

PROMOTION OF ACCESS TO INFORMATION ACT

SECTION 51 MANUAL

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INTRODUCTION

This Manual has been prepared in accordance with section 51 of the Promotion of Access to Information Act (PAIA) and aims to facilitate a Request for access to a Record held by a private body that is required for the exercise or protection of any rights.

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;
- “Orion Engineered Carbons” means Orion Engineered Carbons SA (Pty) Ltd as more fully described in the overview hereunder;
- “Guide” refers to the guide drafted and made available by the Information Regulator to inform the Requester on how to access Records;
- “Information Regulator” means the regulator with the powers and functions set out in s40 of the Protection of Personal Information Act (4 of 2013);
- “Information Officer” means the person acting on behalf of Orion Engineered Carbons and discharging the duties and responsibilities assigned to the head of Orion Engineered Carbons by the Act. The Information Officer is duly authorised to act as such and such authorisation has been confirmed by the “head” of Orion Engineered Carbons in writing;
- “Manual” means this manual published in compliance with Section 51 of the Act;
- “Record” means any recorded information, regardless of form or medium, which is in the possession or under the control of Orion Engineered Carbons, irrespective of whether or not it was created by Orion Engineered Carbons;
- “Request” means a request for access to a Record of Orion Engineered Carbons;
- “Requestor” means any person, including a public body or an official thereof, making a Request for access to a Record of Orion Engineered Carbons 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.

Unless otherwise stated, terms defined in the Act shall have the same meaning in this Manual.

OVERVIEW OF ORION ENGINEERED CARBONS

Orion Engineered Carbons is a worldwide supplier of carbon black. We produce a broad range of carbon blacks that include high-performance specialty gas blacks, acetylene blacks, furnace blacks, lamp blacks, thermal blacks and other carbon blacks that tint, colorize and enhance the performance of polymers, plastics, paints and coatings, inks and toners, textile fibers, adhesives and sealants, tires, and other mechanical rubber goods. Our passion is producing innovative forms of the color black in all of its shades and elegant appearances. Since 1862, we have developed innovative high performance technologies that make our

customers' products perform better. Today, we are one of the market leaders in the industry, with approximately 1425 employees worldwide. We produce the highest quality carbon black at 14 global sites, and possess a unique ability to develop new technologies at our four global technical centers. Our focus on innovative customer solutions positions us as one of the leading development partners in the industry.

1. CONTACT DETAILS OF INFORMATION OFFICER (SECTION 51(1)(a))

The Information Officer, whose details appear hereunder for purposes of dealing with all matters in connection with Requests for Information and the Protection of Personal Information Act (POPIA) on behalf of Orion Engineered Carbons and to ensure compliance with the Act.

Information Officer name: Roland Loganathan

Postal address: PO Box 862
Port Elizabeth
6001

Street address: John Tallant Road
Deal Party
Port Elizabeth
6001

Telephone: + 27 41 402 4

E-mail: OEC-PLZ-POPIA@orioncarbons.com

Website: <https://www.orioncarbons.com>

2. GUIDE TO THE ACT (SECTION 51(1)(b) READ WITH SECTION 10)

The SAHRC has compiled a guide, as required by Section 10 of the Act, containing such information as may reasonably be required by a person who wishes to exercise any right contemplated in this Act.

The guide is available on the SAHRC website, <http://www.sahrc.org.za>.

The SAHRC can be contacted directly at:

Postal address: Private Bag X2700
HOUGHTON
2041

Physical address: 2nd Floor
Braampark Forum 3
33 Hoofd Street
Braamfontein

Telephone: +27 11 877 3600 (Switchboard)
+27 11 877 3750 (Gauteng Office)
+27 11 887 3803

Facsimile: +27 11 403 0668 (Gauteng Office)
+27 11 403 0625

E-mail: section51.paia@sahrc.org.za

Website: <http://www.sahrc.org.za>

The Information Regulator will be assuming the obligations of the SAHRC from 1 July 2021 and as such any matters that would have been addressed by the SAHRC will now be addressed by the Information Regulator. The Information Regulator can be contacted at –

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001
P.O Box 31533, Braamfontein, Johannesburg, 2017

Complaints email: complaints.IR@justice.gov.za
General enquiries email: inforeg@justice.gov.za.

Any complaints can be directed to the above contacts.

