

SAPPI GROUP

ACCESS TO INFORMATION MANUAL

REQUIRED BY SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 IN RESPECT OF SAPPI LIMITED AND EACH OF ITS SUBSIDIARIES INCORPORATED AND CARRYING ON BUSINESS IN THE REPUBLIC OF SOUTH AFRICA INCLUDING UMKOMAAS LIGNIN (PTY) LTD (TRADING AS "LIGNOTECH SA")

1. INTERPRETATION

In this Manual, except where the context clearly indicates a contrary intention -

- 1.1 a reference to the singular includes the plural and vice versa, a reference to any particular gender includes the other genders, and the word "person" includes a trust, a company, a close corporation and any other juristic person and a partnership and any other body of persons (whether corporate or unincorporate);
- 1.2 any word or expression to which a meaning has been assigned in the Act bears that meaning;
- 1.3 where any number of days is to be calculated from a particular day, such number shall be calculated as excluding such particular day and commencing on the next day. If the last day of such number so calculated falls on a day which is not a business day, the last day shall be deemed to be the next succeeding day which is a business day;
- 1.4 the following expressions shall bear the meanings assigned to them hereunder:
 - 1.4.1 "the Act" means the Promotion of Access to Information Act, 2000, as amended from time to time and including the regulations promulgated in terms of the Act;
 - 1.4.2 "business day" means any day other than a Saturday, Sunday or official public holiday in the Republic of South Africa;
 - 1.4.3 "the company" means Sappi Limited or its applicable subsidiary, as the context or circumstances may require;
 - 1.4.4 "the formal procedure" means the formal procedure described in clause 4 hereof;
 - 1.4.5 "the informal procedure" means the informal procedure described in clause 3 hereof;
 - 1.4.6 "the information head" means the official of the company duly authorised by the head (as defined in section 1 of the Act) as contemplated in section 1 of the Act;
 - 1.4.7 "personal requester" means a requester seeking access to a record containing personal information about the requester;
 - 1.4.8 "record" means recorded information in the possession or under the control of the company;
 - 1.4.9 "the request liaison officer" means the person appointed by the company to facilitate or assist the information head with any request in terms of the Act.

2 **PURPOSE**

- 2.1 The purpose of this Manual is to facilitate requests for access to records of the company.
- 2.2 This Manual is not exhaustive of, nor does it comprehensively deal with, every procedure provided for in the Act. Requesters are advised to familiarise themselves with the provisions of the Act before making any request to the company in terms of the Act.
- 2.3 Nothing stated in this Manual shall limit, or constitute a waiver of, any of the rights of the requester or of the company in terms of the Act.
- 2.4 The company makes no representation and gives no undertaking that the information in this Manual or any information provided by the company to a requester thereof is complete or accurate, or that such information is fit for any purpose. All users of any such information shall use such information entirely at their own risk, and the company shall not be liable for any loss, expense, liability or claims, howsoever arising, resulting from any use of this Manual or of any information provided by the company or from any error therein.
- 2.5 All users irrevocably agree to submit exclusively to the laws of the Republic of South Africa and to the exclusive jurisdiction of the courts of the Republic of South Africa in respect of any dispute arising out of the use of this Manual or of any information provided by the company.

