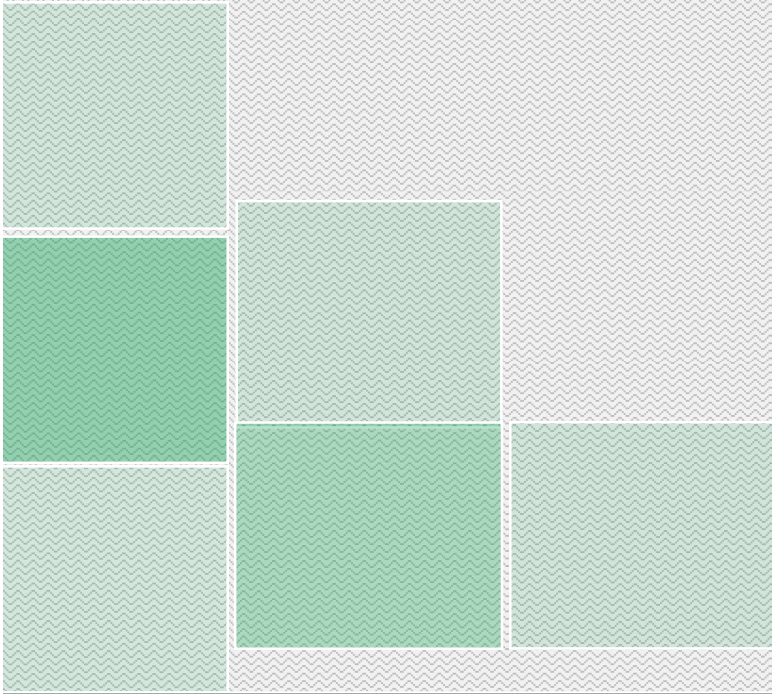




OMNIA



Promotion of Access to Information Act (PAIA) Manual

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Promotion of Access to Information (PAIA) Manual compiled in terms of Section 51 of the Promotion of Access to Information Act, 2000 (as amended)

1. DEFINITIONS, ABBREVIATIONS AND ACRONYMS

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

Abbreviation / Word	Definition
Act	Promotion of Access to Information Act, Act 2 of 2000, as amended from time to time
CEO	Chief Executive Officer
DIO	Deputy Information Officer
Information Officer (IO)	The person acting on behalf of the Omnia Group of Companies and discharging the duties and responsibilities assigned to the chief executive officer (“head”) of Omnia Group of Companies by the Act. The Information Officer is duly authorised to act as such, and such authorisation has been confirmed in writing
Manual	Manual published in compliance with Section 51 of the Act
Minister	Minister of Justice and Correctional Services
Omnia” or “Omnia Group	Omnia Holdings Limited 1967/003680/06 and all its South African registered subsidiaries and any associated entity being the Omnia Group of Companies, as listed in Annexure 1 to this Manual and this Manual applies to all such entities, both jointly and severally. Omnia Holdings Limited and such entities are referred to both individually and collectively as the “Omnia Group”;
PAIA	Promotion of Access to Information Act No. 2 of 2000(as Amended)
Personnel	Any person who works for; or provides services to; or on behalf of Omnia and receives; or is entitled to receive any remuneration and any other person who assists in carrying out; or conducting the business of the Omnia Group. This includes without limitation, directors (both executive and non-executive), all permanent, temporary and part-time staff as well as consultants and contract workers
POPIA	Protection of Personal Information Act No.4 of 2013
Record	Any recorded information, regardless of form of medium, which is in the possession or under the control of the Omnia Group, irrespective of whether or not it was created by the Omnia Group
Regulator	Information Regulator
Republic	Republic of South Africa
Request	A request for access to a record of the Omnia Group
Requestor	Any person, including a public body or an official thereof, making a request for access to a record of the Omnia Group and includes any person acting on behalf of that person
SAHRC	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 as defined in the Act shall have the same meaning in this Manual.

2. 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”) and its purpose is to facilitate requests for access to information from the Omnia Group. This manual 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.

This manual does not comprehensively deal with every procedure provided for in the Act and 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 Omnia Group as set out in this manual. The Information Officer named below is appointed in respect of the Omnia Group as a whole and in respect of each of the private bodies constituting the Omnia Group.

The Omnia Group makes no representation and gives no undertaking or warranty that the information provided by it to a requester is complete or accurate, or that such information is fit for any purpose. All users of 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 the use of this manual or any information provided by the Omnia Group or any error therein.

3. PURPOSE

This PAIA Manual is useful for the public to:

- check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- know the description of the records of the body which are available in accordance with any other legislation;
- access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- know the description of the categories of data subjects and of the information or categories of information relating thereto;
- know the recipients or categories of recipients to whom the personal information may be supplied;
- know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. APPLICABILITY or SCOPE

This PAIA Manual applies to all business units, subsidiaries, supporting functions, processes, projects, associates, joint ventures (where appropriate) and other controlled entities of the Group across all geographic locations and were deemed appropriate, adaptable to in-country laws and regulations and the principles contained herein are applicable at all levels within the Group. Where

other manuals exist and are applicable within the organisation, they must align with the Group PAIA Manual which supersedes all others.