The Guide developed by the Information Regulator and which applies after 1 July 2021 is available on the business website in all official languages as well as in two official languages on site at the business address.

3. AUTOMATIC DISCLOSURE - CATEGORIES OF RECORDS AVAILABLE WITHOUT HAVING TO REQUEST ACCESS [SECTION 51(1)(c)]

These records shall be reviewed at least monthly or when there are changes required. The following Records are automatically available without a person having to request access in terms of the Act:

- The web page www.orioncarbons.com is accessible to anyone who has access to the Internet. Orion Engineered Carbons' website hosts the following categories of information:
 1. **About Us**
 - a. Who we are
 - b. Vision
 - c. History
 2. **Products**
 - a. Production Process
 - b. Type of Carbons
 - c. Handling of product
 3. **Responsibility**
 - a. Sustainability
 - i. Sustainability Roadmap
 - ii. Sustainability Reports

- b. Safety
 - i. Safety data sheets
- c. Quality
 - i. ISO certificates
 - ii. ESHQ policy
- 4. **Legal**
 - a. Compliance
 - b. Reporting Violations
 - c. Compliance Policies
 - d. Terms and Conditions
- 5. **News**
 - a. Events
 - b. Press
- 6. **Contact Us**
- 7. **Investors**
- 8. **Careers**
- 9. **Privacy Policy**

4. RECORDS AVAILABLE IN TERMS OF LEGISLATION [SECTION 51(1)(d)]

Records are kept in accordance with the following legislation (which is not an exhaustive list):

- Basic Conditions of Employment Act of 1997
- Broad Based Black Economic Empowerment Act of 2003
- Companies Act of 2008
- Consumer Protection Act of 2008
- Compensation for Occupational Injuries and Diseases Act of 1993
- Customs and Excise Act of 1964
- Employment Equity Act of 1998
- Income Tax Act of 1962
- Labour Relations Act of 1995
- National Environmental Management Act of 1998
- Occupational Health and Safety Act of 1993
- Skills Development Act of 1998
- Skills Development Levies Act of 1999
- Unemployment Insurance Act of 2001
- Value Added Tax Act of 1991

5. CATEGORIES OF RECORDS HELD AND SUBJECT TO REQUEST

Orion Engineered Carbons maintains records on the categories and subject matters listed below. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated. 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 granted.

All requests for access will be evaluated on a case by case basis in accordance with the provisions of PAIA.

5.1 Customers

- Personal information
- Bank details
- Contracts
- Location

5.2 Suppliers

- Personal information
- Bank details
- Contracts
- Location
- Representative vehicle information (where applicable)
- Surveillance and personal information of supplier representative

5.3 Employees

- Personal information
- Contracts
- Medical information
- Payroll records
- Electronic access records (surveillance and time and attendance records)
- Training records
- Disciplinary records
- Health and safety records
- Recruitment records
- Pension and provident fund information

5.4 Job applicants

- Backgrounds
- Curriculum Vitae

5.5 Dependants of employees

- Personal information
- Medical information
- Bursary study information (where applicable)

5.6 Visitors

- Personal information
- Surveillance information
- Vehicle information

6. OTHER INFORMATION AS MAY BE PRESCRIBED [SECTION 51(1)(f)]

The Minister of Justice has not yet prescribed any additional information.

7. ACCESS: PROCEDURE, AVAILABILITY AND FEES

To facilitate the processing of your request, complete the prescribed J752 form, available on our company website (https://www.orioncarbons.com/popipi-paia-south-africa_en), or the website of The Department of Justice and Constitutional Development (https://www.justice.gov.za/forms/form_paia.htm).

Provide sufficient detail to enable the Company to identify:

- The requestor (and, if an agent is lodging the request, proof of capacity).
- The records requested.
- The contact details of the requestor.
- The form of access required.
- If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof.
- The right which you are seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

PAIA provides for two types of fees namely:

- A request fee, if the requester, other than a personal requester, which will be a standard fee of R50 payable up front before we will further process the request received.
- An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and costs, as well as postal costs.

Copy per A4 page	R1.10
Printing per A4 page	75 cents
Copy on a CD	R70
Transcription of visual images per A4 page	R40
Copy of visual image	R60
Transcription of an audio recording to A4 page	R20
Copy of audio recording	R30
Search and preparation of record for disclosure	R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation