



PAIA MANUAL

**Prepared in terms of section 14 of the Promotion of
Access to Information Act 2 of 2000 (as amended)**

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TABLE OF CONTENTS

PREAMBLE	1
1. INTRODUCTION	2
2. PURPOSE OF THE MANUAL	2
3. TRANS- CALEDON TUNNEL AUTHORITY’S STRUCTURE AND FUNCTIONS	2
3.1. ESTABLISHMENT OF TCTA.....	2
3.2. VISION	3
3.3. MISSION.....	3
3.4. VALUES	3
3.5. OUR BUSINESS.....	4
3.6. OUR STRUCTURE AND GOVERNANCE	4
3.7. MAJOR PRODUCTS AND SERVICES.....	4
3.8. ADVISORY SERVICES	5
4. KEY CONTACT DETAILS FOR ACCESS OF INFORMATION OF TCTA	6
5. REMEDIES AVAILABLE IF PROVISIONS OF PAIA ARE NOT COMPLIED WITH OR IN	6
RESPECT OF AN ACT OR A FAILURE TO ACT BY THE TCTA	6
6. THE INFORMATION REGULATOR GUIDE ON HOW TO USE PAIA (SECTION 10 AND 14(1)(C))..7	
6. VOLUNTARY DISCLOSURE AND NOTICE IN TERMS OF SECTION 15(2) OF PAIA.....	8
6.1. DESCRIPTION OF THE SUBJECTS ON WHICH TCTA HOLDS RECORDS AND CATEGORIES	8
OF RECORDS HELD BY THE TCTA	8
6.2. INFORMATION TO BE FORMALLY REQUESTED.....	10
6.3. MATTERS TO BE CONSIDERED BY THE REQUESTER.....	10
6.4. PROCEDURE FOR ACCESS TO RECORDS HELD BY THE TCTA	10
6.5. GRANT OR REFUSAL FOR ACCESS TO THE RECORDS.....	12
7. PROCESSING OF PERSONAL INFORMATION	13
7.1. PURPOSE OF PROCESSING	13
7.2. CATEGORIES OF DATA SUBJECTS AND THEIR PERSONAL INFORMATION	13
7.3. CATEGORIES OF RECIPIENTS FOR PROCESSING THE PERSONAL INFORMATION.....	14
7.4. CROSS-BORDER DATA FLOWS	14
7.5. INFORMATION SECURITY MEASURES.....	14
7.6. REVIEW OF THE MANUAL.....	14
7.7. ACCESS OF THE MANUAL	15
ANNEXURE A	16
ANNEXURE B	22
ANNEXURE C	24

PREAMBLE

Section 32 of the Constitution of the Republic of South Africa, 1996 (the Constitution) grants everyone the right of access to any information held by the state or by another person and that is required for the exercise or protection of any right.

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA), in realization of these constitutional rights, specifically–

- charges all public bodies with the responsibility to facilitate public access to information/record(s) under their custody.
- provides a framework and procedures for the public to exercise their constitutional right to information as swiftly, inexpensively, and effortlessly as reasonably possible.
- stipulates mechanisms which governmental bodies must put in place, to facilitate access to such information by members of the public; and
- outlines conditions under which restricted access apply, including those relating to personal, commercial, financial, technical, or scientific information about a third party; information which may affect court or police proceedings, e.g., police dockets in bail proceedings and certain categories of information about the South African Revenue Service.

There are undoubtedly limitations to public realization of the rights as stipulated in section 36 of the Constitution and sections 33 to 45 of the PAIA Act, respectively.

In compliance with the statutory requirements of the PAIA and to contribute to the promotion of transparency, accountability and effective governance, the Trans-Caledon Tunnel Authority has produced a manual as a mechanism to facilitate public access to information/record(s) under its custody.

It is hoped that this manual will serve as an effective platform/tool for providing the public with the relevant information to enable them to exercise their right of access to information under the custody of the Trans-Caledon Tunnel Authority.

1. INTRODUCTION

This Manual has been compiled as a statutory requirement in compliance with the provisions of section 51 of the Promotion of Access to Information Act, 2000, Act No. 2 of 2000 as amended ("The Act"), which mandates all government bodies to compile and publish a manual indicating information/ records under its custody that are readily available to the public, as well as those that need to be requested through the provisions of the Act.