The list of companies is set out in **Annexure C** hereto.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION

5.1. Omnia Group of Companies – Head Office

Full name:	Omnia Holdings Limited
Registration number:	1967/003680/06
Registered address:	Omnia House, Monte Circle Office Park, 178 Monte Casino Boulevard, Fourways, Sandton, 2191, South Africa
Postal address:	P O Box 69888, Bryanston, 2021
Telephone number:	(+27 11) 709 8888
Website	www.omnia.co.za
Payments should be made to:	Omnia Group (Pty) Ltd

5.2. Contact details of the Chief Executive Officer

Chief Executive Officer:	Mr Seelan Gobalsamy
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5.3. Chief Information Officer

Designated information officer	Mr Simphiwe Mdluli
Tel:	(+27 11) 709 8888
E-mail address:	Simphiwe.Mdluli@omnia.co.za

5.4. Deputy Information Officer

Name:	Ms Sanet Fourie
Tel:	(+27 11) 709 8888
Email:	Sanet.Fourie@omnia.co.za

5.5. Access to information general contacts

Email	info@omnia.co.za
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6. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

The Information Regulator has, in terms of section 10 (1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA (the Guide) easily, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours:

- English
- Afrikaans

The Guide contains the following information:

1. The objectives of PAIA and POPIA;
2. How to request access to a record of a private body contemplated in section 50 of PAIA.
3. The assistance available from the Regulator in terms of PAIA and POPIA.

4. All remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging.
 - An internal appeal
 - A complaint to the Regulator; and
 - An application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body.
5. The provisions of sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual.
6. The provisions of sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively.
7. The notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid for requests for access.
8. The regulations made in terms of section 92 of PAIA.
9. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
10. The Guide can also be obtained.
 - Upon request to the Information Officer
 - From the website of the Regulator (see: <https://info regulator.org.za/paia-guidelines/>)
11. Particulars of the information officer of every public body;
12. Particulars of every private body as are practicable;
13. The manner and form of a request for access to information held by a body;
14. Assistance available from both the information officers and the Human Rights Commission in terms of this Act;
15. All remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal and a court application;
16. Schedules of fees to be paid in relation to requests for access to information; and Regulations made in terms of this Act.

Copies of this Guide are available by the SAHRC. Enquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

Postal: South African Human Rights Commission
Promotion of Access to Information Unit
Research and Documentation Department
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

7. AVAILABILITY OF THIS MANUAL

A copy of this Manual is available on our website (www.omnia.co.za) or by sending a request for a copy to the Information Officer by email. The Manual may also be inspected at the registered address of the company as detailed in Section 5 of this manual. In addition, this manual can be accessed through the SAHRC at its address set out in Section 6.

This Manual will be updated from time to time, as and when required.

8. PROCEDURE FOR REQUESTING ACCESS TO RECORDS HELD BY THE OMNIA GROUP

If you wish to request access to any of the above categories of information, you are required to complete a request form as set out in **PAIA Form 2** hereto.

These forms are available from:

- (a) our information officer (whose details appear in Section 5 of this manual);
- (b) the SAHRC website (www.sahrc.org.za)
- (c) the Department of Justice and Constitutional Development website (www.doj.gov.za).

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are detailed in **PAIA Form 3**. You may also be called upon to pay additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges. The requester must pay the prescribed fee, before any further processing can take place.

Requests for access to records must be made to our Information Officer at the address, fax number or electronic mail address provided for below. It is important to note that access is not automatic. You must identify the right you are seeking to protect and explain why the record you request 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 Information Officer. If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally to the Information Officer in person and per appointment.

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 Omnia 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.

Kindly note that all requests to Omnia or any of its constituent companies will be evaluated and considered in accordance with the Act. You will be notified within a period of 30 days in the manner indicated by you on the request form whether your request has been approved or not.

9. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

The main grounds for Omnia to refuse a request for information relates to the -

- mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person;
- mandatory protection of the commercial information of a third party, if the record contains –
 - trade secrets of that third party;
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
 - information disclosed in confidence by a third party to Omnia, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;
- mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- mandatory protection of the safety of individuals and the protection of property;
- mandatory protection of records which would be regarded as privileged in legal proceedings;
- the commercial activities of Omnia which may include –
 - trade secrets of Omnia;
 - financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Omnia;
 - information which, if disclosed could put Omnia at a disadvantage in negotiations or commercial competition;
 - a computer program which is owned by Omnia, and which is protected by copyright.

- the research information of Omnia or a third party, if its disclosure would disclose the identity of Omnia, the researcher or the subject matter of the research and would place the research at a serious disadvantage;

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

10. REMEDIES AVAILABLE IN CASES WHERE A REQUEST FOR INFORMATION WAS REFUSED

10.1. Internal remedies

Omnia does not have internal appeal procedures. As such, the decision made by the information officer is final, and requestors will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the information officer.

10.2. External remedies

A requestor that is dissatisfied with the information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a Court for relief.

Likewise, a third party dissatisfied with the information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

11. CATEGORIES OF RECORDS WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Notices in terms of Section 52 are voluntary, yet Omnia does make certain information freely available (without being obliged thereto), including the most recent Annual Report of Omnia Holdings Limited. Other information relating to the Omnia Group is freely available on the Omnia website at www.omnia.co.za.