3 **INFORMAL PROCEDURE FOR REQUESTING RECORDS AUTOMATICALLY AVAILABLE**

- 3.1 Where the record to be requested -
 - 3.1.1 relates to a single Sappi division, factory or other business unit ("Sappi unit"); and
 - 3.1.2 access thereto is likely to be given automatically without having to request access thereto in terms of the Act,then, so as to avoid unnecessary delay and in the interests of efficiency, the requester should preferably make his or her request directly to the Sappi unit concerned.
- 3.2 A request described in 3.1 above should preferably be made in the first instance to the Sappi official or employee at the Sappi unit concerned who, reasonably considered, is likely to be the most appropriate source of the record concerned, and likely to be authorised to discuss the subject matter thereof and to grant or arrange the grant of access thereto. Such official or employee will either -
 - 3.2.1 refuse to grant access to that record; or
 - 3.2.2 refer the request to higher authority; or
 - 3.2.3 grant or arrange the grant of access thereto if, upon a consideration of all applicable facts and circumstances, it is appropriate to do so and, if appropriate, subject to such conditions as the company may impose.
- 3.3 Should a requester be dissatisfied with the outcome of his or her request referred to in 3.2 above, then he or she should preferably repeat the request to a Sappi official or employee at the same Sappi unit who is more senior to the Sappi official or employee referred to in 3.2 above and who, reasonably considered, is likely to be the most appropriate person to consider the request and be authorised to discuss the subject thereof and grant or arrange the grant of access thereto.

3.4 Should the record concerned not satisfy the criteria set out in 3.1 above or should a requester be dissatisfied with the outcome of his or her request referred to in 3.3 above, then a request for access thereto may be made to the request liaison officer in accordance with 4.3 below.

3.5 **Categories of records available without having to request access in terms of the Act**

3.5.1 The following records are automatically available to all employees and need not be requested in accordance with the procedure outlined in 4.3 below:

- personnel records are available to the employee whose file it is;
- records of disciplinary hearings and related matters are available to the employee subject thereto;
- the company's policies and procedures manuals.

3.5.2 The following records are automatically available to the general public and all employees and need not be requested in accordance with the procedure outlined in 4.3 below:

- the company's Memorandum and Articles of Association;
- public relations brochures and publications;
- media releases;
- the company's employment equity plan;
- the company's skills development plan.

3.6 **Informal Procedure Contact Details**

For the purposes of the informal procedure, the postal address and phone number of the respective Sappi Mills, factories and other business units are as follows:

<u>Sappi Limited</u>	PO Box 52264, Saxonwold, 2132. 108 Oxford Road, Houghton Estate, Johannesburg, 2198 Entrance on 9 th Street (011) 407-8111 (telephone)
<u>Sappi Southern Africa (Pty) Ltd</u>	PO Box 52264, Saxonwold, 2132. 108 Oxford Road, Houghton Estate, Johannesburg, 2198 Entrance on 9 th Street (011) 407-8111 (telephone)
Ngodwana Energy	PO Box 52264, Saxonwold, 2132. 108 Oxford Road, Houghton Estate, Johannesburg, 2198 Entrance on 9 th Street (011) 407-8111 (telephone)
Sappi Technology Centre	PO Box 12796, Hatfield, Pretoria, 0028 1 Sydney Brenner Street, The Innovation Hub, Lynnwood, 0087 (012) 844 9400 (telephone)

Sappi Global Business Services (GBS)	PO Box 1405, Umhlanga Rocks, 4320 Lower Ground Floor, The Glass House Main Building, Glass House Office Park, 309 Umhlanga Rocks Drive, Entrance on Sinembe Street La Lucia (031) 001-7300 (telephone)
Sappi Export Services	PO Box 29115, Maydon Wharf, 4057 Cnr Vetch and Crabtree Road, Maydon Wharf, Durban (031) 274-4200 (telephone)
Stanger Mill	PO Box 725, Stanger, 4450 (032) 437-2222 (telephone)
Ngodwana Mill	Private Bag X 1001, Ngodwana, 1209 (013) 734-6111 (telephone)
Tugela Mill	Private Bag X6034, Mandeni, 4490 (032) 456-1111 (telephone)
Sappi ReFibre	PO Box 52264, Saxonwold, 2132. 108 Oxford Road, Houghton Estate, Johannesburg, 2198 Entrance on 9 th Street (011) 407-8111 (telephone)
Saiccor Mill	PO Box 62, Umkomaas, 4170 (039) 973-8911 (telephone)
Forests Head Office	PO Box 52264, Saxonwold, 2132. 108 Oxford Road, Houghton Estate, Johannesburg, 2198 Entrance on 9 th Street (011) 407-8111 (telephone)
Pietermaritzburg Regional Forests Office	PO Box 13124, Cascades, 3202 Victoria Country Club Estate, 17 Montrose Park Boulevard, Montrose, Pietermaritzburg, 3201 (033) 347-6600 (telephone)
Grootgeluk Regional Forests Office	Private Bag X1002, Ngodwana, 1209 (013) 734-6111 (telephone)
Zululand Regional Forests Office	PO Box 7, Kwambonambi, 3915 (035)580-1211 (telephone)
Forest Research	PO Box 473, Howick, 3290 (033) 330-2455 (telephone)