2. PURPOSE OF THE MANUAL

This Manual is intended to:

- 2.1. establish the nature of the records which may already be available at the TCTA, without the need for submitting a formal PAIA request.
- 2.2. have an understanding of how to make a request for access to a record of the TCTA.
- 2.3. access all the relevant contact details of the persons who will assist the public with the records they intend to access.
- 2.4. know all the remedies available from the (name of the body) regarding request for access to the records, before approaching the Regulator or the Courts.
- 2.5. the description of the services available to members of the public from the TCTA, and how to gain access to those services.
- 2.6. a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it.
- 2.7. if the TCTA 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.
- 2.8. know if the TCTA 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
- 2.9. know whether the TCTA has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. TRANS- CALEDON TUNNEL AUTHORITY'S STRUCTURE AND FUNCTIONS

3.1. ESTABLISHMENT OF TCTA

- 3.1.1. TCTA was established in 1986 by Government Notice No 2631 in *Government Gazette* No 10545, dated 12 December 1986, to finance and build the Delivery Tunnel North of the Lesotho Highlands water Project (LHWP).

- 3.1.2. In 1994, a directive was received to fulfil the financial obligations of the Government of South African, in terms of a Treaty on the Lesotho Highlands water Project, on the water transfer component in Lesotho.
- 3.1.3. On 24 March 2000, the Notice of Establishment was amended by Notice 277 in the Government Gazette No 21017, to include the 1994 directive and to allow for the Minister, in terms of Section 24(d) of the notice, to issue directives to TCTA in terms of Section 103(2) of the National Water Act (Act 36 of 1998).
- 3.1.4. TCTA is a Schedule 2 Public Entity in terms of the Public Finance Management Act, 1 of 1999 (PFMA) and is accordingly classified as a public body in terms of the relevant legislation. TCTA must comply all the prescripts relevant to public bodies when it processes requests for access to information and/or records.

3.2. Vision

World-class enabler of sustainable infrastructure for a water-secure South Africa.

3.3. Mission

To plan, finance and implement sustainable and accessible water resource infrastructure.

3.4. Values

3.4.1 Excellence

We consistently give our best, deliver excellent work with agility, and think innovatively and creatively to improve our performance.

3.4.2 Integrity

We conduct ourselves honestly and transparently, stimulating constructive action, truly 'walk the talk', and gain trust and credibility through fairness and mutually cooperative relationships.

3.4.3 Respect

We acknowledge and embrace diversity, and we are responsive to one another's needs and those of our communities' stakeholders and the environment.

3.4.4 Unity

We are committed through a common vision and goals, effective team-work, and partnerships, and we contribute positively to the team's performance, spirit, and morale.

3.4.5 Growth

We willingly share knowledge and information with each other, we are innovative and proactive in thought and in action, and we support, encourage, and provide opportunities for individuals and collective growth.

3.5. OUR BUSINESS

TCTA main business is to finance and construct national water infrastructure on behalf of the National Department of Water and Sanitation.

3.6. OUR STRUCTURE AND GOVERNANCE

TCTA is wholly owned by the state, reporting to the Minister of Water and Sanitation (“Minister”) who is the Executive Authority in terms of the PFMA. It is governed by the Board of Directors (“Board”) appointed by the Minister. In turn, the Board appoints with the concurrence of the Minister the Chief Executive Officer (“CEO”) who is the head of TCTA’s administration. TCTA has no subsidiary nor branches or other offices, except for project sites.

