

**Bombela Concession Company (RF) Pty Ltd**

**(Registration No. 2005/031316/07)**

hereinafter referred to as the “**Company**”

**Promotion of Access to Information Manual**

prepared in accordance with  
section 51 of the  
Promotion of Access to Information  
Act No. 2 of 2000 (as amended)  
 (“**PAIA**”) read with the  
Protection of Personal Information  
Act 4 of 2013 (“**POPIA**”)

## CONTENTS

DESCRIPTION	PAGE
1. INTRODUCTION	2
2. PURPOSE OF PAIA	2
3. COMPANY DETAILS	3
4. CONTACT DETAILS OF THE INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER	3
5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE	4
6. CONTACT DETAILS OF THE INFORMATION REGULATOR	5
7. TYPES AND CATEGORIES OF RECORDS	6
8. PROCESSING DETAILS	7
9. DETAILS ON HOW TO MAKE A REQUEST FOR ACCESS: SECTION 51(E)	13
10. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS	14
11. PRESCRIBED FEES: SECTION 51(1)(F)	14
12. NOTIFICATION OF DECISION	15
13. REMEDIES AVAILABLE WHEN THE COMPANY REFUSES A REQUEST FOR INFORMATION	16
14. UPDATING OF THE MANUAL	16
APPENDIX A: PRESCRIBED FEES	17
1. REQUEST FEES	17
2. ACCESS AND REPRODUCTION FEES	17
3. DEPOSITS	18
APPENDIX B: FORM 2 – ACCESS REQUEST FORM	19
APPENDIX C: FORM 3 – OUTCOME OF REQUEST AND FEES PAYABLE FORM	23

## 1. INTRODUCTION

- 1.1 The Company has designed, constructed and commissioned the Gautrain Rapid Rail System (the "**System**"), being a rail system linking the metropolitan cities of Johannesburg and Tshwane, and also linking the suburb of Sandton in the Metropolitan Municipality of Johannesburg and the OR Tambo International Airport located in the Ekurhuleni Metropolitan Municipality. The Company is currently engaged in the operation and maintenance of the System until 2026.
- 1.2 This Manual is available –
- 1.2.1 on the Company's website (<https://www.bombela.com/>); for inspection at the Company's premises situated at Douglas Roberts Centre, 1<sup>st</sup> Floor High Rise, 22 Skeen Boulevard, Bedfordview;
- 1.2.2 to any person upon request and upon the payment of a reasonable prescribed fee; and
- 1.2.3 to the Information Regulator upon request.
- 1.3 A fee for a copy of the Manual, as contemplated in Appendix A, shall be payable per each A4-size photocopy made.

## 2. PURPOSE OF PAIA

- 2.1 PAIA was enacted in February 2000 giving effect to the constitutional right of access to any information held by the state and any information that is held by another person and that is required for the exercise or protection of any rights in terms of section 32 of the Bill of Rights contained in the Constitution of the Republic of South Africa, 1996 (the "**Constitution**"). Where a request is made in terms of PAIA, the body to which the request is made is obliged to give access to the requested information, except where PAIA expressly provides that the information may or must not be released.
- 2.2 The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability within the Company by giving the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.
- 2.3 In terms of section 51 of PAIA, all private bodies are required to compile an information manual ("**Manual**"). In addition, all Manuals are further required to address the requirements set out in the Schedule to POPIA.
- 2.4 This Manual is useful for the public to-
- 2.4.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.4.2 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;
- 2.4.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4.4 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;
- 2.4.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;

- 2.4.6 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;
- 2.4.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.4.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.4.9 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
- 2.4.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

**3. COMPANY DETAILS**

The details of the Company are as follows:

Directors	Mr. HJ Laas Mr. IG Appleton Mr. IW Henstock Mr. RC Davies Mr. DF Grobler Mr. MG Diliza Mr. D Moshapalo Mr. FS Williams Mr. J Naidoo
CEO	Andre van Rensburg
Physical address	Douglas Roberts Centre 1st Floor High Rise 22 Skeen Boulevard Bedfordview 2007
Postal address	P O Box 1115 Kelvin 2054
Telephone number	(011) 446 6800
Fax number	(011) 446 6804
Email address of Bombela Information Officer:	<a href="mailto:POPIA@bombela.com">POPIA@bombela.com</a>
Website	<a href="https://www.bombela.com/">https://www.bombela.com/</a>

**4. CONTACT DETAILS OF THE INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER**

The responsibility for administration of and compliance with PAIA and POPIA have been delegated to the Information Officer and where applicable, the Deputy Information Officer. Requests pursuant to the provisions of PAIA and/or POPIA should be directed to the Information Officer and/or the Deputy Information Officer, as follows:

Information Officer	Tawanda Shamu
Physical address	Douglas Roberts Centre 1st Floor High Rise 22 Skeen Boulevard Bedfordview 2007
Postal address	P O Box 1115 Kelvin 2054
Telephone number	011 446 6800
Email address	POPIA@bombela.com
Website	<a href="https://www.bombela.com/">https://www.bombela.com/</a>
Deputy Information Officer	Francinah Tsipa
Physical address	Douglas Roberts Centre 1st Floor High Rise 22 Skeen Boulevard Bedfordview 2007
Postal address	P O Box 1115 Kelvin 2054
Telephone number	011 446 6800
Email address	POPIA@bombela.com
Website	<a href="https://www.bombela.com/">https://www.bombela.com/</a>

## 5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 5.1 The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("**Guide**"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 5.2 The Guide is available in each of the official languages and in braille.
- 5.3 The aforesaid Guide contains the description of –
- 5.3.1 the objects of PAIA and POPIA;
  - 5.3.2 the postal and street address, phone and fax number and, if available, electronic email address of –
    - 5.3.2.1 the Information Officer of every public body; and
    - 5.3.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
  - 5.3.3 the manner and form of a request for –
    - 5.3.3.1 access to a record of a public body contemplated in section 11 of PAIA; and
    - 5.3.3.2 access to a record of a private body contemplated in section 40 of PAIA;
  - 5.3.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
  - 5.3.5 the assistance available from the Information Regulator in terms of PAIA and POPIA;

- 5.3.6 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:
  - 5.3.6.1 an internal appeal;
  - 5.3.6.2 a complaint to the Information Regulator; and
  - 5.3.6.3 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 Information Regulator or a decision of the head of a private body;
- 5.3.7 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;
- 5.3.8 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;
- 5.3.9 the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
- 5.3.10 the regulations made in terms of section 92 of PAIA.
- 5.4 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 Information Regulator, during normal working hours.
- 5.5 The Guide can also be obtained-
  - 5.5.1 Upon request to the Information Officer;
  - 5.5.2 From the website of the Information Regulator (<https://www.justice.gov.za/inforeg/>).
  - 5.5.3 A copy of the Guide is also available in the following four official languages, for public inspection during normal office hours, at the Company's premises detailed in paragraph 1.2 above –
    - 5.5.3.1 English;
    - 5.5.3.2 Afrikaans;
    - 5.5.3.3 isiZulu; and
    - 5.5.3.4 Sesotho

## 6. CONTACT DETAILS OF THE INFORMATION REGULATOR

The contact details of the Information Regulator are:

Physical address	The Information Regulator (South Africa) JD House 27 Siemens Street Braamfontein Johannesburg 2001
Postal address	P.O Box 31533 Braamfontein Johannesburg 2017
Telephone number	(010) 023 5207
Fax number	(011) 403 0668
Complaints email address	<a href="mailto:Complaints.IR@justice.gov.za">Complaints.IR@justice.gov.za</a>
General email address	<a href="mailto:inforeg@justice.gov.za">inforeg@justice.gov.za</a>
Website	<a href="https://www.justice.gov.za/inforeg">https://www.justice.gov.za/inforeg</a>

**7. TYPES AND CATEGORIES OF RECORDS**

**7.1 CATEGORIES OF RECORDS OF THE COMPANY WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

None

**7.2 DESCRIPTION OF THE RECORDS OF THE COMPANY WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

<b>Category of Records</b>	<b>Applicable Legislation</b>
PAIA Manual	Promotion of Access to Information Act 2 of 2000
Company records	Companies Act 71 of 2008
Annual Financial Statements	Companies Act 71 of 2008
Tax records	Income Tax Act 58 of 1962 Vat Act 89 of 1991
Employee/Personnel records	Labour Relations Act 66 of 1995 Employment Equity Act 55 of 1998 Basic Conditions of Employment Act 75 of 1997 Compensation for Occupational Injuries and Disease Act 130 of 1993 Unemployment Insurance Act 63 of 2001 Skills Development Act 97 of 1999

**7.3 DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE COMPANY**

7.3.1 All records listed below are available on request, subject to the provisions of PAIA, and in particular Chapter 4 thereof.

<b>Subject on which the body holds records</b>	<b>Categories of records</b>
Company records	Documents of incorporation Memorandum of Incorporation Minutes of Board of Directors meetings Records relating to the appointment of directors   auditors   secretary   public officer and other officers Share Register and other statutory registers
Financial records	Annual Financial Statements Tax Returns Accounting Records Banking Records such as bank statements and electronic banking records Asset Register Rental Agreements Invoices

Income Tax records	<p>Pay As You Earn Records</p> <p>Documents issued to employees for income tax purposes</p> <p>Records of payments made to the South African Revenue Service on behalf of employees</p> <p>All other statutory compliances:</p> <ul style="list-style-type: none"> <li>(i) Value-Added Tax (“VAT”)</li> <li>(ii) Skills Development levies</li> <li>(iii) Unemployment Insurance Fund</li> <li>(iv) Workmen's Compensation</li> </ul>
Personnel documents and records	<p>Employment contracts</p> <p>Disciplinary records</p> <p>Salary records</p> <p>Sector Education Training Authority records</p> <p>Leave records</p> <p>Training records</p> <p>Training Manuals</p> <p>Policies and Procedures including Disciplinary Code</p>

## 8. PROCESSING DETAILS

In terms of POPIA, data must be processed for a specified purpose. The purpose for which data is processed by the Company will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected.

### 8.1 PURPOSE OF THE PROCESSING

8.1.1 The Company may collect, use, share and/or generally process personal information (including, where applicable special personal information) for the following purposes:

8.1.1.1 Issuing press releases;

8.1.1.2 Circulating marketing communications about the Company’s services but only insofar as the data subject has consented to receiving marketing communications.

8.1.1.3 Contacting and interacting with the data subject to effectively render a service or assist in any manner required, including to assist data subjects with respect to queries relating to complaints and/or refunds, respond to requests from the data subject and provide important notices and updates, such as changes to train, shuttle and bus services, general operations, terms, security alerts and administrative messages.

8.1.1.4 Maintaining access to and requests submitted via the Gautrain website;

8.1.1.5 Operating the Company’s business, including:

8.1.1.5.1 Screening visitors through CCTV footage within the Company’s premises; and

8.1.1.5.2 complying with applicable laws, regulations and guidance and complying with demands or requests made by regulators, governments, courts and law enforcement authorities.

8.1.1.6 Improving the Company day-to-day operations, including:



- 8.1.1.6.1 for internal purposes such as auditing, data analysis and research to help the Company deliver and improve its digital platforms, content and services;
- 8.1.1.6.2 to monitor and analyse trends, usage and activities in connection with the Company products and services to understand which parts of the Company digital platforms and services are of the most interest and to improve the design and content of those platforms;
- 8.1.1.6.3 to improve the Company products and services and communications to the data subject; and
- 8.1.1.6.4 to ensure that the Company has up-to-date contact information for the data subject, where applicable.
- 8.1.1.7 To establish, maintain or terminate the employee relationship subject to applicable legislation;
- 8.1.1.8 To perform any legal and/or contractual obligation in accordance with an employment contract or service provider contract concluded with the Company;
- 8.1.1.9 To comply with lawful requests by public authorities (including without limitation to meet national security or law enforcement requirements), discovery requests, or where otherwise required or permitted by applicable laws, court orders, government regulations, or regulatory authorities (including without limitation data protection, tax and employment).

Please note that this is not an exhaustive list.

## 8.2 DESCRIPTION OF CATEGORIES OF DATA SUBJECTS AND THE INFORMATION OR CATEGORIES OF INFORMATION RELATING THERETO

- 8.2.1 The Company holds personal information and records on various data subject categories, which include but are not limited to the following data subject categories:

<b>Category of data subjects</b>	<b>Personal Information that may be processed</b>
Gautrain passengers	Name and surname, date of birth, e-mail addresses, contact details, banking details (for purposes of processing refunds)
Employees (permanent, fixed term contract, and temporary contract), consultants, volunteers and job applicants	Name and surname, gender, date of birth, identity number, contact details, address, qualifications, banking details (for payroll purposes), health-related information (where necessary)
Suppliers and service providers	Name and surname, Registration numbers, address, contact details, VAT details (if applicable), banking details (if applicable)
Website users	Name and surname, date of birth, e-mail addresses

*Please note that this is not an exhaustive list.*

## 8.3 RECIPIENTS TO WHOM PERSONAL INFORMATION WILL BE SUPPLIED

- 8.3.1 The Company values and respects the confidentiality and privacy of the personal information that data subjects entrust us with. The Company will not share or disclose personal information to anyone except as provided in our Promotion and Protection of Personal Information Policy and/or any contracts or terms and conditions of service concluded with us.

8.3.2 Generally, the Company may share a data subject's personal information (including, where applicable, special personal information) with the following third parties, subject always to the provisions of POPIA:

Category of personal information	Recipients or categories of recipients to whom the personal information may be supplied
<p><b><u>Company Staff</u></b>                      Identification information                      National identifiers                      Contact details                      Employment details</p> <p><b><u>Gautrain Passengers</u></b>                      Identification information                      National identifiers                      Contact details</p> <p><b><u>Third Parties</u></b>                      Identification information                      National identifiers                      Contact details</p>	<p>Gauteng Provincial Government</p>
<p><b><u>Company Staff</u></b>                      Identification information                      National identifiers                      Contact details                      Financial information                      Biometrics                      Employment details                      Education and employment background</p> <p><b><u>Gautrain Passengers</u></b>                      Identification information                      National identifiers                      Contact details                      Financial information                      Biometrics</p> <p><b><u>Third Parties</u></b>                      Identification information                      National identifiers                      Contact details                      Financial information                      Biometrics                      Employment details                      Education and employment background</p>	<p>The Gautrain Management Agency in its capacity as the statutorily mandated entity responsible for managing the Gautrain project on behalf of the Gauteng Provincial Government</p>

<p><b><u>Company Staff</u></b> None <b><u>Gautrain Passengers</u></b> Identification information National identifiers Contact details Financial information Biometrics <b><u>Third Parties</u></b> Identification information National identifiers Contact details Financial information Biometrics</p>	<p>The Bombela Operating Company (Pty) Ltd in its capacity as the entity ultimately responsible for the operation of the Gautrain system</p>
<p><b><u>Company Staff</u></b> None <b><u>Gautrain Passengers</u></b> Identification information National identifiers Contact details Financial information Biometrics <b><u>Third Parties</u></b> Identification information National identifiers Contact details Financial information Biometrics</p>	<p>Mega Express (Pty) Ltd in its capacity as the entity directly responsible for the operation of the Gautrain bus service</p>
<p><b><u>Company Staff</u></b> Identification information National identifiers Contact details Biometrics Employment details Education and employment background <b><u>Gautrain Passengers</u></b> Identification information <b><u>Third Parties</u></b> Identification information National identifiers Contact details Biometrics Employment details Education and employment background</p>	<p>The Company's shareholders</p>

<p><u>Depending on the agent or supplier and the type of service provided:</u></p> <p><b><u>Company Staff</u></b>          Identification information          National identifiers          Contact details          Financial information          Biometrics          Employment details          Education and employment background          Health Information</p> <p><b><u>Gautrain Passengers</u></b>          Identification information          National identifiers          Contact details          Financial information          Biometrics</p> <p><b><u>Third Parties</u></b>          Identification information          National identifiers          Contact details          Financial information          Biometrics          Employment details          Education and employment background</p>	<p>Agents or suppliers of the Company including those who provide it with technology services such as data analytics, hosting or technical support</p>
<p><b><u>Company Staff</u></b>          Identification information          National identifiers          Contact details          Financial information          Biometrics          Employment details          Education and employment background          Health Information</p> <p><b><u>Gautrain Passengers</u></b>          Identification information          National identifiers          Contact details          Financial information          Biometrics</p> <p><b><u>Third Parties</u></b>          Identification information          National identifiers          Contact details          Financial information          Biometrics</p>	<p>Professional advisors and auditors</p>

Employment details Education and employment background	
<b><u>Company Staff</u></b> Identification information National identifiers Contact details Financial information Biometrics Employment details Education and employment background Health Information <b><u>Gautrain Passengers</u></b> Identification information National identifiers Contact details Financial information Biometrics <b><u>Third Parties</u></b> Identification information National identifiers Contact details Financial information Biometrics Employment details Education and employment background	Regulators, government authorities and law enforcement authorities

8.3.3 In addition to the above, the Company may share a data subject’s personal information (including, where applicable, special personal information) where it has a duty or a right to disclose the information in terms of applicable legislation, the law, or where it may be deemed necessary in order to protect the Company’s rights.

8.4 PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION

8.4.1 The Company does not directly engage in the transfer of personal information of data subjects outside the Republic of South Africa. However, recipients identified under paragraph 8.3 above may, due to its own internal processes and requirements, be required to transfer and share personal information to shareholders located outside of South Africa.

8.5 SECURITY MEASURES

8.5.1 Securing the personal information that a data subject shares with us is a priority for the Company. The Company has appropriate and reasonable technical and organisational security measures in place to ensure the confidentiality, integrity and availability of the personal information which it processes and to protect the personal information it processes, in accordance with the requirements of POPIA.

## 9. DETAILS ON HOW TO MAKE A REQUEST FOR ACCESS: SECTION 51(e)

A requester is any person making a request for access to a record of, or held by, the Company. The requester is entitled to request access to information, including information pertaining to third parties, but the Company is not obliged to grant such access under certain circumstances. Apart from the fact that access to a record can be refused based on the grounds set out in paragraph 10 below, in order to successfully access information, the requester must fulfil the prerequisite requirements for access in terms of PAIA, including the payment of a request and access fee.

### 9.1 ACCESS REQUEST PROCEDURE

- 9.1.1 The requester requiring access to information held by the Company must complete the prescribed Form 2 attached hereto as Appendix B (“**Access Request Form**”), submit it to the Information Officer at the postal or physical address, fax number or email address recorded in paragraph 4 above, together with the appropriate request fee and deposit, if applicable.
- 9.1.2 In order to facilitate a timely response to requests for access, all requesters should take note of the following when completing the Access Request Form:
  - 9.1.2.1 The Access Request Form must be comprehensively completed.
  - 9.1.2.2 Proof of identity is required to authenticate the identity of the requester. Therefore, in addition to the Access Request Form, requesters will be required to supply a copy of their identification document.
  - 9.1.2.3 Every applicable question must be answered. If a question does not apply "N/A" should be stated in response to that question. If there is no information to disclose in reply to a particular question "Nil" should be stated in response to that question.
- 9.1.3 The Access Request Form must be completed with enough particularity to:
  - 9.1.3.1 Provide sufficient particulars to enable the Information Officer to identify the record/s requested and to identify the requester.
  - 9.1.3.2 Indicate which form of access is required if the request is granted.
  - 9.1.3.3 Specify a postal address, e-mail address or fax number of the requester in the Republic of South Africa.
  - 9.1.3.4 Identify the right that the requester 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.
- 9.1.4 If the request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the Information Officer.
- 9.1.5 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally by contacting the Information Officer or Deputy Information Officer at the telephone numbers listed above. The Information Officer or Deputy Information Officer will subsequently complete the Access Request Form on behalf of the requester and provide a copy thereof to the requester.
- 9.1.6 The requester will be informed in writing, or if the requester is illiterate telephonically, whether access has been granted or denied. If, in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, the requester must state that manner and the necessary

particulars so required. For further information on the notice of decision to grant or deny access to a record, please refer to paragraph 12 below.

## **10. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS**

10.1 The Company may refuse a request for information on the following basis:

- 10.1.1 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;
- 10.1.2 Mandatory protection of the commercial information of a third party, if the record contains:
  - 10.1.2.1 Trade secrets of that third party;
  - 10.1.2.2 Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party; and
  - 10.1.2.3 Information disclosed in confidence by a third party to the Company, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- 10.1.3 Mandatory protection of confidential information of third parties if it is protected in terms of any agreement or local and international legislation;
- 10.1.4 Mandatory protection of the safety of individuals and the protection of property;
- 10.1.5 Mandatory protection of records which would be regarded as privileged in legal proceedings;
- 10.1.6 The commercial activities of the Company, which may include:
  - 10.1.6.1 Trade secrets of the Company;
  - 10.1.6.2 Financial, commercial, scientific or technical information which, if disclosed, could put the Company at a disadvantage in negotiations or commercial competition or which would cause harm to the commercial or financial interests of the Company;
  - 10.1.6.3 A computer program which is owned by the Company and which is protected by copyright.
- 10.1.7 The research information of the Company or a third party, if its disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the research at a serious disadvantage;
- 10.1.8 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

## **11. PRESCRIBED FEES: SECTION 51(1)(f)**

11.1 The following applies to requests (other than personal requests):

- 11.1.1 Under Section 54 of PAIA, private bodies are entitled to levy a prescribed request fee to a requester before the private body may process the request for information or records. Fees levied are published by the Minister and are displayed in Appendix A to this Manual. PAIA provides for two types of fees, namely a request fee, which will be a standard fee; and an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 11.1.2 When the request is received by the Information Officer, the Information Officer will by notice require the requester, other than a personal requester, to pay the

prescribed request fee (if any), before further processing of the request (refer to Appendix A of this Manual).

- 11.1.3 Payment details can be obtained from the Information Officer and can be made either via a direct deposit or EFT. Proof of payment must be supplied when the Access Request Form is submitted.
- 11.1.4 The information officer will withhold a record until the requester has paid the fees as indicated. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the requested form.
- 11.1.5 If a request fee has been paid in respect of a request for access, which is refused, then the information officer will refund the request fee to the requester.

## 11.2 REQUEST FEE

An initial "request fee" is payable on submission of the Access Request Form. The prescribed fee is set out in Appendix A. Note that the requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the request fee.

## 11.3 ACCESS FEE

If the request for access is successful, an access fee must be paid. This fee is for the search, reproduction and/or preparation of the record(s). The access fee will be calculated based on the prescribed fees set out in Appendix A. Note that the requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the access fee.

## 11.4 DEPOSIT

- 11.4.1 If the search for, and the preparation of, the record for disclosure would, in the opinion of the Information Officer, require more than 6 hours, the requester may be required to pay as a deposit one third of the access fee (the fee which will be payable if the request is granted). The Information Officer will inform the requester accordingly should a deposit be required, using the prescribed Form 3 annexed hereto as Appendix C ("**Outcome of Request and Fees Payable Form**").
- 11.4.2 Note that the requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the deposit. If a deposit has been paid in respect of a request for access which is subsequently refused, then the Information Officer must refund the deposit to the requester. The requester must pay the prescribed fee before any processing, or any further processing, can take place.

## 12. NOTIFICATION OF DECISION

- 12.1 The Information Officer will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect. The decision will be communicated to the requester using the prescribed Outcome of Request and Fees Payable Form.
- 12.2 The 30-day period, within which the Company has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the information cannot reasonably be obtained within the original 30 day period. For



example, the time period may be extended if the request is for a large volume of information, or the request requires the Company to search for information held at other premises.

12.3 The Information Officer will notify the requester in writing should an extension be required. The requester may lodge a complaint to the Information Regulator or an application with a court against the extension.

## 13. REMEDIES AVAILABLE WHEN THE COMPANY REFUSES A REQUEST FOR INFORMATION

### 13.1 INTERNAL REMEDIES

The Company does not have internal appeal procedures. Therefore, the decision made by the Information Officer is final. Requesters who are dissatisfied with a decision of the Information Officer will have to exercise external remedies at their disposal.

### 13.2 EXTERNAL REMEDIES

All complaints, by a requester or a third party, can be made to the Information Regulator or a court, in the manner prescribed below.

#### 13.2.1 COMPLAINTS TO THE INFORMATION REGULATOR

13.2.1.1 The requester or third party, as the case may be, may submit a complaint in writing to the Information Regulator, within 180 days of the decision, alleging that the decision was not in compliance with the provisions of PAIA.

13.2.1.2 The Information Regulator will investigate the complaint and reach a decision – which may include a decision to investigate, to take no further action or to refer the complaint to the Enforcement Committee established in terms of POPIA.

13.2.1.3 The Information Regulator may serve an enforcement notice confirming, amending or setting aside the impugned decision, which must be accompanied by reasons.

#### 13.2.2 APPLICATION TO COURT

13.2.2.1 An application to court may be brought in the ordinary course. For purposes of PAIA, any reference to an application to court includes an application to a Magistrates' Court.

## 14. UPDATING OF THE MANUAL

The Information Officer will on a regular basis, as and when needed, update this Manual.

Signed by the Chief Executive Officer, Andre Van Rensburg, on this the 30th day of November 2021 at Bedfordview.



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**ANDRE VAN RENSBURG**  
Chief Executive Officer  
Bombela Concession Company (RF) (Pty) Ltd

## Appendix A: Prescribed fees

### 1. REQUEST FEES

Where a requester submits a request for access to information held by the Company on a person other than the requester himself/herself, the request fee is payable up-front before the institution will further process the request received.

