

PROMOTION OF ACCESS TO INFORMATION ACT
UPDATE OF SECTION 51 MANUAL
IN TERMS OF SALE OF TOLCON GROUP BUSINESSES
FOR
TOLCON GROUP (PTY) LIMITED

1. INTRODUCTION

This manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (act No. 2 of 2000) ("the Act"). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

This manual applies in respect of each member of the Tolcon Group as set out in this manual and as the Tolcon Group. The information Officer named below is appointed in respect of the Tolcon Group as a whole and in respect of each of the private bodies constituting the Tolcon Group.

2. DEFINITIONS

Unless the context clearly indicates otherwise, the following terms shall have the meanings assigned to them hereunder, namely -

- "Act" means the Promotion of Access to Information Act, Act 2 of 2000, as amended from time to time;
- "Information Officer" means the person acting on behalf of Tolcon and discharging the duties and responsibilities assigned to the "head" of Tolcon by the Act. The Information Officer is duly authorised to act as such and such authorisation has been confirmed by the "head" of Tolcon in writing;
- "Manual" means this manual published in compliance with Section 51 of the Act;
- "Tolcon" means Tolcon Group (Pty) Ltd., Registration number 2014/047090/07 and all South African registered subsidiaries and this Manual applies to all such entities, both jointly and severally. Tolcon Group Limited and such entities are referred to both individually and collectively as "Tolcon";
- "Personnel" means any person who works for or provides services to or on behalf of Murray & Roberts and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of Tolcon. This includes without limitation, directors (both executive and non-executive), all permanent, temporary and part time staff as well as consultants and contract workers;
- "Record" means any recorded information, regardless of form of medium, which is in the possession or under the control of Tolcon, irrespective of whether it was created by Tolcon;
- "Request " means a request for access to a record of Tolcon;
- "Requestor" means any person, including a public body or an official thereof, making a request for access to a record of Tolcon and includes any person acting on behalf of that person; and
- "SAHRC" means the South African Human Rights Commission. Unless a contrary intention clearly appears, words signifying:
 - the singular includes the plural and vice versa;
 - any one gender includes the other genders and vice versa; and
 - natural persons include juristic persons.

Terms of defined in the Act shall have the same meaning in this Manual.

3. TOLCON

Tolcon is a major group of world class companies serving the global value chain defined by the extraction, beneficiation and industrialisation of natural resources, with a focus on the construction economies of the developing world.

Our strategic objective is to deliver projects and engineered products that fulfil customer specifications, on time and within budget. In a group context our objective is to achieve sustainable growth and provide shareholder value.

4. AVAILABILITY OF THIS MANUAL

A copy of this Manual is available on our website (www.tolcon.co.za / www.tolcongroup.co.za) or by sending a request for a copy to the Information Officer by email. The Manual may also be inspected at the address set out below. In addition, this manual can be accessed through the SAHRC at its address set out below. This Manual will be updated from time to time, as and when required.

5. HOW TO REQUEST ACCESS TO RECORDS HELD BY THE TOLCON GROUP

Requests for access to records held by the Tolcon Group must be made on the request forms that are available from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under “regulations”).

For the convenience of requestors, copies of such forms are included in the version of this Manual available at our address set out below and on our website. Please note that requestors are also required to make payment of the prescribed fees. This issue is dealt with more fully below.

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided for below.

The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester.

If you are aware of the company within the Tolcon Group that holds the record/s you are requesting, please indicate this fact clearly. Where you are unsure of the company name, please indicate this and give as much detail as possible to facilitate our search for the record/s concerned. Please note that your failure to specify a company name will not invalidate your request, but it may cause unavoidable delays.

The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Tolcon Group Information Officer. The standard form that must be used for the making of requests is attached as Annexure 2. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

The list detailing the prescribed fees in respect of requests and the fees in respect of access to records (if the request is granted) is attached as Annexure 3

Annexures 2 and 3 are included in copies of this Manual available on the Tolcon Group website and head office but need not and are not included in the copy of this Manual delivered to the SAHRC.

Kindly note that all requests to the Tolcon Group or any of its constituent companies will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by the Tolcon Group does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

6. CONTACT DETAILS

Name of Private Body	Tolcon Group (Pty) Ltd.
Designated Information Officer	Gloria Coetzee
Email address of Information Officer	gloriac@tolcon.co.za
Postal address	P O Box 1336 Bedfordview 2008
Street address	First Floor, Acacia Block Pellmeadow Office Park 60 Civin Drive Bedfordview 2007
Phone number	011 453 9422
Fax number	011 049 7400

7. HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

Please contact the SAHRC to obtain the guide. Their details are reflected below:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag

2700

Houghton

2041

Telephone: +27 11 484 8300
Fax: +27 11 484 0582
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za

8. VOLUNTARY DISCLOSURE

Notices in terms of Section 52 are voluntary. Information relating to the Tolcon Group is freely available on the Tolcon Group website at www.tolcon.co.za / www.tolcongroup.co.za. Certain other information relating to the Tolcon Group is also made available on such website from time to time as well. Promotional brochures relating to specific products and services are also published and distributed from time to time.