Schematic Diagram of Structure

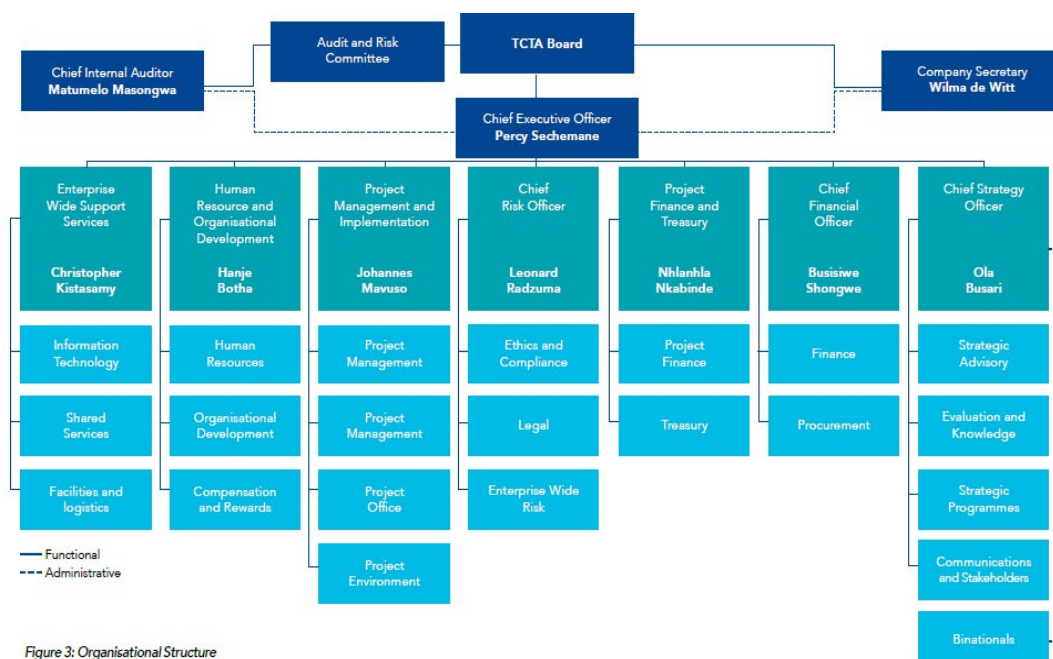


Figure 3: Organisational Structure

3.7. MAJOR PRODUCTS AND SERVICES

3.4.1. In accordance with Section 3 of the Notice of Establishment, TCTA is set up to:

3.4.1. implement, operate, and maintain that part of Phase 1 of the LHWP, situated in the Republic of South Africa, in accordance with the provisions of the Treaty; and

3.4.2. perform the functions set out in Clauses 24(a) and (b) and any other additional functions that the Authority may be required to perform in terms of a directive by the Minister under Section 103(2) of the National Water Act.

3.4.3. To fulfil the responsibilities set out in the Notice of Establishment and the directives that are given to it from time to time by the Minister, TCTA provides the following services and associated products:

3.4.3.1. project management and implementation of water infrastructure:

- 3.4.1.1.1. project design
- 3.4.1.1.2. project construction
- 3.4.1.1.3. environmental compliance
- 3.4.1.1.4. land acquisition
- 3.4.1.1.5. operation and maintenance.

- 3.4.3.2. debt management.
- 3.4.3.3. structuring and raising project finance.
- 3.4.3.4. knowledge management.
- 3.4.3.5. risk management.
- 3.4.3.6. socio-economic transformation; and
- 3.4.3.7. tariff setting.

3.4.4. These products and services are in alignment with the functions set out in Section 102 of the National Water Act.

3.4.5. Mandates and Directives:

Mandate / Directive	Date	Type of work					
		Planning	Funding	Implementation	Operation and maintenance	Advisory	Payment
Komati Water Scheme Augmentation Project (KWSAP).	29 September 2008		✓	✓		✓	
Mokolo–Crocodile Water Augmentation Project – Phase 1 and Phase 2A (MCWAP-1; MCWAP- 2A).	19 May 2010		✓	✓		✓	
Metai Bophelo Borehole Project.	2 March 2011			✓			
Acid Mine Drainage – Short-term Intervention.	6 April 2011			✓	✓	✓	
Phase 1 of the Mooli–Mgeni Transfer Scheme – Phase 1.	29 November 2011			✓			
Strategic Integrated Project 3 (SIP-3).	10 November 2012					✓	
Advisory Services for the uMzimvu Water Project (MRWP).	10 February 2014 (latest revision revised 19 January 2019)	✓	✓	✓			
Strategic Integrated Project 18 (SIP-18).	26 February 2014					✓	
Amendment to MMTS-2 directive to include the construction of a potable water pipeline for Umgeni Water.	20 March 2014			✓			
Olifants River Water Resources Development Project – Phase 2B (ORWRDP-2B).	25 February 2015 (directive revised 22 October 2015)	✓	✓	✓			
Advisory Services for the Water Off-take for Kriel Town (KRIEL).	20 June 2015			✓			✓
Acid Mine Drainage – Long-term Solution.	19 May 2016		✓	✓			✓
Berg River–Voëlvllei Augmentation Scheme (BRVAS).	18 May 2017		✓	✓			✓
uMkhomazi Water project (uMWP).	22 February 2019		✓	✓			✓
Programme Management Services to DWS in relation to Water Infrastructure Projects.	1 April 2019						✓

3.8. ADVISORY SERVICES

Trans-Caledon Tunnel Authority works closely with the Department of Water and Sanitation, water boards, municipalities and other entities that are linked to bulk raw water infrastructure.

4. KEY CONTACT DETAILS FOR ACCESS OF INFORMATION OF TCTA

4.1. The Chief Executive Officer (“CEO”) is the Information Officer in terms of the PAIA Act. However, for administration purposes the powers and duties bestowed to the CEO have been delegated in writing to the Deputy Information Officer in terms of Section 17 of the Act. Thus, all information requests for information in terms of the PAIA Act must be directed to the Deputy Information Officer.

The Table below reflects the contact details of the information officer and the deputy that may be accessed through PAIA requests.

GENERAL INFORMATION	
Name of Public Body:	Trans-Caledon Tunnel Authority
Postal address:	P O Box 10335, Centurion, 0046
Physical address:	Byls Bridge Office Park, Building 9, Corner of Olievenhoutbosch & Jean Ave, Doringkloof, Centurion, 0157
Telephone number:	+27 12 683 1200
Email Address:	info@tcta.co.za
Website address:	http://www.tcta.co.za
INFORMATION OFFICER AND DEPUTY INFORMATION OFFICER	
Name and Email address of the Information Officer	Percy Sechemane psechemane@tcta.co.za 012- 683 1210
Name, Position, and email address of the Deputy Information Officer 1 – (General Documents)	Lindani Gumede Records Specialist lgumede@tcta.co.za 012- 683 1391
Name, Position, and email address of the Deputy Information Officer 2- (Board Information)	Wilma de Witt Company Secretary wdewitt@tcta.co.za 012-683 1230
Name, Position, and email address of the Deputy Information Officer 3- (Employee information)	Hanje Botha Executive -Human Resources and Organisational Development hbotha@tcta.co.za 012-683 1286

5. REMEDIES AVAILABLE IF PROVISIONS OF PAIA ARE NOT COMPLIED WITH OR IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE TCTA

5.1 If the TCTA fails to comply with the provisions of PAIA, the requestor or any aggrieved person

may, in accordance with section 78 of PAIA and the Promotion of Administrative Justice Act 3 of 2000 (PAJA), approach the Court with jurisdiction for appropriate relief.

5.2 If the requester or third party is aggrieved by the decision of the Information Officer or Deputy Information Officer, he or she may, by way of an application and within 180 days, apply to a court for appropriate relief in terms of section 82 of the Act.

5.3 Although the TCTA as a public body does not have an internal appeal process, as referred to in paragraph (a) of the definition of “public body” in section 1 of the Act, and it has not established the such internal appeal process, the requester or third party may approach the court in accordance with paragraph 5.2 above if aggrieved by a decision of the Information Officer or Deputy Information Officer.

6. THE INFORMATION REGULATOR GUIDE ON HOW TO USE PAIA (SECTION 10 AND 14(1)(C))

5.1. The Information Regulator (South Africa) has, in terms of section 10(1) of the PAIA, 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.

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 mail 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; and

5.3.3.2 access to a record of a private body contemplated in section 50;

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 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 internal appeal (*if applicable*);

5.3.6.2 a complaint to the 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 Regulator or a decision of the head of a private body;

5.3.7 the provisions of sections 14 and 51 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 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 regarding fees to be paid in relation to requests for access; and

5.3.10 the regulations made in terms of section 92.

5.4 Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained-

5.4.1 upon request to the Information Officer;

5.4.2 from the website of the Regulator (<https://www.justice.gov.za/inforeg/>)

6. VOLUNTARY DISCLOSURE AND NOTICE IN TERMS OF SECTION 15(2) OF PAIA

Trans- Caledon Tunnel Authority has not submitted to the Minister of Justice and Constitutional Development any description of the categories of its records that are automatically available for publication by notice in the Gazette.

6.1. DESCRIPTION OF THE SUBJECTS ON WHICH TCTA HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE TCTA

6.1.1. Categories of records of the TCTA which are available without a person having to request access-Automatically Available

Without a person having to request access, the following information is available on our website (www.tcta.co.za) and can also be requested from the Information Officer or Deputy Information Officer.

6.1.1.1. About Trans- Caledon Tunnel Authority Notice of Establishment Our role within the context of National Water Resource Infrastructure

6.1.1.2. Our position in water sector

6.1.1.3. Vision, Mission, and Values

6.1.1.4. Organograms

6.1.1.5. Board of Directors/ Accounting Authority

- 6.1.1.6. Executive Committee / Management
- 6.1.1.7. Our Services
- 6.1.1.8. Our Projects – incl. details of each Trans- Caledon Tunnel Authority project
- 6.1.1.9. Investors
- 6.1.1.10. Communities (Stakeholder Management)
- 6.1.1.11. Publications
- 6.1.1.12. PAIA/POPIA Manual; and
- 6.1.1.13. Annual Reports.
- 6.1.1.14. Opportunities
- 6.1.1.15. Tenders.
- 6.1.1.16. Vacancies.
- 6.1.1.17. Project Naledi.
- 6.1.1.18. Contact Details; and
- 6.1.1.19. Useful Links

In complying with the provisions of Section 15(1) of PAIA, the above categories of information will be submitted to the Minister of Justice and Constitutional Development to be published in the Gazette, in terms of section 15(2), and will be reviewed and updated on an annual basis.

6.1.2. Information Available in Terms of Other Legislation

Where applicable to our operations, information is also available in terms of certain provisions of other statutes that include amongst others, the following:

- 6.1.2.1. Basic Conditions of Employment Act, 75 of 1997.
- 6.1.2.2. Compensation for Occupational Injuries and Diseases Act, 130 of 1993.
- 6.1.2.3. Employment Equity Act, 55 of 1998.
- 6.1.2.4. Labour Relations Act, 66 of 1995.
- 6.1.2.5. Occupational Health and Safety Act, 85 of 1993.
- 6.1.2.6. Public Finance Management Act, 1 of 1999.
- 6.1.2.7. Unemployment Insurance Act, 63 of 2001.
- 6.1.2.8. Financial Intelligence Centre Act, 38 of 2001.
- 6.1.2.9. Prevention of Organized Crime Act, 121 of 1998.

- 6.1.2.10. Prevention and Combating of Corrupt Activities Act, 12 of 2004; and
- 6.1.2.11. Protection of Constitutional Democracy against terrorist and related Activities Act, 33 of 2004.

6.2. INFORMATION TO BE FORMALLY REQUESTED

Trans- Caledon Tunnel Authority holds information pertaining to certain subjects which must be formally requested in terms of the PAIA. However, access to some of the information may be restricted in accordance with the provisions of Chapter 4 (Grounds for refusal of access to records in terms of Sections 33 – 46 and sections 62 to 70) of PAIA, unless:

- 6.2. the disclosure of the information would reveal evidence of:
 - 6.2.1 a substantial contravention of, or failure to comply with the law; or an imminent and serious public safety or environmental risk; and
 - 6.2.2 the public interest in the disclosure of the record/information clearly outweighs the harm contemplated in the provision in question.
 - 6.2.3 Therefore, the inclusion of any subject or categories of records below should not be construed as information automatically available upon request.
 - 6.2.4 Please refer to schedule 3 of the PAIA manual for the subjects which must be formally requested in terms of the PAIA.

6.3. MATTERS TO BE CONSIDERED BY THE REQUESTER

Prior to submitting a request, the following are of critical importance to note namely:

- 6.3.1. That PAIA cannot be used to request the record or information for purposes of criminal or civil proceedings. Where the information is required for that purpose, the requestor must use the rules and procedures for discovery of information to the relevant legal forum including courts. Trans- Caledon Tunnel Authority reserves the right to claim expenses and other damages incurred because of a requester submitting a request not in line with the provisions of PAIA. Section 7(1).
- 6.3.2. The limitations or grounds for refusal of access to records in terms of Sections 33 – 45 of PAIA.
- 6.3.3. The information/records requested must be in existence at the time of Trans- Caledon Tunnel Authority receiving the request. Thus, Trans- Caledon Tunnel Authority is not compelled to create a record which is not yet in existence at the time the request is made.

6.4. PROCEDURE FOR ACCESS TO RECORDS HELD BY THE TCTA

- 6.4.1. Section 18 of PAIA prescribes the procedure to be followed in making a request for access

to information held by the TCTA. Section 23(1) of POPIA also provides the procedure to access personal information. Manner of access to personal information in terms of section 23 of POPIA should be in accordance with section 18 of PAIA.

- 6.4.2. A requester or data subject must use the prescribed form, FORM 2, when requesting access to a record or personal information. Form 2 is annexed hereto.
- 6.4.3. A requester is any person making a request for access to a record of the TCTA and in this regard, PAIA distinguishes between two types of requesters for access to information, i.e., Personal Requester, (data subject) and Other Requester.
- 6.4.4. A request for access to information must be made by completing the prescribed request form (Form A) attached as Annexure A below, paying the request fee and addressing it to the Information Officer /Deputy Information Officer. The form must be signed by the requester, as well as all additional pages of documentation added to the request form. Trans- Caledon Tunnel Authority will accept an electronic submission of Form A request. Form A can be accessed by request to the Deputy Information Officer who can either forward it via a letter, or e-mail. Alternatively, it can be collected from at the Trans- Caledon Tunnel Authority's offices.
- 6.4.5. The requester must also indicate if the request is for a copy of the record or to come in and inspect the record at the offices of Trans- Caledon Tunnel Authority. Alternatively, if the record is not in printed form, then the document can be viewed in the manner prescribed in section 29 (2) of the PAIA.
- 6.4.6. To cut down on administration it is recommended that the payment of the Request fee, except for a Personal Requester, be made prior to the request. Kindly attach proof of payment to the request. Trans- Caledon Tunnel Authority will only accept payment by means of electronic funds transfers and direct deposits to its bank account.
- 6.4.7. All payments must be made to:

Account Holder: Trans-Caledon Tunnel Authority - LHWP

Bank: Standard Bank

Account No: 010754954

Branch Name: Pretoria

Branch Code: 010-045

Reference: Name of requestor
- 6.4.8. Dispatch the completed request form to the Information Officer/Deputy by post or delivery or email provided above under contact details.

