
**PROMOTION OF ACCESS TO INFORMATION MANUAL
(PAIA MANUAL)
ON ACCESS TO INFORMATION HELD BY DRDGOLD LIMITED
Compiled in terms of section 51 of the Promotion of Access to
Information Act, 2 of 2000**



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1. INTRODUCTION

- 1.1 The Promotion of Access to Information Act, 2000, PAIA gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately held information is required to exercise a right or to protect a right.
- 1.2 PAIA, provides that a person requesting information must be given access to any record of a private body, if that record is required for the exercise or the protection of a right. However, such request must comply with the procedural requirements laid down by the Act.
- 1.3 The aim of the Manual is to assist potential requesters in requesting access to information (documents or records) from DRDGOLD and its South African registered subsidiary companies as contemplated under the Act.
- 1.4 The Manual may be amended from time to time and as soon as any amendments have been effected, the latest version of the Manual will be published and distributed in accordance with the Act.
- 1.5 A requester is invited to contact the Information Officer should he or she require any assistance in respect of the use or content of this Manual.
- 1.6 The following words or expressions will bear the following meanings in this Manual:
 - **"the Act"** means the Promotion of Access to Information Act No. 2 of 2000, together with any regulations published thereunder;
 - **"DRDGOLD"** means DRDGOLD Limited, registration number 1895/000926/06, a mid-tier, unhedged gold producer with mining

operations in South Africa;

- **"Information Officer"** means the head of the body or any other person to whom the responsibility of designated information officer has been delegated by the head of the body as described in this Manual;
- **"Manual"** means this Manual, together with all annexures thereto as amended and made available at the offices of DRDGOLD from time to time;
- **"SAHRC"** means the South African Human Rights Commission.

2. SCOPE OF MANUAL

- 2.1 This manual has been prepared in respect of DRDGOLD and the following South African registered operational subsidiary companies (hereinafter collectively referred to as DRDGOLD, unless otherwise stated):-
- 2.2.1 Crown Gold Recoveries Proprietary Limited Registration number 1988/005115/07
 - 2.2.2 Ergo Mining Operations Proprietary Limited Registration number 2005/033662/07
 - 2.2.3 Ergo Mining Proprietary Limited Registration number 2007/004886/07
 - 2.2.4 ERPM Proprietary Limited Registration number 1893/00773/06
 - 2.2.5 Far West Gold Recoveries Proprietary Limited Registration number 2017/449061/07

3. COMPANY OVERVIEW

- 3.1 DRDGOLD is a mid-tier, unhedged gold producer with surface re-treatment operations in South Africa.
- 3.2 The assets of DRDGOLD are held through a 100% (one hundred percent) interest in ERGO Mining Proprietary Limited ("ERGO") and a 100% (one hundred percent) interest in Far West Gold Recoveries Proprietary Limited ("FWGR").

PART 1 – Information required in terms of section 51(1)(a) of the Act

DRDGOLD Limited with registration number: 1895/00926/06 is a South African gold producer and a world leader in the recovery of the metal from the retreatment of surface tailings. DRDGOLD has a network of assets that is unrivalled in South Africa and, with its consolidated businesses operating as a single entity, is focused on optimising these assets in order to increase gold production.

DRDGOLD's primary listing is on the JSE Limited and it has American Depositary Receipts (ADRs) listed on the New York Stock Exchange (NYSE), with its head office in Johannesburg, South Africa. As a listed company, DRDGOLD is not only required to ensure compliance with the applicable provisions of the Companies Act and other relevant statutes, but has to also comply with the JSE and NYSE Listings Requirements for such time as it remains listed.

The Legal Counsel has been duly appointed as the Deputy Information Officer by the Chief Executive Officer, to act as the person to whom requests for access to information must be made in terms of the Act.

ATTENTION: Legal Counsel (Deputy Information Officer)

Physical address: DRDGOLD Limited
Constantia Office Park,
Cnr 14th Avenue and Hendrik Potgieter Rd,
Cycad House, Building 17,
Ground Floor,
Weltevreden Park,
1709

Telephone: (011) 470 2600

E-mail address: PAIA@drdgold.com

Website: www.drdgold.com

PART 2 – Information required under section 51(1)(b) of the Act

The PAIA guide is available in all official South African languages at no cost, and any person may request a copy of the guide. A copy of the guide may be obtained by contacting the South African Human Rights Commission at:

The South African Human Rights Commission

PAIA Unit

The Research and Documentation Department

Private Bag X2700

Houghton

2041

Telephone: +27 11 877 3600

Website: www.sahrc.org.za

or

The Information Regulator

JD House

27 Stiemens Street

P.O. Box 31533

Braamfontein, Johannesburg, 2017

Telephone: +27 10 023 5200

Website: <https://informationregulator.org.za>

PART 3 – Copy of notice, if any, required under section 51(1)(c) of the Act

No notice has been published in terms of section 52. However, certain public information is freely available at DRDGOLD'S offices..