Certain information is also made available to employees of the Tolcon Group, which is not generally made available to the public. To avoid confusion, these items are not listed here but may be obtained by Tolcon Group employees from the administrative officer, Gloria Coetzee.

9. RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Information is available in terms of the following legislation to the persons or entities specified in such legislation:

General

Companies Act 61 of 1973 Income Tax Act 58 of 1962 Value Added Tax Act 89 of 1991 Labour Relations Act 66 of 1995 Basic Conditions of Employment Act 75 of 1997 Employment Equity Act 55 of 1998 Compensation for Occupational Injuries and Health Diseases Act 130 of 1993 Occupational Health & Safety Act 85 of 1993 Harmful Business Practices Act 23 of 1999 Protection of Businesses Act 99 of 1978 Skills Development Act 97 of 1998 Stamp Duties Act 77 of 1968 Skills Development Levels Act 9 of 1999 Unemployment Insurance Act 30 of 1966 Unemployment Contributions Act No. 4 of 2002 National Environmental Management Act 107 of 1998

Temporary

From time to time the Tolcon Group may accept liability to retain records under other legislation and to grant access thereto. This is dependent on contracts entered into by the Tolcon Group and relate to specific companies within the Tolcon Group, and are usually provided as a service to clients and of limited duration.

10. RECORDS HELD BY THE TOLCON GROUP

We maintain records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

Please note further that many of the records held by us are those of third parties, such as customers and employees and we take the protection of third party confidential information very seriously. Please ensure that requests for such records are carefully motivated to avoid rejection.

10.1 Internal records

The following are records pertaining to the Tolcon Group own affairs and those of its constituent companies:

- Memorandum and Articles of Association;
- Financial records;
- Operational records;
- Intellectual property;
- Marketing records;
- Internal correspondence;
- Product records;
- Statutory records;
- Internal policies and procedures;
- Minutes of meetings;
- Charters, codes of conduct and policies (both internal and external) to which the Tolcon Group subscribes; and
- Records held by officials of the Tolcon Group.

10.2 Personnel records

Personnel refers to any person who works for or provides services to or on behalf of the Tolcon Group and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of the Tolcon Group. This includes, without limitation, directors, executives, non-executives, all permanent, temporary and part-time staff as well as contract workers. Personnel records include the following:

- Any personal records provided to us by our personnel;
- Any records a third party has provided to us about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Employment policies and procedures;
- Internal evaluation records; and
- Other internal records and correspondence.

10.3 Customer-related records

Customer-related information includes the following:

- Contracts with the customer and between the customer and other persons;
- Any records a customer has provided to the Tolcon Group or a third party acting for or on behalf of the Tolcon Group (including plans, specifications, approvals, licences, reports, intellectual property rights and the like);
- Any credit records or other research conducted by the Tolcon Group in respect of its customers or research derived by the Tolcon Group from its customers and their activities;
- Records, reports, designs and the like generated by the Tolcon Group for its customers;
- Any records a third party has provided to the Tolcon Group either directly or indirectly; and
- Records generated by or within the Tolcon Group pertaining to the customer, including transactional records.

10.4 Other Parties

Records are kept in respect of other parties, including without limitation joint ventures and consortia to which the Tolcon Group is a party, contractors and sub-contractors, suppliers, subsidiary/holding/sister companies, service providers, and general market conditions. In addition, such other parties may possess records which can be said to belong to the Tolcon Group. The

following records fall under this category:

- Personnel, customer, or Tolcon Group records which are held by another party as opposed to being held by the Tolcon Group; and
- Records held by the Tolcon Group pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers.

10.5 Other Records

Further records are held including:

- Information relating to the Tolcon Group's own commercial activities;
- Procurement and administration for the Tolcon Group; and
- Research information belonging to the Tolcon Group or carried out on behalf of a third party.

ANNEXURE 1 : TOLCON GROUP

MAJOR OPERATING COMPANIES

TOLCON GROUP (PROPRIETARY) LIMITED	2014/047090/07
OTHER SUBSIDIARIES	
PT OPERATIONAL SERVICES (PROPRIETARY) LIMITED	2014/047168/07
SCENIVISION (PROPRIETARY) LIMITED	2011/110461/07

Please note that several of the above named entities are dormant. In some circumstances the Tolcon Group continues to trade using the trading name of such entity, but such trading is as a division of the Tolcon Group or one of its constituents. Please provide the Information Officer with as much information as possible when making your request to enable the record to be located quickly and efficiently, should your request be granted.