

PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

PRIVATE BODY MANUAL



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Introduction

- 1.1 This manual is submitted on behalf of the following companies, who shall collectively be referred to in this manual and the "Private Body":
- 1.1.1 Bilfinger Power Africa (Proprietary) Limited
 - 1.1.2 Steinmüller Africa (Proprietary) Limited;
 - 1.1.3 Bilfinger Intervolve Africa (Proprietary) Limited.
- 1.2 All requests for records held by any of the companies listed in clause 1.1 above shall be dealt with by the head of the Private Body.

2. CONTACT DETAILS OF THE PRIVATE BODY

- 2.1 Physical Address: 45 De La Rey Road
Rivonia, Johannesburg
- 2.2 Postal address: PO Box 1537, Rivonia, 2128
- 2.3 Telephone: (011) 806 3000
- 2.4 Telefacsimile: 086 613 1965
- 2.5 Website: www.steinmuller.bilfinger.com
- 2.6 E-Mail: info@steinmuller.bilfinger.com
- 2.7 Head of the Private Body: Dr. MG Martl
- 2.8 Who we are:
- 2.8.1 The companies comprising the Private Body are incorporated in terms of the company laws of South Africa.
 - 2.8.2 The Private Body provides services in relation to boiler plants.

3. SECTION 10 GUIDE

- 3.1 In terms of section 10 of the Promotion of Access to Information Act, 2000 a guide containing information relating to:
- 3.1.1 obtaining access to a record of a private body and the assistance that is available from the Human Rights Commission in this regard;
 - 3.1.2 lodging a court application against a decision by the head of a private body;



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3.1.3 the fees are payable for accessing a record; and

3.1.4 the voluntary disclosure of information by private bodies,

will be available from the Human Rights Commission by no later than August 2003.

3.2 The contact details of the South African Human Rights Commission are as follows:

PAIA Unit

The Research and Documentation Department

Postal Address: Private Bag 2700, Houghton, 2041

Telephone: +27 11 484 8300

Telefacsimile: +27 11 484-0582

Website: www.sahrc.org.za

E-Mail: paia@sahrc.org.za

3.3 In terms of section 25 of the Protection of Personal Information Act, 2013 a request for access to personal information of a requester (i.e. Data Subject) may be made in terms of this manual. Upon adequate proof of identity, the Data Subject may:

3.3.1 obtain confirmation of personal information held by the Private Body (i.e. Responsible Party) about the Data Subject free of charge;

3.3.2 be provided with a record or description of personal information held by the Private Body and/or any third party or categories of third parties with access to personal information, at a prescribed fee.

4. SECTION 52(2) NOTICE

No notice has been published.

5. RECORDS THAT ARE AVAILABLE IN TERMS OF OTHER LEGISLATION

5.1 Where applicable and insofar as the requester complies with the requirements set out in the relevant act, the requester may request information which is available in terms of the following legislation:

5.1.1 The Basic Conditions of Employment Act 75 of 1997;

5.1.2 The Companies Act 2008;

5.1.3 Compensation for Occupational Injuries and Diseases Act 130 of 1993;

5.1.4 Employment Equity Act 55 of 1998;



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- 5.1.5 The Income Tax Act 58 of 1962;
- 5.1.6 Labour Relations Act 66 of 1995;
- 5.1.7 Regional Services Councils Act 109 of 1985;
- 5.1.8 Skills Development Act 97 of 1998;
- 5.1.9 Skills Development Levies Act 9 of 1999;
- 5.1.10 Deeds Registries Act 47 of 1937;
- 5.1.11 Manpower Training Act 56 of 1981;
- 5.1.12 Unemployment Insurance Act 30 of 1966;
- 5.1.13 Value Added Tax Act 89 of 1991;
- 5.1.14 Mine Health And Safety Act 29 of 1996;
- 5.1.15 Occupational Health and Safety Act 85 of 1993; and
- 5.1.16 Protection of Personal Information Act 4 of 2013

6. SUBJECTS AND CATEGORIES OF INFORMATION HELD

The subjects and categories of information on which the Private Body holds records are as follows:

6.1 Intellectual Property:

- 6.1.1 patent documentation.