6.5. GRANT OR REFUSAL FOR ACCESS TO THE RECORDS

6.5.1. Upon receipt of the request, the Information Officer/Deputy shall as soon as possible and within 30 days after the request has been received, decide whether to grant the request or not and the requestor will be notified of the decision made. In addition, Trans- Caledon Tunnel Authority will inform the requestor of the following:

- 6.5.1.1. access fee to be paid for information in accordance with Annexure B.
- 6.5.1.2. the format in which records to the information will be given; and
- 6.5.1.3. an appeal with the relevant courts against the fee charged or format to be used in granting access.

6.5.2. The 30-day period within which a decision must be made whether to grant or refuse the request, may be extended for a further period of not more than 30 days. A decision to extend the period may be made on the following reasons:

- 6.5.2.1. if the request is for a large amount of information.
- 6.5.2.2. if the request requires a search for the information held at another office of which Trans- Caledon Tunnel Authority does not have, in its possession.
- 6.5.2.3. if the information cannot reasonably be obtained within the original 30 days,
- 6.5.2.4. the requestor agrees to an extension in writing; and
- 6.5.2.5. the parties agree in any other acceptable manner to such an extension.

6.5.3. In case of an extension of the original 30 days period, the requestor will be informed in the prescribed manner of the reasons for such extension and the requestor may appeal to the relevant courts against an extension or any procedure relating to the extension.

6.5.4. If the decision is taken to grant access to the records as requested, access to the actual records will be given as soon as possible. Should the request for access be refused, Trans- Caledon Tunnel Authority shall give the requestor written notice of such refusal containing the following:

- 6.5.4.1. reasons for the refusal.
- 6.5.4.2. that the requestor may appeal to the High Court against the refusal and advising on the period for lodging such an appeal.
- 6.5.4.3. that the deposit paid by the requestor will be refunded; and
- 6.5.4.4. failure to respond by the Information Officer/Deputy within 30 days after a request has been received, will be deemed to constitute a refusal for access in terms of Section 27 of PAIA.

6.5.5. Appeal by the Requestor

6.5.5.1 If a request for access to a record has been refused, delayed, or granted subject to unreasonable fees or is granted in an unacceptable form, the requester may lodge an appeal as per Section 74 of PAIA.

6.5.5.2 Section 74 of PAIA allows for appeals against the decision of the Information Officer or Deputy Information Officer and the appeal processes is not compulsory.

6.5.5.3 According to Section 78 of PAIA, a requester or third party referred to in Section 74, may only apply to a Court for appropriate relief in terms of Section 82 of the Act, after having exhausted the appeal process against a decision of the Information Officer or Deputy Information Officer. As indicated in paragraph 6.5.5.2 above, the appeal process is not compulsory and the requester or third party may, at any time, within the prescribed period of 180 days, approach the court for appropriate relief.

7. PROCESSING OF PERSONAL INFORMATION

7.1. PURPOSE OF PROCESSING

TCTA uses the personal information under its care in the following ways:

7.1.1. Staff administration

7.1.2. Keeping of accounts and records

7.1.3. Facilitating projects

7.1.4. Complying with relevant laws

7.2. CATEGORIES OF DATA SUBJECTS AND THEIR PERSONAL INFORMATION

Entity Type	Personal Information processed
Clients: Natural Persons	Names; contact details; physical and postal addresses; date of birth; ID number; Tax related information; nationality; gender; confidential correspondence
Clients: Juristic Persons	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
Clients: Foreign persons/entities	Names; contact details; physical and postal addresses; date of birth; Passport number Tax related information; nationality; gender; confidential correspondence
Intermediary/Advisors	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
Contracted Services 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
Employees/Directors	Gender, Pregnancy; Marital Status; Colour, Age, Language, Education information; Financial Information; Employment History; ID number; Physical and Postal address; Contact details; Opinions, Criminal behaviour; Well-being;

7.3. CATEGORIES OF RECIPIENTS FOR PROCESSING THE PERSONAL INFORMATION

TCTA may supply the personal information to service providers who render the following services:

- 7.3.1. Capturing and organizing of data
- 7.3.2. Storing of data
- 7.3.3. Conducting due diligence checks
- 7.3.4. Conduction employment verifications and recruitments
- 7.3.5. Making travel arrangements
- 7.3.6. Medical aid funds
- 7.3.7. Pension/provident funds and/ or other trustees
- 7.3.8. TCTA will also supply Personal Information to financial institutions to comply with FICA.

7.4. CROSS-BORDER DATA FLOWS

- 7.4.1. TCTA may share with or receive Personal Information from parties that reside out of the Republic of South Africa. This will include entities like LHDA, a partner to TCTA on some projects, as well as other funders and service providers.
- 7.4.2. Some of these entities are bound by the same legislations as FICA, Anti-Money Laundering and Financing of terrorist Acts.

7.5. INFORMATION SECURITY MEASURES

- 7.5.1. TCTA prides itself on employing the best available technology to ensure that personal data is securely protected from breaches and unauthorised access. The measures to protect and manage the data include:
 - 7.5.1.1. Firewall
 - 7.5.1.2. Virus protections
 - 7.5.1.3. Secured Access
- 7.5.2. The Service Providers who process Personal Information on behalf of the organisation are contracted to implement security controls to safeguard the Personal Information which they process.

7.6. REVIEW OF THE MANUAL

This manual will be reviewed annually as required by Section 14(2) of PAIA or from time to time when necessary to accommodate the requirements of the public considering lessons learned from the requests received.

7.7. ACCESS OF THE MANUAL

The manual is available and can be accessed through personal visit to the Trans- Caledon Tunnel Authority offices or internet access to the website www.tcta.co.za. The copy is also made available to The Information Regulator (South Africa).



FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

FOR INTERNAL USE

Reference number _____

Request received by (state rank, name, and surname of information officer/deputy information officer) _____

on (date) _____

at (place) _____

Request fee (if any): R

Deposit (if any): R

Access fee: R

SIGNATURE OF INFORMATION OFFICER/ DEPUTY INFORMATION OFFICER

A. Of Trans- Caledon Tunnel Authority

The relevant Information Officer/Deputy Information Officer

B. Particulars of person requesting access to the record

- a) *The particulars of the person who requests access to the record must be recorded below.*
- b) *Furnish an address in the Republic to which information must be sent.*
- c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname:

Identity number:

Postal address:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made.

This section must be completed only if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

D. Particulars of record

- (a) 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.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.**

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) 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.
- (d) If you qualify for exemption of the payment of any fee, please state the reason, therefore.

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view, or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability		Form in which record is required:	
------------	--	-----------------------------------	--

Mark the appropriate box with an "X".

NOTES:

- (a) Your indication as to the required form of access depends on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form -

	copy of record*		inspection of record
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2. If record consists of visual images -

(This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

View the images		copy of the images*		transcription of the images*	
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3. If record consists of recorded words or information which can be reproduced in sound -

Listen to the soundtrack (audio cassette)		transcription of soundtrack*(written or printed document)	
---	--	---	--

4. If record is held on computer or in an electronic or machine-readable form

Printed copy of record*		Printed copy of information derived from the record*		Copy in computer readable form* (stiffy or compact disc)	
-------------------------	--	--	--	--	--

*If, you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? **A postal fee is payable.**

YES		NO	
-----	--	----	--

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.

In which language would you prefer the record?

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/ denied. If you wish to be informed thereof in another manner please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at this day of (day) of (month)..... (year)

SIGNATURE OF REQUESTER/ PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE B



PRESCRIBED FEES

The prescribed fees are summarized in accordance with Part II of the Government Notice (R187) published in the Government Gazette on 15 February 2002.

FEE DESCRIPTION		RAND value
Request Fees [Section 22(8)]		
1.	The request fee payable by every requester, other than a personal requester, referred to in regulation 7 (2).	35,00
Reproduction Fees [Section 15(3)] (apply to the reproduction of records that are disclosed voluntarily or that are made available automatically)		
2.	The fee for a copy of the manual as contemplated in regulation 5(c) is R0,60 for every photocopy of an A4-size page or part thereof.	0,60 per page
2.1	The fees for reproduction referred to in regulation 7(1) are as follows:	
2.1.1	For every photocopy of an A4-size page or part thereof	0,60
2.1.2	For every printed copy of an A4-size page or part thereof held on a computer. or in electronic or machine-readable form	0,40
2.2	For a copy in a computer-readable form on:	
2.2.1	stiffy disc	5,00
2.2.2	compact disc	40,00
2.3	For a transcription of visual images:	
2.3.1	for an A4-size page or part thereof	22,00
2.3.2	for a copy of visual images	60,00
2.4	For a transcription of an audio record:	
2.4.1	for an A4- size page or part thereof	12,00
2.4.2	for a copy of an audio record	17,00
Access Fees (apply to records requested by means of the PAIA request form)		
3.	(1) The access fees payable by a requester referred to in regulation 7(3) are as follows:	
3.1	For every photocopy of an A4-size page or part thereof	0,60
3.2	For every printed copy of an A4-size page or part thereof held on a computer. or in electronic or machine-readable form	0,40
3.3	For a copy in a computer-readable form on:	
3.3.1	disc	5,00
3.3.2	compact disc	40,00
3.4	For a transcription of visual images	
3.4.1	for an A4-size page or part thereof	22,00