The “request fee” payable by every requester referred to in Annexure B of the Regulations relating to PAIA, is R140,00.

### 2. ACCESS AND REPRODUCTION FEES

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of section 54(8) of PAIA.

Where the Company has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records will be a fee for reproduction of the record in question.

The applicable fees which will be payable are:

Item	Description	Fees to be charged
1.	For every photocopy or printed black and white copy of an A4-size page	R2,00
2.	For every printed copy of an A4-size page	R2,00
3.	For a copy in a computer-readable form on:	
	a. Flash drive (to be provided by the requester)	R40,00
	b. Compact disk	
	i. If provided by the requester	R40,00
	ii. If provided to the requester	R60,00
4.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from service provider.
5.	For a copy of visual images	Service to be outsourced. Will depend on quotation from service provider.
6.	For a transcription of an audio record per A4-size page	R24,00
7.	For a copy of an audio record on:	R30,00
	a. Flash drive (to be provided by the requester)	R40,00
	b. Compact disk	
	i. If provided by the requester	R40,00
	ii. If provided to the requester	R60,00
8.	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation	R145,00
	To not exceed a total cost of	R435,00

When a copy of the record must be posted, e-mailed or transferred electronically to a requester, the requester shall be liable to pay the actual postage, e-mail or any other electronic transfer expense incurred, if any.

### **3. DEPOSITS**

Where the Company receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 hours, a deposit is payable by the requester. The amount of the deposit is equal to one third of the amount per request calculated in terms of items 1 to 8 above.

**Appendix B: Form 2 – Access Request Form**

**NOTE:**

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Address)

E-mail address: \_\_\_\_\_

Fax number: \_\_\_\_\_

Mark with an "X"

- Request is made in my own name       Request is made on behalf of another person.

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made <i>(when made on behalf of another person)</i>				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			
Full names of person on whose behalf request is made <i>(if applicable)</i> :				
Identity Number				
Postal Address				

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<b>PARTICULARS OF RECORD REQUESTED</b>			
<p><i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<b>TYPE OF RECORD</b>			
<i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

<b>FORM OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

<b>MANNER OF ACCESS</b> <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

<b>PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED</b>	
<i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	

Explain why the record requested is required for the exercise or protection of the aforementioned right:	

<b>FEES</b>	
a) <i>A request fee must be paid before the request will be considered.</i> b) <i>You will be notified of the amount of the access fee to be paid.</i> c) <i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i> d) <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20  
**Signature of Requester / person on whose behalf request is made**

-----**FOR OFFICIAL USE**-----

Reference number:	
Request received by: <i>(State Rank, Name And Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

**Signature of Information Officer**

\_\_\_\_\_

**Appendix C: Form 3 – Outcome of Request and Fees Payable Form**

**NOTE:**

1. *If your request is granted the –  
 (a) amount of the deposit, (if any), is payable before your request is processed; and  
 (b) requested record/portion of the record will only be released once proof of full payment is received.*
2. *Please use the reference number hereunder in all future correspondence.*

Reference number: \_\_\_\_\_

TO: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Your request dated \_\_\_\_\_, refers.

**1. You requested:**

Personal inspection of information at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i> is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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OR

**2. You requested:**

Printed copies of the information <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of information on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of information on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

**3. To be submitted:**

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language: <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	



Kindly note that your request has been:

- Approved  
 Denied, for the following reasons:


**4. Fees payable with regards to your request:**

**5.**

Item	Cost per A4-size page or part thereof/item	Number of page/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive			
• To be provided by requester	R40,00		
(ii) Compact disc			
• If provided by requester	R40,00		
• If provided to the requester	R60,00		
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24,00		
Copy of an audio record			
(i) Flash drive			
• To be provided by requester	R40,00		
(i) Compact disc			
• If provided by requester	R40,00		
• If provided to the requester	R60,00		
Postage, e-mail or any other electronic transfer	Actual costs		
<b>TOTAL:</b>			

**6. Deposit payable (if search exceeds six hours):**

Yes

No

Hours of search		Amount of deposit <i>(calculated on one third of total amount per request)</i>	
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The amount must be paid into the following Bank account:

Name of Bank: \_\_\_\_\_

Name of account holder: \_\_\_\_\_

Type of account: \_\_\_\_\_

Account number: \_\_\_\_\_

Branch Code: \_\_\_\_\_

Reference Nr: \_\_\_\_\_

Submit proof of payment to: \_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
Information Officer