regulator** in various languages and formats

It can be accessed:

- On-line via the Regulator’s website
- Upon request from Liberty Coal’s Information Officer
- At Liberty Coal’s head office during business hours

### 4. Company Details & Information Officer

#### Liberty Coal (Pty) Ltd

- **Physical Address:** 1A Stan Road, Morningside, Sandton, 2196, Gauteng, RSA
- **Postal Address:** PostNet Suite 020 Private Bag X16 Craighall, Gauteng, 2024
- **Tel:** 010 520 0014
- **Email:** [info@libertycoal.co.za](mailto:info@libertycoal.co.za)

#### Information Officer

- Name: Ulrich Bester
- Tel: 010 555 0014
- Email: [ub@liberty-coal.com](mailto:ub@liberty-coal.com)

### 5. Records Available in Terms of Other Legislation

Records accessible under legislation such as the **Mineral and Petroleum Resources Development Act, Labour Relations Act, Occupational Health & Safety Act** and Companies Act.

### 6. Voluntary Disclosure

Liberty Coal may choose to proactively disclose certain records, such as environmental reports or safety audits, without a formal PAIA request, in line with Section 52 .

### 7. Subjects & Categories of Records

Liberty Coal holds records on topics including:

- Incorporation & governance
- Strategic planning
- Mining operations
- Financials (e.g. annual reports, ledgers)

- HR data (contracts, payroll, performance)
- Environmental health & safety
- Supplier & service agreements
- Community relations & licences

## 8. PAIA Request Procedure

### A requester must:

1. Use **Form C** (annexed)
2. Submit it to the Information Officer
3. Provide proof of identity
4. Detail the record required and explain its relevance to a legal right
5. Specify format (e.g. PDF, hard copy)

### Processing time:

- Standard response within **30 days**, extendable by another 30 under special circumstances.

## 9. Fees

Fees include:

- A **basic request fee** (Section 54)
- Fees for searching, preparing, copying, and delivering records
- Deposits may be required if significant work is involved  
A fee schedule (Regulations, Section 92) is attached. Deposits refunded if request denied; full payment required before records are released.

## 10. Grounds for Refusal

Access may be denied on PAIA grounds:

- Protection of privacy or commercial confidentiality
- Legal privilege
- Safety or security concerns
- Third-party privacy rights
- Detailed refusal grounds are contained in **Chapter 4 of PAIA**.

## 11. Remedies for Refusal

If refused access, a requester may:

- File an **internal appeal** with Liberty Coal
- Lodge a **complaint with the Information Regulator**
- Approach a **court** for review

## 12. POPIA-Compliant Personal Information Processing

### 12.1 Purpose of Processing

Personal data is collected and processed for:

- Employment and HR
- Safety compliance
- Supplier and contract management
- Regulatory compliance (e.g. mining licences)

### 12.2 Categories of Data Subjects & Information

Managed data includes:

- Employees and contractors
- Suppliers and their staff
- Regulatory bodies

- Community stakeholders

Data categories range from identity, contact details, qualifications, to financial records and performance data.

### 12.3 Recipients

Personal data may be shared with:

- Regulators (DMRE, DMR, DWS, etc.)
- External advisors (legal, auditors, insurers)
- Contractors or subcontractors

### 12.4 Trans-Border Flow

Personal data may be transferred internationally only where authorised by POPIA (e.g. via data processing agreements).

### 12.5 Security Measures

We implement:

- Controlled facility and document access
- Password-protected servers and encryption
- Staff confidentiality training
- Regular backup and disaster recovery processes

Designed to uphold **confidentiality**, **integrity**, and **availability** of data

### 13. Availability of This Manual

The current manual is made available:

- On the Liberty Coal website
- At our head office during business hours
- Upon request and payment of a reasonable fee
- To the Information Regulator upon request

### 14. Updating This Manual

Reviewed and updated by the Information Officer as needed, but at least annually. The latest version published is dated 10 July 2025, with material changes retained and highlighted.

### 15. Form C – Request for Access

*Annexed:* Standard **Form C** as prescribed by **Regulations to PAIA** for private bodies.

## Form C

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(Regulation 10)

### 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)

#### A. Particulars of private body

The Head of the Private Body:

\_\_\_\_\_  
(Insert the name and address of the private body)

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

(a) The particulars of the person who requests access to the record must be recorded below.

(b) Furnish an address and/or fax number in the Republic to which information must be sent.

(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: \_\_\_\_\_ Telephone number: \_\_\_\_\_

E-mail 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 sheet and attach it to this form.

The requester must sign all the additional sheets.

1. Description of record or relevant part of the record:

\_\_\_\_\_

2. Reference number, if available: \_\_\_\_\_

3. Any further particulars of record:

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E. Fees

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.

You will be notified of the amount required to be paid as the request fee.

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.

If you qualify for exemption of the payment of any fee, please state the reason for exemption:

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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 below, state your disability and indicate in which form the record is required.

Disability: \_\_\_\_\_

Form in which record is required: \_\_\_\_\_

Mark the appropriate box with an X:

- ☐ Inspection of record
- ☐ Copy of record
- ☐ View the images
- ☐ Copy of images
- ☐ Transcription of images
- ☐ Copy of transcription
- ☐ Listen to the soundtrack
- ☐ Transcription of soundtrack

If the record is held on computer or in an electronic or machine-readable form:

- ☐ Printed copy of record
- ☐ Printed copy of information derived from the record
- ☐ Copy in computer readable form (CD or USB)

G. 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:

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Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE

