



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

**Reference:** PAIA 180509  
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Dear Ms Loser

**REQUEST FOR ACCESS TO INFORMATION RELATING TO REGULATIONS 5 & 7 OF THE NATIONAL GREENHOUSE GAS EMISSION REPORTING REGULATIONS, 2017 AND REGULATIONS 4(1), 3(2) AND 5(1) OF THE NATIONAL POLLUTION PREVENTION PLAN REGULATIONS, IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000) ("PAIA")**

1. I refer to your request for access to records in terms of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000) ("PAIA") dated 11 February 2019, for which payment was made on 11 February 2019.
2. In your request the following records were requested:
  - "(1) The database or list of data providers registered in terms of Regulation 5 of the National Greenhouse Gas Emission Reporting Regulations;*
  - (2) The latest reports submitted in terms of Regulation 7(1) of the greenhouse gas reporting regulations by the following entities:*
    - *Eskom Holdings SOC Ltd*
    - *Sasol Ltd*
    - *ArcelorMittal South Africa Ltd*
    - *Exxaro Resources Ltd*
    - *Glencore*
    - *African rainbow minerals ltd*
    - *Anglo American Plc*
    - *Anglo Operations Ltd*
    - *South 32 Ltd*
    - *Seriti Resources Holdings Pty Ltd*
    - *Petmin Ltd*

- *Mbuyelo Coal Pty Ltd*
  - *Kuyasa Mining Pty Ltd*
  - *Sappi Ltd*
  - *PPC Ltd*
  - *Gold Fields Ltd.*
- (3) *The database of or list of persons that have submitted pollution prevention plans under regulation 4(1) of the national pollution prevention plan regulations, GN 712 of 2017 ("PPP Regulations);*
- (4) *The pollution prevention plans submitted for the period up to 31 December 2020 in terms of regulations 3(2) of the PPP Regulations, the following companies:*
- *Eskom Holdings SOC Ltd*
  - *Sasol Ltd*
  - *ArcelorMittal South Africa Ltd*
  - *Exxaro Resources Ltd*
  - *Glencore*
  - *African rainbow minerals ltd*
  - *Anglo American Plc*
  - *Anglo Operations Ltd*
  - *South 32 Ltd*
  - *Seriti Resources Holdings Pty Ltd*
  - *Petmin Ltd*
  - *Mbuyelo Coal Pty Ltd*
  - *Kuyasa Mining Pty Ltd*
  - *Sappi Ltd*
  - *PPC Ltd*
  - *Gold Fields Ltd;*
- (5) *The latest annual progress reports submitted by the entities listed in paragraph 3 in terms of regulation 5(1) of the PPP Regulations."*
3. The Chief Directorate: Climate Change Monitoring and Evaluation did not receive reports in terms of Regulation 7(1) of the National Greenhouse Gas Emission Reporting Regulations, 2017 from the following entities / companies:
- 3.1 *Petmin Ltd;*
  - 3.2 *Mbuyelo Coal Pty Ltd;*
  - 3.3 *Kuyasa Mining Pty Ltd;*
  - 3.4 *Exxaro Resources Ltd; and*
  - 3.5 *Gold Fields Ltd.*
4. Section 23(1) of PAIA states that:
- (1) *if-*
- (a) *all reasonable steps have been taken to find a record requested; and*
  - (b) *there are reasonable grounds for believing that the record-*
    - (i) *is in the public body's possession but cannot be found; or*
    - (ii) *does not exist, the information officer of a public body must, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to that record."*

5. A supplementary affidavit in terms of section 23(1)(b)(ii) of PAIA is attached for your information.
6. Should you wish to appeal this decision you are referred to sections 74 and 75 of PAIA which allows you to lodge an internal appeal in the prescribed form to the Information Officer of the Department within sixty (60) days. The subject and reasons for the internal appeal must be clearly indicated.

Yours sincerely



**DEPUTY INFORMATION OFFICER:  
DEPUTY DIRECTOR-GENERAL CLIMATE CHANGE, AIR QUALITY AND SUSTAINABLE  
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DEPARTMENT OF ENVIRONMENTAL AFFAIRS  
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