Lomati Sawmill	PO Box 115, Barberton, 1300 (013) 712-9800 (telephone)
LignoTech SA	PO Box 743, Umkomaas, 4170 (039) 973-6000 (telephone)

4. FORMAL PROCEDURE FOR REQUESTING RECORDS NOT AUTOMATICALLY AVAILABLE

4.1 The following records are not automatically available without a request therefor in terms of the Act:

Personnel Records

These include the following:

- personnel information, employment histories and health records;
- personal records provided to the company by its personnel;
- records which a third party has provided to the company about any of its personnel;
- training and development;
- conditions of employment and other personnel-related contractual and legal records;
- internal evaluation records; and
- other internal records and correspondence.

Customer-related Records

These include the following:

- records which customers have provided to a third party acting for and on behalf of the company;
- records a third party has provided to the company; and
- records generated by or within the company pertaining to customers, including transactional records.

Supplier-related Records

These include the following:

- records which customers have provided to a third party acting for and on behalf of the company;
- records a third party has provided to the company; and
- records generated by or within the company pertaining to suppliers, including transactional records.

Company Records

These include:

- financial records;
- operational records;
- project Management, including building plans and plant and machinery upgrades;
- functions and catering;
- databases;
- patents, registered designs and trademarks;
- technological know-how;
- information technology;
- product records;
- marketing records;
- internal correspondence;
- company secretarial records;
- retirement fund records;
- statutory records;
- statutory compliance records;
- internal policies and procedures;
- treasury-related records;
- securities and equities; and
- records held by officials of the company.

Other Parties

Records held by the company relating to other parties, including financial records, correspondence, contractual records, records provided by other parties and records third parties have provided about the company's contractors and suppliers in respect of contractors, suppliers, subsidiary or fellow subsidiary companies, joint venture partners and service providers.

4.2 Contact Details for Formal Procedure

4.2.1 The postal and street address, phone and telefax numbers and electronic mail addresses of the information head are as follows:

Mr Maarten van Hoven
 PO Box 52264, Saxonwold, 2132.
 108 Oxford Road, Houghton Estate, Johannesburg, 2198
 Entrance on 9th Street
 +27 (0)11 407-8041 (telephone)
 +27 (0)86 743 5439 (fax)
 Legal@sappi.com (e-mail)

4.2.2 The postal and street address, phone and telefax nos. and electronic mail addresses of the request liaison officer are as follows:

Ms Amanda Tregoning
PO Box 52264, Saxonwold, 2132.
108 Oxford Road, Houghton Estate, Johannesburg, 2198
Entrance on 9th Street
+27 (0)11 407-8174 (telephone)
+27 (0)86 675 4569
Legal@sappi.com (e-mail)

4.3 **Procedure for Requesting a Record not Automatically Available**

- 4.3.1 A request for a record must be made on Form C (Request for Access to Record of Private Body) set out in annexure "B" to Government Notice No. R.187 dated 15 February 2002 ("the request form"). On request, the request liaison officer will telefax a copy thereof to a prospective requester for this purpose.
- 4.3.2 The requester must provide sufficient detail on the request form to enable the information head to identify the record, must also indicate which form of access to the record is required, should also indicate if he or she wishes to be informed of the decision on the request in any other manner (and if so, state that manner and the necessary particulars to be informed), 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, and otherwise complete the request form. If a request is made on behalf of another person, the requester must submit proof of the capacity in which he or she is making the request to the satisfaction of the information head.
- 4.3.3 The requester must submit the prescribed form to the request liaison officer at the address, telefax number or electronic mail address set out in 4.2.2 above.
- 4.3.4 The following request fees are payable by every requester, other than a personal requester, before the request will be further processed:
- R50.00 (fifty Rand); and
 - if the information head is of the opinion that six hours will be exceeded to search, prepare and/or reproduce the record requested, a deposit is payable equal to one third of the access fee which would be payable if the request is granted.
- 4.3.5 The information head shall, as soon as is reasonably possible, but in any event within thirty days after a proper request has been received, decide whether or not to grant the request and notify the requester thereof.
- 4.3.6 If the request for access is granted, the notice referred to in 4.3.5 above will state the access fee to be paid upon access to the record, and the form in which such access shall be given.
- 4.3.7 After access is granted, actual access to the record requested will be given as soon as reasonably possible.
- 4.3.8 If the request for access is refused, the information head will provide adequate reasons for the refusal and the requester may apply to court for appropriate relief.
- 4.3.9 The attention of requesters is drawn to the following:
- in certain circumstances the information head is entitled to extend the period of thirty days referred to in 4.3.5 above in terms of the Act;

- in certain circumstances the information head is obliged to notify a third party of a request for a record to whom or which that record relates, and of the rights of such third party to dispute the decision of the information head;
- in certain circumstances the information head is obliged to refuse a request for access to certain records in terms of the Act;
- in certain circumstances the information head has a discretion to refuse a request for access to a record in terms of the Act;
- the rights of a requester to lodge an internal appeal against certain decisions of the information head and to apply to court for appropriate relief in respect thereof.

5 **RECORDS HELD BY THE COMPANY IN TERMS OF OTHER LEGISLATION AS CONTEMPLATED IN SECTION 51(1)(d) OF THE ACT**

The following records are not automatically available without a request in terms of the Act:

Records are kept in accordance with the following legislation: Income Tax Act, 1962, Value-Added Tax Act, 1991, Compensation for Occupational Injuries and Diseases Act, 1993, Unemployment Insurance Act, 2001, Labour Relations Act, 1995, Basic Conditions of Employment Act, 1997, Employment Equity Act, 1998 and Skills Development Act, 1998.

6 **AVAILABILITY OF THIS MANUAL**

This Manual is available for public inspection at the registered office of the company (i.e. 108 Oxford Road, Houghton Estate, Johannesburg) by prior arrangement with the information head or the request liaison officer.

7 **HUMAN RIGHTS COMMISSION ASSISTANCE GUIDE**

7.1 The Human Rights Commission, whose offices are presently located in Johannesburg,

is obliged to compile a guide in terms of section 10 of the Act on how to use the Act and containing information reasonably required by persons wishing to exercise their rights in terms of the Act.

7.2 This guide shall be available from the Human Rights Commission.

8 **FEES**

8.1 The fee to obtain a copy of this Manual is R1.10 for every photocopy of an A4-size page or part thereof.

8.2 The request fee payable by every requester (other than a personal requester) in terms of the formal procedure is R50.00 (fifty Rand).

8.3 The access fees for reproduction payable by every requester, are as follows:

	Rand
(a) For every photocopy of an A4-size page or part thereof	R1.10
(b) For every printed copy of an A4-size page or part thereof held	

	n a computer or in electronic or machine-readable form	R0.75
(c)	For a copy in a computer-readable form on compact disc	R70,00
(d) (i)	For a transcription of visual images, for an A4-size page or part thereof	R40.00
(d) (ii)	For a copy of visual image	R60.00
(e) (i)	For a transcription of an audio record, for an A4- size page or part thereof	R20.00
(e) (ii)	For a copy of an audio record	R30.00
(f)	To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and preparation.	

8.4 The actual postage is payable when a copy of a record must be posted to a requester.

8.5 The above fees are exclusive of value-added tax, which shall in addition be paid by the requester.