Category of records	Types of the Record	Available on Website/Online	Available on Request
Commercial records	Publications, media releases, newsletters, brochures	X	X
Governance records	Annual financial statements as part of Omnia's annual disclosures	X	X
Privacy/information	Access to information manual (PAIA Manual)	X	X

12. DESCRIPTION OF THE RECORDS WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

A requester may also request information that is available in terms of other legislation and may request access to related information outside this process. This includes the following categories of records and applicable legislation:

Category of Records	Types of the Record	Applicable Legislation *
Governance	Memorandum of	Companies Act 71 of 2008

	incorporation and alterations or amendments, notice and minutes, annual financial statements, accounting records, securities register, etc.	Stock Exchange Control Act of 1985 and the rules and listings requirements of the JSE Securities Exchange authorised in terms thereof
Privacy/Information	PAIA Manual Privacy statement	Promotion of Access to Information Act 2 of 2000 Protection of Personal Information Act (Act 4 of 2013)
Regulatory	Registrations, Licence and Permits	Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act No. 36 of 1947
Commercial	Transactional data	Credit Agreements Act No. 75 of 1980 Currency And Exchanges Act No. 9 of 1933 Competition Act No. 89 of 1998 Value-added Tax Act No. 89 of 1991
Employment	Employment files	Employment Equity Act (Act 55 of 1998) Basic Conditions of Employment Act No. 75 of 1997 Compensation for Occupational Injuries and Diseases Act No. 130 of 1993 Labour Relations Act No. 66 of 1995
Health, Safety and Environment	Health and Safety files Registrations, Licence and Permits	National Environmental Management Act No. 107 of 1998 National Road Traffic Act No. 93 of 1996 National Water Act No. 36 of 1998 Occupational Health and Safety Act No. 85 of 1993 and its regulations

*The above is not an exhaustive list of legislation that may require Omnia to keep records.

Omnia is subject to many laws and regulations, some of which require us to keep certain records. These laws are detailed below:

- Administrative Adjudication of Road Traffic Offences Act 46 of 1998 (Transport)
- Agricultural Debt Management Act 45 of 2001 (Farming)
- Airports Company Act 44 of 1993 (Transport)
- Alienation of Land Act 68 of 1981 (Contract and Delict)
- Appeals Amendment Act 105 of 1982 (Procedural Law)
- Apportionment of Damages Act 34 of 1956 (Contract and Delict)
- Arbitration Act 42 of 1965 (Procedural Law)
- Architectural Profession Act 44 of 2000 (Professions)
- Associated Institutions Pension Fund Act 41 of 1963 (Welfare and Pensions)
- Associated Institutions Provident Fund Act 11 of 1971 (Welfare and Pensions)
- Atmospheric Pollution Prevention Act 45 of 1965 (Environment and Conservation)
- Attorneys Act 53 of 1979 (Professions)
- Auditing Profession Act 26 of 2005 (Professions)
- Banking Institutions Act 25 of 1946 (Financial Institutions and Insurance)
- Banks Act 94 of 1990 (Financial Institutions and Insurance)
- Basic Conditions of Employment Act 75 of 1997 (Labour)
- Bills of Exchange Act 34 of 1964 (Commercial Law)
- Broad-Based Black Economic Empowerment Act 53 of 2003 (Constitutional Law)
- Broadcasting Act 4 of 1999 (Communication)
- Business Names Act 27 of 1960 (Commercial Law)
- Carriage of Goods by Sea Act 1 of 1986 (Shipping)
- Central Energy Fund Act 38 of 1977 (Energy)
- Civil Aviation Act 13 of 2009 (Transport)

- Civil Aviation Offences Act 10 of 1972 (Transport)
- Close Corporations Act 69 of 1984 (Corporate Law)
- Co-operatives Act 91 of 1981 (Corporate Law)
- Co-operative Banks Act 40 of 2007 (Corporate Law)
- Commission on Gender Equality Act 39 of 1996 (Constitutional Law)
- Communal Land Rights Act 11 of 2004 (Land)
- Companies Act 61 of 1973 (Corporate Law)
- Companies Act 71 of 2008 (Corporate Law)
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 (Labour)
- Competition Act 89 of 1998 (Commercial Law)
- Constitution of the Republic of South Africa 108 of 1996 (Constitutional Law)
- Consumer Affairs (Unfair Business Practices) Act 71 of 1988 (Commercial Law)
- Consumer Protection Act 68 of 2008 (Commercial Law)
- Convention on Agency in the International Sale of Goods Act 4 of 1986 (Commercial Law)
- Conventional Penalties Act 15 of 1962 (Contract and Delict)
- Copyright Act 98 of 1978 (Commercial Law)
- Convention on Agency in the International Sale of Goods Act 4 of 1986 (Commercial Law)
- Corporate Amendment Act 24 of 2006 and Directors Liability
- Corruption Act 94 of 1992 (Criminal Law)
- Council for Medical Schemes Levies Act 58 of 2000 (Health)
- Council for the Built Environment Act 43 of 2000 (Professions)
- Credit Agreements Act 75 of 1980 (Contract and Delict)
- Criminal Procedure Act 51 of 1977 (Procedural Law)
- Cross-Border Insolvency Act 42 of 2000 (Estates)
- Cross-Border Road Transport Act 4 of 1998 (Transport)
- Customs and Excise Act 91 of 1964 (Revenue)
- Debt Collectors Act 114 of 1998 (Legal Administration)
- Deeds Registries Act 47 of 1937 (Legal Administration)
- Designs Act 195 of 1993 (Commercial Law)
- Dumping at Sea Control Act 73 of 1980 (Environment and Conservation)
- Electricity Act 41 of 1987 (Energy)
- Electronic Communications Act 36 of 2005 (Communication)
- Electronic Communications and Transactions Act 25 of 2002 (Communications)
- Employment Equity Act 55 of 1998 (Labour)
- Engineering Profession Act 46 of 2000 (Professions)
- Environment Conservation Act 73 of 1989 (Environment and Conservation)
- Finance Act 42 of 2008 (Finance)
- Financial Services Ombud Schemes Act 37 of 2004 (Financial Institutions and Insurance)
- Formalities in respect of Leases of Land Act 18 of 1969 (Contract and Delict)
- Gas Act 48 of 2001 (Energy)
- Gas Regulator Levies Act 75 of 2002 (Energy)
- General Pensions Act 29 of 1979 (Welfare and Pensions)
- Hazardous Substances Act 15 of 1973 (Health)
- Health Act 63 of 1977 (Health)
- Identification Act 68 of 1997 (Citizenship)
- Immigration Act 13 of 2002 (Citizenship)
- Immovable Property (Removal or Modification of Restrictions) Act 4 of 1965 (Estates)
- Import and Export Control Act 45 of 1963 (Commercial Law)
- Income Tax Act 58 of 1962 (Income Tax)
- Insolvency Act 24 of 1936 (Estates)
- Labour Relations Act 66 of 1995 (Labour)
- Liquor Act 59 of 2003 (Liquor)
- Liquor Products Act 60 of 1989 (Liquor)
- Long-term Insurance Act 52 of 1998 (Financial Institutions and Insurance)
- Measurement Units and Measurement Standards Act 18 of 2006 (Science)
- Medical Schemes Act 131 of 1998 (Health)

- Mental Health Care Act 17 of 2002 (Health)
- Merchandise Marks Act 17 of 1941 (Commercial Law)
- National Building Regulations and Building Standards Act 49 of 1995 (Legal Administration)
- National Credit Act 34 of 2005 (Contract and Delict)
- National Energy Act 34 of 2008 (Energy)
- National Energy Regulator Act 40 of 2004 (Energy)
- National Environmental Management: Air Quality Act 39 of 2004 (Environment and Conservation)
- National Health Act 61 of 2003 (Health)
- National Roads Act 54 of 1971 (Transport)
- National Road Safety Act 9 of 1972 (Transport)
- National Road Traffic Act 93 of 1996 (Transport)
- National Water Act 36 of 1998 (Resources)
- Occupational Health and Safety Act 85 of 1993 (Labour)
- Patents Act 57 of 1978 (Commercial Law)
- Pension Funds Act 24 of 1956 (Welfare and Pensions)
- Physical Planning Act 88 of 1967 (Environment and Conservation)
- Private Security Industry Regulation Act 56 of 2001 (Professions)
- Promotion of Access to Information Act 2 of 2000 (Constitutional Law)
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (Constitutional Law)
- Protection of Businesses Act 99 of 1978 (Commercial Law)
- Public Accountants and Auditors Act 80 of 1991 (Professions)
- Regulation of Interception of Communication and Provision of Communications- Related Information Act 70 of 2002 (Communication)
- Road Accident Fund Act 56 of 1996 (Financial Institutions and Insurance)
- Road Traffic Act 29 of 1989 (Transport)
- Short-term Insurance Act 53 of 1998 (Financial Institutions and Insurance)
- Skills Development Act 97 of 1998 (Labour)
- Skills Development Amendment Act 37 of 2008 (Labour)
- Skills Development Levies Act 9 of 1999 (Labour)
- Standards Act 8 of 2008 (Science)
- Temporary Employees Pension Fund Act 75 of 1979 (Welfare Pensions)
- The South African National Roads Agency Limited and Roads Act 7 of 1998 (Transport)
- Tobacco Products Control Act 83 of 1993 (Health)
- Town and Regional Planners Act 19 of 1984 (Professions)
- Transfer Duty Act 40 of 1949 (Revenue)
- Unemployment Insurance Act 63 of 2001 (Labour)
- Unemployment Insurance Contributions Act 4 of 2002 (Labour)
- Value-Added Tax Act 89 of 1991 (Revenue)
- Water Services Act 108 of 1997 (Resources)

This list is not exhaustive.

13. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT

We hold the following categories of information for Omnia and in respect of each company (where applicable) within the Group:

Category of Records	Types of the Record *
Governance	Statutory company information <ul style="list-style-type: none"> • Certificate of Incorporation; • Certificate of Change of Name (if any); • Memorandum of Incorporation;

	<ul style="list-style-type: none"> • Certificate to Commence Business; • Minute Book, CM25 and CM26, as well as Resolutions passed at general/board meetings; • Register of Directors' shareholdings; • Register of Directors and Certain Officers; • Directors' Attendance Register; • Annual Financial Statements including: • Annual Accounts; • Directors' Reports; • Auditors' Reports. • Other company information • Internal policies and procedures; • Minutes of meetings; • Charters, codes of conduct and policies (both internal and external) to which Omnia subscribes; • Minutes of meetings; • Records held by officials of Omnia
Customer	<p>Customer-related information includes the following:</p> <ul style="list-style-type: none"> • Contracts with the customer and between the customer and other persons; • Any records a customer has provided to the Omnia Group or a third party acting for or on behalf of the Omnia Group (including plans, specifications, approvals, licences, reports, intellectual property rights and the like); • Any credit records or other research conducted by the Omnia Group in respect of its customers or research derived by the Omnia Group from its customers and their activities; • Records, reports, designs and the like generated by the Omnia Group for its customers; • Any records a third party has provided to the Omnia Group either directly or indirectly; and • Records generated by or within the Omnia Group pertaining to the customer, including transactional records. <p>These can also include the following:</p> <ul style="list-style-type: none"> • Product brochures; • Research Reports; • Market information; • Clients; • Brochures, Newsletters and Advertising Materials; • Orders.
Employment	<p>Personnel refers to any person who works for or provides services to or on behalf of the Omnia 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 Omnia Group. This includes, without limitation, directors, executives, non-executives, all permanent, temporary and part-time staff as well as contract workers.</p> <p>Personnel records include the following:</p> <ul style="list-style-type: none"> • 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.

	<p>These include but are not limited to:</p> <ul style="list-style-type: none"> • Statutory employee records • Employees' names and occupations; • Remuneration paid to each employee; • Date of birth of each employee; • Wages register; • Employment Equity Plan; • Salary and wages register; • Staff records (after date of employment ceases); • Expense accounts; • Other employee records • Employee contracts; • Staff loan schemes; • Study assistance schemes; • Maternity leave policy; • Disability scheme; • Funeral insurance scheme; • Group personal accident policy; • Group life policy; • Employee share option schemes; • Code of conduct; • HIV/AIDS Policy; • Share dealing orders. • Pension Fund Information; • Pension and retirement fund records • Pension Fund accounting records; • Minutes of Meetings of trustees; • Contribution reports; • Annual accounts
Operational	<p>Fixed property</p> <ul style="list-style-type: none"> • Leases • Deeds of ownership <p>Movable property</p> <ul style="list-style-type: none"> • Asset register; • Lease agreements. <p>Intellectual property</p> <ul style="list-style-type: none"> • Trademark applications and protected names; • Agreements relating to intellectual property such as licence agreements; • Copyrights. <p>Agreements and contracts</p> <ul style="list-style-type: none"> • Material agreements concerning provision of services; • Joint venture agreements, co-promotion or other alliance agreements; • Agreements with contractors and suppliers; • Agreements with clients; • Confidentiality agreements. <p>Taxation</p> <ul style="list-style-type: none"> • Copies of Income Tax Returns and other tax returns and documents <p>Legal</p>

	<ul style="list-style-type: none"> • Complaints, pleadings, briefs and other documents pertaining to any actual or pending litigation, arbitration or investigation; • Material licenses, permits and authorizations. <p>Insurance</p> <ul style="list-style-type: none"> • Insurance policies; • Claim records; • Details of insurance coverages, limits and insurers. <p>Information technology</p> <ul style="list-style-type: none"> • Hardware; • Operating Systems; • Telephone lines, Leased lines and Data lines; • Software Packages; • Disaster Recovery; • Internal Systems Support and Programming; • Capacity and Utilization of Current Systems; • Agreements; • Licences; • Audits.
Finance and Commercial	<p>Accounting Records</p> <ul style="list-style-type: none"> • Books of Account including journals and ledgers; Delivery notes, orders, invoices, statements, receipts, vouchers and bills of exchange • Annual Financial Statements; • Tax Returns; • Accounting Records; • Banking Records • Bank Statements; • Paid Cheques; • Electronic Banking Records; • Asset Register; • Rental Agreements; and • Invoices.
Sustainability	Governance, such as environmental and sustainability reports
Other Parties	<p>Records are kept in respect of other parties, including without limitation joint ventures and consortia to which the Omnia Group is a party, contractors and subcontractors, 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 Omnia Group.</p> <p>The following records fall under this category:</p> <ul style="list-style-type: none"> • Personnel, customer, or Omnia Group records which are held by another party as opposed to being held by the Omnia Group; and • Records held by the Omnia 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.
Other Records	<p>Further records are held including:</p> <ul style="list-style-type: none"> • Information relating to the Omnia Group's own commercial activities; • Procurement and administration for the Omnia Group; and • Research information belonging to the Omnia Group or carried out on behalf of a third party.

*The above is not an exhaustive list of records that is kept by Omnia.

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.

14. PROCESSING OF PERSONAL INFORMATION IN TERMS OF POPIA

14.1. Purpose of Processing Personal Information

POPIA requires us to provide you with certain information relating to how personal information that we process is, amongst others, used, disclosed and destroyed.