PART 4 – Information required under section 51(1)(d) of the Act

Records are kept in accordance with such other legislation as is applicable to DRDGOLD, which includes but is not limited to, the following legislation:

- ☐ Companies Act 71 of 2008
- ☐ Securities Services Act 36 of 2004
- ☐ National Nuclear Regulator Act 47 of 1999
- ☐ Income Tax Act 58 of 1962
- ☐ Labour Relations Act 66 of 1995
- ☐ National Water Act 36 of 1992
- ☐ Companies Act 61 of 1973
- ☐ Unemployment Insurance Act 63 of 2001
- ☐ National Environmental Management Air Quality Act 39 of 2004
- ☐ Mineral and Petroleum Resources Development Act 28 of 2002
- ☐ National Environmental Management Waste Act 59 of 2008
- ☐ Stock Exchanges Control Act 01 of 1985
- ☐ Nuclear Energy Act 46 of 1999
- ☐ Trust Property Control Act 57 of 1988
- ☐ Value Added Tax Act 89 of 1991
- ☐ Interception and Monitoring Prohibition Act 127 of 1992
- ☐ Occupational Health and Safety Act 85 of 1993
- ☐ Compensation for Occupational Injuries and Diseases Act 130 of 1993

- ❑ Mine Health and Safety Act 29 of 1996
- ❑ Labour Relations Act 66 of 1995
- ❑ Tax on Retirement Funds Act 38 of 1996
- ❑ Basic Conditions of Employment Act 75 of 1997
- ❑ Employment Equity Act 55 of 1998
- ❑ National Environmental Management Act 107 of 1998
- ❑ Skills Development Act 97 of 1998
- ❑ Local Government: Municipal Property Rates Act 6 of 2004
- ❑ Prevention of Organised Crime Act 121 of 1998
- ❑ Medical Schemes Act 131 of 1998
- ❑ Skills Development Levies Act 9 of 1999
- ❑ Financial Intelligence Centre Act 38 of 2001
- ❑ Unemployment Insurance Contributions Act 4 of 2002
- ❑ Electronic Communications and Transactions Act 25 of 2002
- ❑ Broad-Based Black Economic Empowerment Act 53 of 2003
- ❑ Employment Equity Act 55 of 1999
- ❑ National Minimum Wage Act 9 of 2018
- ❑ Protection of Personal Information Act 4 of 2013
- ❑ Promotion of Access to Information Act 2 of 2000
- ❑ Promotion of Administrative Justice Act 3 of 2000
- ❑ Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- ❑ Disaster Management Act 57 of 2002

Records kept in terms of the above legislation may, in certain instances (and insofar as the information contained therein is of a public nature) be available

for inspection without a person having to request access thereto in terms of the Act.

PART 5 – Information required under section 51(1)(e) of the Act

Other operational records as may be required for the day to day running of DRDGOLD. For instance:

- ☐ Internal phone lists;
- ☐ Address lists;
- ☐ Company policies;
- ☐ Directives;
- ☐ Minutes of meetings and general housekeeping information.

A: Records that may be requested

Operational Information

Such information as relates to the operational, commercial and financial interests of DRDGOLD, including, but not limited to:

- ☐ Commercial contracts (including, but not limited to contactor and supplier agreements and information)
- ☐ Operational data base (consisting of details pertaining to each of the operations; commercial and financial information; information on contemplated, existing and past legal matters; information relating to agreements, proposals and intellectual and other property rights of the operations)
- ☐ Company secretarial information
- ☐ Employment equity report
- ☐ Skills development report
- ☐ Human resource information (including internal policies and procedures; DRDGOLD employee records; and personal information relating to past, present and prospective employees and directors)
- ☐ Insurance policies

- ☐ Rules and regulations relating to the pension fund and/ or provident fund
- ☐ Information relating to DRDGOLD'S marketing, business plans, systems and procedures
- ☐ Internal phone lists
- ☐ Address lists
- ☐ Requisitions, permits, licences, authorisations, approvals, applications, consents required for the day to day running of DRDGOLD
- ☐ Records relating to information technology (hardware, software and data collection and storage)
- ☐ Rules and regulations relating to the medical aid

Communications

Correspondence between persons within and without DRDGOLD not covered by the records described in the Operations section above. By way of example, internal correspondence between employees and media releases.

Website

DRDGOLD'S website address is www.drdgold.com and is accessible to anyone who has access to the Internet. The website contains various categories of information relating to the company, including recent gold market news; public interest information; information about the operations; editorials; literature; careers; directors' résumés; and contact details.

B: The Request Procedures

It should be noted that any and all records, whether specifically listed herein or not, shall only be made available subject to the provisions of the Act.

Form of request

- ☐ The requester must use the prescribed form (Annexure A) to make the request for access to a record. This must be made to the Deputy Information Officer. This request must be made to the address or electronic mail address of the Deputy Information Officer of DRDGOLD.

- ☐ The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and specify a postal address or fax number in the Republic. The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed in accordance with sections 53(2)(a) and (b) and (c) and (e) of the Act.
- ☐ The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of that right in terms of section 53(2)(d) of the Act.
- ☐ 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 as detailed in section 53(2)(f) of the Act.

Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- ☐ Section 54(1) of the Act provides that the Information Officer must by notice require the requester (other than a personal requester) to pay the prescribed request fee (if any) before further processing the request.
- ☐ The fee that the requester must pay to a private body is R50. The

requester may lodge an application to the court against the tender or payment of the request fee in terms of section 54(3)(b) of the Act.

- ☐ After the Information Officer has made a decision on the request, the requester must be notified in the required form.
- ☐ If the request is granted, then a further access fee must be paid for reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure in terms of section 54(6) of the Act.

Grounds to refuse Access

All requests that meet the requirements detailed above will be processed in line with the time limits as set out in PAIA. Requests may be refused based on the following grounds, as set out in PAIA

- Mandatory protection of privacy of a third party who is a natural person;
- Mandatory protection of commercial information of a third party;
- Mandatory protection of certain confidential information of a third party;
- Mandatory protection of records privileged from production in legal proceedings;
- Commercial information of DRDGOLD; or
- Mandatory protection of research information of a third party and of DRDGOLD.

Requestors will be informed within 30 (thirty) days of a decision on whether the request for access has been granted or refused.

This 30 (thirty) day period may be extended for a further 30 (thirty) day period if more time is required to gather the requested information. The requestor will

however be notified if the initial 30 (thirty) day notice period will be extended for a further 30 (thirty) days.

Requests for information that are clearly frivolous or vexatious, of which involve an unreasonable diversion of resources shall be refused;

All requests for information will be assessed on their own merits and in accordance with the applicable legal principles and legislation.

Additional Grounds

The Promotion of Access to Information Act provides several grounds on which a request for access to information must be refused. These grounds mainly concern instances where the privacy and interests of other individuals are protected, where such records are already otherwise publicly available, where public interests are not served, the mandatory protection of commercial information of a third party, and the mandatory protection of certain confidential information of a third party.

PART 6 – Other information as may be prescribed under section 51(1)(f)

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

PART 7 – Availability of Manual under section 51(3)

- ☐ This Manual is available for inspection by the general public upon request, during office hours and free of charge, at the offices of DRDGOLD. Copies of the Manual may be made, subject to the prescribed fees.
- ☐ Copies may also be requested from the South African Human Rights Commission and the Government Gazette.
- ☐ The Manual is also posted on DRDGOLD'S website referred to above.

PART 8 – Prescribed forms and fee structure in respect of private bodies

The forms and fee structure prescribed under the Act are available from the Government Gazette, or at the website of the Department of Justice and Constitutional Development (www.doj.gov.za), under the “Regulations” section as well as the SAHRC website (www.sahrc.org.za).

“APPENDIX A”

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]

1. PARTICULARS OF PERSON REQUESTING ACCESS TO INFORMATION

Full Names & Surname: _____

Identification Number: _____

Telephone Number: _____

Fax Number: _____

E-Mail Address: _____

Postal Address: _____

_____ Code: _____

2. PARTICULARS OF PERSON ON WHOSE BEHALF THE REQUEST IS MADE

Only complete this section if a request for information is made on behalf of another person.

Full Names & Surname: _____

Identification / Company Number: _____

3. PARTICULARS OF REQUESTED INFORMATION

Provide full particulars of the information to which access is requested. If the provided space is not sufficient, please continue on a separate page and attach it to this form. Any additional pages submitted must be initialled and signed.

4. FORMAT IN WHICH INFORMATION IS REQUESTED

Indicate the format in which the information requested is required. Please note that the request for access in the specified format may depend on the format in which the record is available and access in the requested format may be refused under certain circumstances.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

5. RIGHT TO BE EXERCISED OR PROTECTED

Indicate what right is to be exercised and/or protected and why the information is required to protect and/or to exercise this right.

[illegible]

6. 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 of the payment of any fee, please state the reason for exemption.

7. NOTICE OF APPROVAL / REJECTION OF REQUEST

You will be notified via e-mail and/or post 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 details:

Signed at: _____ on this _____ day of _____ 20__

Signature of person submitting the request.

On whose behalf request is made.