6.2 Financial Information:

- 6.2.1 statutory books of account;
- 6.2.2 financial records;
- 6.2.3 purchase orders;
- 6.2.4 invoice records;
- project information.

6.3 Information Technology:

- 6.3.1 software licences;
- 6.3.2 programs and documentation relating thereto.

6.4 Human Resources:

- 6.4.1 standard employment contracts;



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- 6.4.2 Employment Equity Report;
 - 6.4.3 Skills Development Report;
 - 6.4.4 safety records and injury statistics;
 - 6.4.5 agreement with Metal and Engineering Industries Bargaining Council;
 - 6.4.6 personal information of past, present and prospective staff members.
- 6.5 Operational Information:
- 6.5.1 marketing strategy and reports;
 - 6.5.2 minutes of meetings;
 - 6.5.3 details of directors and share register;
 - 6.5.4 contracts with suppliers, contractors and clients;
 - 6.5.5 quality procedures;
 - 6.5.6 performance records;
 - 6.5.7 site records;
 - 6.5.8 management reports.
- 6.6 Personal Information:
- 6.6.1 Name and ID number;
 - 6.6.2 Contact details including telephone number, physical address or email address;
 - 6.6.3 Blood type and Fingerprints;
 - 6.6.4 Educational, medical or criminal history as well as information pertaining to financial transactions;
 - 6.6.5 Views or opinions;
 - 6.6.6 Information relating to race, gender, sex, pregnancy, marital status, age, disability, social or ethnic origin, sexual orientation, colour, physical or mental health, religion, belief, culture, language and birth of the person.

7. THE REQUEST PROCEDURES

7.1 Forms and Fees





- 7.1.1 A request for information must be made in the prescribed form, must be addressed to the head of the Private Body, and must be submitted together with the prescribed fee.
 - 7.1.2 The prescribed request form and details regarding the prescribed fees are available from the premises and/or website of the Private Body and from the South African Human Rights Commission, whose contact details are set out above.
- 7.2 Form of request:
- 7.2.1 The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the Private Body. This request must be made to the address, fax number or electronic mail address of the Private Body.
 - 7.2.2 The requester must provide sufficient detail on the request form to enable the head of the Private Body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if it requires notice of the decision of the head of the Private Body in any manner, other than in writing.
 - 7.2.3 The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.
 - 7.2.4 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the Private Body.
 - 7.2.5 If a request made on behalf of another person contains personal information of that person, the requester must also submit written consent from that individual.
- 7.3 Fees:
- 7.3.1 A requester who seeks access to a record containing personal information about that requester is required to pay the request fee.
 - 7.3.2 The head of the Private Body must by written notice give requester an estimate of the fee or require a deposit before processing the request.
 - 7.3.3 The head of the Private Body must by notice, require the requester to pay the prescribed fee, if any, before further processing the request.





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- 7.3.4 The requester may lodge an application to court relating to the payment of the request fee.
- 7.3.5 After the head of the Private Body has made a decision on the request, the requester must be notified in the required form.
- 7.3.6 If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time, in excess of the prescribed hours, required to search and prepare the record for disclosure.

8. OTHER INFORMATION REQUIRED BY REGULATION

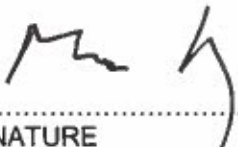
The Minister of Justice and Constitutional Development has not made any regulations in this regard.

9. AVAILABILITY OF THE MANUAL

- 9.1 This manual is available for inspection, free of charge, at 45 De La Rey, Rivonia Johannesburg and at our website www.steinmuller.bilfinger.com.
- 9.2 A copy of this manual can be obtained from the South African Human Rights Commission, can be accessed using the universal resource locator, www.steinmuller.bilfinger.com and was published in the Government Gazette.
- 9.3 It should be noted that the manual accessible on the website of the Private Body and in the Government Gazette, does not include the request forms or the fee structure. The request forms and fee structure can be obtained via the SAHRC website, details of which are set out above, or via the website of the Department of Justice and Constitutional Development, which website can be accessed using the universal resource locator, www.doi.gov.za.

Signed at Rivonia on this 27 Day of October 2014

Dr MG MARTEL
NAME OF THE HEAD OF THE
PRIVATE BODY


SIGNATURE