We have set out the required information below

We process personal information and special personal information – where applicable to:

- Develop, monitor and improve our systems and processes.
- To communicate with our clients, members, vendors, partners, service providers, etc.
- Share basic contact information across the Omnia Group for data quality and to make sure records are up to date and complete.
- Resolve complaints or queries.
- Fulfil legal or contractual obligations, including assisting with law enforcement, anti-money laundering and counterterrorist financing initiatives or complying with information requests by regulators and meeting our regulatory reporting obligations.
- Comply with codes of conduct and industry agreements.

14.2. Description of the categories of data subjects and of the relevant information or categories of information

Below is a list of data subjects and a non-exhaustive list of personal information that Omnia may process.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	<p>Clients - Natural persons: names; contact details; physical and postal addresses; date of birth; ID number; tax related information; nationality; gender; confidential correspondence.</p> <p>Clients – Juristic persons / entities: names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories; beneficiaries; ultimate beneficial owners.</p> <p>Clients – Foreign persons / entities: names; contact details; physical and postal; financial information; addresses; date of birth; passport number; tax related information; nationality; gender; confidential correspondence; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners</p>
Service Providers and Intermediary/Advisor	<p>Contracted Service Providers: Names of contact persons; name of legal entity; physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners</p> <p>Intermediary / Advisor: Names of contact persons; name of legal entity;</p>

	physical and postal address and contact details; financial information; registration number; founding documents; tax related information; authorised signatories, beneficiaries, ultimate beneficial owners
Employees / Directors / Potential Personnel / Shareholders / Volunteers / Employees' family members / Temporary Staff	Gender, pregnancy; marital status; race, age, language, education information; financial information; employment history; ID number; next of kin; children's name, gender, age, school, grades; physical and postal address; contact details; opinions, criminal behaviour and/or criminal records; well-being; trade union membership; external commercial interests; medical information.
Website end-users / Application end-users	names, electronic identification data: IP address; log-in data, cookies, electronic localization data; cell phone details, GPS data

14.3. Information on how you can request your personal information under POPIA

Requests for personal information under POPIA must be made in accordance with the provisions of PAIA. This process is outlined in paragraph 13 below.

If we provide you with your personal information, you have the right to request the correction, deletion or destruction of your personal information, in the prescribed form. You may also object to the processing of your personal information in the prescribed form.

We have attached the prescribed forms to this Manual for your convenience.

We will give you a written estimate of the fee for providing you with your personal information, before providing you with the services. We may also require you to provide us with a deposit for all or part of the fee prior to giving you the requested personal information.

14.4. Purpose of processing

POPIA provides that personal information may only be processed lawfully and in a reasonable manner that does not infringe your (the data subject's) privacy.

The type of personal information that we process will depend on the purpose for which it is collected.

We will disclose to you why the personal information is being collected and will process the personal information for that purpose only.

14.5. The recipients or categories of recipients to whom the personal information may be supplied

We may disclose personal information we collected to any of our overseas subsidiaries, associate entities or third-party service providers, with whom we engage in business or whose services or products we elect to use, including cloud services hosted in international jurisdictions.

We endeavour to enter into written agreements to ensure that other parties comply with our confidentiality and privacy requirements. Personal information may also be disclosed where we have a legal duty or a legal right to do so.

Categories of recipients for purposes of processing personal information:

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus
Personal Information not limited	Management; Employees; Temporary Staff; Sub-contracted Operators; and Other recipients in international organisation.

14.6. Actual and/or Planned transborder flows of personal information

We may disclose personal information we collected to our shareholders, any of our overseas subsidiaries, associate entities or third-party service providers, with whom we engage in business or whose services or products we elect to use, including cloud services hosted in international jurisdictions.

We endeavour to enter into written agreements to ensure that other parties comply with our confidentiality and privacy requirements. Personal information may also be disclosed where we have a legal duty or a legal right to do so.

14.7. General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

Omnia employs appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information. These measures include:

- Firewalls;
- Virus protection software and update protocols;
- Logical and physical access control;
- Secure setup of hardware and software making up our information technology infrastructure; and
- Outsourced service providers who are contracted to implement security controls.

15. REQUEST PROCEDURE

15.1. Completion of the prescribed form

Any request for access to a record from a public body in terms of PAIA must substantially correspond with the form attached hereto marked **PAIA Form 2** - Request for access to record of private body (Section 53(1) of PAIA) [Regulation 10].

A request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.

15.2. Payment of the prescribed fees

A Fee may be payable, depending on the type of information requested, as described under **PAIA Form 3** - Fees in respect of private bodies.

There are two categories of fees which are payable:

- The request fee: R140
- The access fee: This is calculated by considering reproduction costs, search and preparation costs, as well as postal costs.

Section 54 of PAIA entitles Omnia to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Regulation 9(2)(c) promulgated under PAIA.

Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

POPIA provides that a data subject may, upon proof of identity, request Omnia to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access

to such information.

POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, Omnia must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee.

16. OBJECTION

POPIA provides that a data subject may object, at any time, to the processing of personal information by Omnia, on reasonable grounds relating to his/her situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as **PAIA Form 1** - Objection to the processing of personal information in terms of section 11(3) of POPIA Regulations relating to the protection of personal information, 2018 [Regulation 2] and submit it to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above.

