

**MANGANESE METAL COMPANY
(PROPRIETARY) LIMITED**

**MANUAL COMPILED IN ACCORDANCE WITH
SECTION 51 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT, 2 OF 2000 (“the Act”)**



INTRODUCTION

With an annual production capacity of some 50 000 tons, Manganese Metal Company (MMC) is the single largest producer of electrolytic manganese in the world. Electrolytic manganese, the purest form of manganese was first produced in South Africa by Electrolytic Manganese Corporation (Pty) Ltd. as far back as 1954, and in 1960 a commercial plant was set up in association with General Mining. In 1970 it became clear that, as a result of the world-wide increase in demand for electrolytic manganese, production would have to be increased.

With approximately 80% of the world's high grade manganese reserves within its boundaries, South Africa availed itself of this opportunity and a second producer of manganese metal was established being Delta Manganese (Pty) Ltd. In 1985, a merger of the Emcor and Delta Manganese (Pty) Ltd., both pioneers in this specialised field, led to the establishment of MMC, which today has technologically advanced plants at Nelspruit and Krugersdorp, respectively in the Mpumalanga and Gauteng provinces of South Africa. The main shareholders in MMC are Samancor Limited and Delta S.A. (Proprietary) Limited.

Manganese Metal Company (MMC) is the single largest producer of electrolytic manganese metal in the world. The company has production plants located in Nelspruit and Krugersdorp, respectively in the Mpumalanga and Gauteng provinces of South Africa. MMC produces electrolytic manganese - the purest of manganese - from ore mined in South Africa via a hydrometallurgical extraction process. From the metal a range of products are produced and marketed, the majority being exported to customers around the world. All the products are manufactured using a selenium free process - thus minimum 99.9% Mn content.

The production capacity of electrolytic manganese at MMC is 50 000 ton per annum and the company has been producing the metal since 1960. MMC is an ISO 9002 and ISO 14001 registered company. This makes MMC the preferred supplier of electrolytic manganese to a global market.

MMC has one South African subsidiary company, Danjan (Proprietary) Limited, whose records are kept and administered by MMC 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 | Manganese Metal Company (Proprietary) Limited |
| Registration Number | 1971/006609/07 |
| Head of the Private Body | R Arnot Managing Director |
| Physical Address | Heyneke Street Industrial Sites Nelspruit Mpumalanga. Stand 419 Luipaardsvlei Krugersdorp Gauteng. |
| Postal Address | P.O. Box 323 Nelspruit 1200 |
| Telephone Number | (013) 759 4600 |
| Telefax Number | (013) 752 7657 |
| Designated Information Officer | F M L Paton |
| Telephone Number | (011) 376-3372 |
| Telefax Number | (011) 376-3049 |
| E-mail Address | mmc.proatia@bhpbilliton.com |
| Website | www.mmc.co.za |

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, as amended from time to time:

- Atmospheric Pollution Prevention Act 45 of 1965
- Basic Conditions of Employment Act 75 of 1997
- Companies Act 61 of 1973
- Compensation for Occupational Injuries and Diseases Act. 130 of 1993
- Competition Act 89 of 1998
- Constitution of the Republic of South Africa, Act 108 of 1996
- Customs and Excise Act No 91 of 1964
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Environmental Conservation Act 73 of 1989
- Health Act 63 of 1997
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- National Environmental Management Act 107 of 1998
- National Road Traffic Act 93 of 1996
- National Water Act 36 of 1998
- Occupational Health and Safety Act 85 of 1993
- Physical Planning Act 88 of 1967
- Road Transportation Act 74 of 1977
- Skills Development Act 97 of 1998

- Skills Development Levies Act 9 of 1999
- Standards Act 29 of 1993
- Unemployment Insurance Act 63 of 2001

B. Where applicable to our operations, we also retain records and documents in terms of the following statutes, as amended from time to time:

- Atmospheric Pollution Prevention Act 45 of 1965
 - Basic Conditions of Employment Act 75 of 1997
 - Companies Act 61 of 1973
 - Compensation for Occupational Injuries and Diseases Act 130 of 1993
 - Customs and Excise Act 91 of 1964
 - Electronic Communications and Transactions Act 25 of 2002
 - Employment Equity Act 55 of 1998
 - Explosives Act 26 of 1956
 - Health Act 63 of 1977
 - Income Tax Act 58 of 1962
 - Labour Relations Act 66 of 1995
 - Machinery and Occupational Safety Act 6 of 1983
 - Manpower Training Act 56 of 1981-
 - National Environmental Management Act 107 of 1998
 - National Road Traffic Act 93 of 1996
 - National Roads Act 54 of 1971
 - National Water Act 36 of 1998
 - Occupational Diseases in Mines & Works Act 78 of 1973
 - Occupational Health and Safety Act 85 of 1993
 - Physical Planning Act 88 of 1967
 - Road Traffic Act 29 of 1989
 - Road Transportation Act 74 of 1977
 - Regional Services Act 109 of 1995
 - Skills Development Act 97 of 1998
 - Skills Development Levies Act 9 of 1999
 - Stamp Duties Act 77 of 1968
 - Standards Act 29 of 1993
 - Value-added Tax Act 89 of 1991
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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 Policies and procedures Tender Information Vendor assessment documentation |
| Company Secretarial and Risk Management | Annual financial statements Annual reports Approval framework Certificate of incorporation 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 |
| Engineering | Plans Layout of plant Building structures Operating procedures |
| Finance & Administration | Accounting policy manual Accounting records ACCPAC manual operating procedures Annual financial statements Asset register Bank statements |

CATEGORY

RECORDS

Banking details and bank account records
Budget records
Generally Accepted Accounting Practice
Order procedures
Policies and procedures
Payment and invoice procedures
Payroll procedures
Pro-forma tender procedures
Regional Services Council returns
SARS reports and tax and VAT Returns
Stores requisitions procedures

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
Bursary scheme records
Communications booklets, brochures, newsletters and other literature
Compensation for occupational injuries
Deferred compensation
Disciplinary procedure
Employee assistance programme

CATEGORY

RECORDS

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

Marketing

Agreements
Approval framework
Business plans and forecasts
Credit policy and procedures
Customer information
Forex
Published information on competitors

CATEGORY

RECORDS

Metallurgical

Published trade statistics
Standard operating procedures

Grades and tonnages produced
Plant operating procedures

Production

Monthly / daily measures on production
Plant operating procedures

Technical Services

Environmental standards
Information about water pollution

Other

Audits and assessments
Business development records
Drawings and specifications
Engineering records and specifications
Licenses
Maintenance records
Patents
Policies and procedures
Production records
Reports
Security operating procedures
Trade marks
Trade names and / or product names

PART VI

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 the written permission of a duly authorised officer.

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, it 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 Companies (Manganese Metal Company (Proprietary) Limited and Danjan (Proprietary) Limited) 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 the 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 the website or the information contained in this Manual.

The Companies 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.