17. CORRECTION

A data subject may also request Omnia to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that Omnia is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.

A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address, facsimile number or electronic mail address set out above on the form attached hereto as **PAIA Form 2**- Request for correction or deletion of personal information or destroying or deletion of record of personal information in terms of section 24(1) of POPIA's Regulations relating to the protection of personal information, 2018 [Regulation 3].

18. PROOF OF IDENTITY

Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

19. TIMELINES FOR CONSIDERATION OF A REQUEST FOR ACCESS

Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed. Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

20. GROUNDS FOR REFUSAL OF ACCESS AND PROTECTION OF INFORMATION

There are various grounds upon which a request for access to a record may be refused. These grounds include:

- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;

- the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
- if disclosure would result in the breach of a duty of confidence owed to a third party;
- if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- if the record was produced during legal proceedings, unless that legal privilege has been waived;
- if the record contains trade secrets, financial or sensitive information or any information that would put Omnia at a disadvantage in negotiations or prejudice it in commercial competition; and/or
- if the record contains information about research being carried out or about to be carried out on behalf of a third party or by Omnia.

Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the request. The third party would then have a further 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the record.

21. REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

If the Information Officer decides to grant a requester access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision. There is no appeal procedure that may be followed after a request to access information has been refused.

If you are not satisfied with the outcome of the request, you are entitled to apply to the Information Regulator or a court of competent jurisdiction to take the matter further.

Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

22. UPDATING OF THE MANUAL

The Information Officer of the Company will on a regular basis update this manual.

23. AUDIT RIGHTS

Compliance with the policy statements may be audited at any time by internal audit, authorised independent consultants or external auditors. This may include forensic audits where required.

24. ADMINISTRATION AND APPROVAL OF THIS MANUAL

MANUAL NAME	Promotion of Access to Information (PAIA) Manual	
MANUAL OWNER	Chief Information Officer	
EFFECTIVE DATE	1 August 2024	
LAST APPROVED DATE	1 August 2024	
APPROVAL	Group Exco	
VERSION	3	
LAST REVIEW DATE	1 August 2024	
NEXT REVIEW DATE	31 July 2027	
DISTRIBUTION LIST	ALL Staff/ Business Units/Manco or Exco	
PROCESS REQUIRED FOR IMPLEMENTATION	Acknowledgement only	X
	Basic understanding test	
	Detailed understanding test	
	Training required	
DOCUMENT NUMBER		

Process for Manual updates

Version	Date	Revision Author	Summary of changes
V1.0	YYYY-MM-DD	Sanet Jacobs	First Manual
V2.0		Sanet Jacobs	Update with new Information Officer
V3.0	2024-07-30	Sanet Fourie	Update of new Information Officer and general update with Regulations and POPIA

25. Annexure A: Legislative Framework

This section should state the laws, regulations and best practice guidance that were considered in developing the policy. If possible, these should be listed in order of priority and importance.

No.	NAME OF LEGISLATION, REGULATION, FRAMEWORK OR GUIDELINE
1	Promotion of Access to Information Act, Act 2 of 2000
2	Protection of Personal Information Act No.4 of 2013

26. Annexure B: Reference Documentation

This Policy is governed by the Policy governance standard . This Policy is to be read in conjunction with the Code of Ethics, other ethical business activity documents, and the following policies:

The following relationships are identified:

- **Governed by:** Any over-arching policies with which this policy must comply.
- **Referenced:** Any policy or governance documentation which has been used or referenced in the creation of this policy. Updates or changes to any of these policies may impact this policy.
- **Linked to:** Any other governance documentation which may be affected should this policy be changed or updated.

POLICY NAME	RELATIONSHIP
Omnia Group Policy Governance Standard	Governed by

27. Annexure C: Omnia Group

MAJOR OPERATING COMPANIES

OMNIA HOLDINGS LIMITED		1967/003680/06
Omnia Group Investments Limited	Investment Holding Company	1964/003371/06
OMNIA GROUP (PTY) LIMITED	Operational	2006/013996/07
Omnia Holdings Limited Share	Incentive Trust	IT1245/88
Omnia Broad-Based Employee Share Trust	Trust	IT23074/2014
Innofert (Pty) Ltd	Operational Company	2006/013941/07
Micawber 131 Share Block Company (Pty) Ltd	Operational Company	1998/021955/07
NewCo2 K2017448055 (South Africa) (Pty) Ltd	Secondary Holding Company	2017/448055/07
NewCo1 K2017443268 (South Africa) (Pty) Ltd	Investment Holding Company	2017/443268/07
Sirdar Properties (Pty) Ltd	Operational Company	2015/323953/07
Omnia Fertilizer Limited (Full name: Omnia Kunsmis Limited)	Operational Company	1975/000759/06

DIVISIONAL MAIN OPERATING ENTITIES FROM OMNIA GROUP PTY LTD

Agriculture

- Omnia Fertilizer Division
- Omnia Fertilizer International Division

Chemicals

- Protea Chemicals Division

Mining

- Protea Mining Chemicals Division
- BME Division

FOREIGN ENTITIES OF OMNIA

Omnia Swaziland Limited	55/1971	SWAZILAND
BME Ghana (Pty) Ltd	Operational Company CS679242015 05/15/2007	GHANA
Bulk Mining Explosives Namibia (Pty) Ltd	Operational Company 2005/582 10/19/2005	NAMIBIA
Omnia Lesotho Holdings (Pty) Ltd	Investment Holding Company 64810	LESOTHO
Protea Chemicals Namibia (Pty) Ltd	Operational Company 2005/665	NAMIBIA
BME Explosives Canada Inc.	Investment Holding Company Previously: 1083884 B.C. Ltd	CANADA
BC1083884		
Omnia Enterprises EU B.V.	86621238	THE NETHERLANDS
Omnia Group Limited y Cia Ltda (Chile)	DORMANT R.U.T: 76.046.560-7	CHILI
Bulk Mining Explosives USA	Operational Company SR# 2016 4929569	USA
Oro Agri SEZC Ltd	Operational Company CR 160844 2006/01/12	CAYMAN ISLAND
Bulk Mining Explosives Lesotho (Pty) Ltd	Operational Company 64984	LESOTHO
OMNIA GROUP INTERNATIONAL LIMITED	OPERATIONAL MAURITIUS C12311 C1/GBL	
PT. Bulk Mining Explosives Indonesia	Operational Company 09.03.1.09.66360	INDONESIA
Bulk Mining Explosives DRC Sarl	Operational Company NRC 2604	DRC
Bulk Mining Explosives Zambia Limited	Operational Company 49582	ZAMBIA
Bulk Mining Explosives Botswana (Pty) Ltd	Operational Company CO.2001/4428	BOTSWANA
Bulk Mining Explosives Moçambique Limitada	Operational Company 100182815	MOZAMBIQUE
Bulk Mining Explosives Burkina Faso Sarl	Operational Company IFU: 00020319 G	BURKINA FASO
Bulk Mining Explosives Guinea Sarl	Operational Company 003907H TVA IY	GUINEA
Bulk Mining Explosives Liberia	Dormant Company 5126951	LIBERIA
Bulk Mining Explosives Mali Sarl	Operational Company 087800583T	MALI

Bulk Mining Explosives Mauritania Sarl	Operational Company	NIF:2030000034	MAURITANIA
Bulk Mining Explosives Senegal (SUARL)	Operational Company	NINEA: 28300832R2	SENEGAL
Bulk Mining Explosives Sierra Leone Limited	Operational Company	C.F 519/2010	SIERRA LEONE
Bulk Mining Explosives Tanzania Limited	Operational Company	34172	TANZANIA
Bulk Mining Explosives Cote D'ivore Sarl	Dormant Company	CI-ABJ-2015-B-2C956	COTE D'IVORE
Protea Chemicals Eastern Africa Limited	Operational Company	C7183 C1/GBL	MAURITIUS
Protea Chemicals Kenya Limited	Operational Company	CPR/2015/181963	KENYA
Omnia China Company Limited	Operational Company	913101155964794530	CHINA
Omnia Angola Limitada	Operational Company	5417098515	ANGOLA
Omnia Fertilizer Kenya Limited	Dormant Company	C.77473 0	KENYA
Omnia do Brasil Representações Comerciais Limitada	Operational Company	CEP 60165121	BRAZIL
Omnia China Company Limited	Operational Company	913101155964794530	CHINA
Innofert Limited	Operational Company	113165 C1/GBL 11/06/2012	MAURITIUS
Bulk Mining Explosives Australia-Asia(Pty) Ltd	Operational Company	ACN 157 832 123	AUSTRALIA
Omnia Property (Australia) (Pty) Ltd	Operational Company	ACN 615 317 961	AUSTRALIA
Omnia Specialities Australia (Pty) Ltd	Operational Company	ACN 102717019	AUSTRALIA
Protea Chemicals Eastern Africa Limited	Operational Company	C7183 C1/GBL	MAURITIUS
Omnia Retail Limited (Kenya)	Operational Company	PVT-AAAFQV1	KENYA
Omnia Small Scale Limited	Operational Company	L.Co 34278	ZAMBIA
Omnia Zimbabwe (Pvt) Ltd	Operational Company	8490/95	ZIMBABWE
Omnia Mozambique Limitada	Operational Company	1000797947	MOZAMBIQUE
Protea Chemicals Kenya Limited	Operational Company	CPR/2015/181963	KENYA
Omnia International Australia (Pty) Ltd	Investment Holding Company	ACN 102751673	AUSTRALIA
Omnia Fertilizer Omnia Specialities Inc		87-1717024	USA

OTHER ENTITIES TO WHICH THIS MANUAL APPLIES

Explobec Holdings Inc.	Joint Venture Partner
BME Mining Canada Inc.	Joint Venture
RICHARDS BAY AMMONIA	Partnership Operational Company N/A as this is a partnership. *Note that Omnia has the right to 25% of the profits
TECHNIFAM (PTY) LIMITED	Operational Company Previously: City Electrical (Private) Limited 2002/020418/07 South Africa
PT Kemitraan MNK BME	Joint Venture
PT Multi Nitrotama Kimia	Joint Venture Partner

Please note that several of the above-named entities are dormant. In some circumstances the Omnia Group continues to trade using the trading name of such entity, but such trading is as a division of the Omnia Holdings 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.