FEE DESCRIPTION	RAND value
3.4.2 for a copy of visual images	60,00
3.5 For a transcription of an audio record	
3.5.1 for an A4- size page or part thereof	12,00
3.5.2 for a copy of an audio record	17,00
Search and Preparation Fees	
4. search for and prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation	15,00 per hour excl. 1st hour
Deposit Required [Section 22(2)]	
5. (2) For purposes of section 22(2) of the Act, the following apply:	
5.1 six hours as the hours to be exceeded before a deposit is payable; and	
5.2 one third of the access fee is payable as a deposit by the requester	
Postal Fees	
6. (3) The actual postal fee is payable when a copy of a record must be posted to a requester	

ANNEXURE C



FORM B

NOTICE OF APPEAL

(Section 74 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)) [Regulation 9]

STATE YOUR REFERENCE NUMBER: _____

A. Particulars of public body

The Information Officer/Deputy Information Officer:

B. Particulars of requester/third party who lodges the internal appeal.

- (a) The particulars of the person who lodged the internal appeal must be given below.
- (b) Proof of the capacity in which appeal is lodged, if applicable, must be attached.
- (c) If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be given at C below.

Full names and surname:

Identity number:

Postal address:

Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of requester

This section must be completed only if a third party (other than the requester) lodges the internal appeal.

Full names and surname:

Identity number:

D. The decision against which the internal appeal is lodged.

Mark the decision against which the internal appeal is lodged with an X in the appropriate box

	Refusal of request for access
	Decision regarding fees prescribed in terms of section 22 of the Act
	Decision regarding the extension of the period within which the request must be dealt within terms of section 26(1) of the Act
	Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester
	Decision to grant request for access

E. Grounds for appeal

If the provided space is inadequate, please continue a separate folio and attach it to this form.

You must sign all the additional folios.

State the grounds on which the internal appeal is based:

State any other information that may be relevant in considering the appeal:

F. Notice of decision on appeal

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner:

Particulars of manner:

Signed at this day of (day) of (month) (year)

SIGNATURE OF APPELLANT

FOR DEPARTMENTAL USE:

OFFICIAL RECORD OF INTERNAL APPEAL:

Appeal received on _____(date) By:

Name and Surname:

Position in Trans- Caledon Tunnel Authority:

Information officer/ Deputy Information officer

Appeal accompanied by the reasons for the information officer's/deputy information officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the information officer/deputy information officer on

(date) to the relevant authority.

OUTCOME OF APPEAL:

Decision of Information Officer/Deputy Information Officer

Confirmed/ New Decision

Substituted New Decision:

Date

Relevant Authority

Received by the Information Officer/Deputy Information Officer:

from the Relevant Authority on (date):

SCHEDULE 1

CONTACT DETAILS OF THE INFORMATION OFFICERS

SCHEDULE 2

CONTACT DETAILS THE INFORMATION REGULATOR (SOUTH AFRICA)

The table below reflects contact details of the Information Regulator (South Africa) that may be accessed through PAIA requests.

The Information Regulator (South Africa)	
Telephone No:	+27100235200
E-Mail Address:	enquiries@inforegulator.org.za
Postal Address:	P O Box 31533 Braamfontein 2017
Street Address:	The Information Regulator (South Africa) JD House 27 Stiemens Street Braamfontein JOHANNESBURG 2000
Website: Submissions:	enquiries@inforegulator.org.za PAIACompliance@inforegulator.org.za

SCHEDULE 3

CATEGORIES OF SUBJECT INFORMATION THAT MUST FORMALLY REQUESTED

The table below reflects the information pertaining to certain subjects which must be formally requested in terms of the PAIA.

Categories	Subject
Corporate Governance Matters	<ul style="list-style-type: none">• Board Remuneration• Board Agendas and minutes• Executive Committee Agendas and Minutes• Management Committees Agendas and Minutes• Board Charter and Terms of Reference• Board Annual Programme• Delegation of Authority• Conflict and Declaration of Interests
Agreements	<ul style="list-style-type: none">• Projects• International
Finance	<ul style="list-style-type: none">• Accounting Records Books and Documents• Bank statements• Cash Flows• Details of Auditors• External Auditors Reports• Financial commitments• Guarantees and securities.• Income and Expenditure• Interim and Annual Financial Reports• Organisational Budget• Assets register.• Lists of creditors and debtors• Other documents relating to Taxation.• Tax returns of Trans- Caledon Tunnel Authority
Human Resources	<ul style="list-style-type: none">• Annual Incentive Programme Policy and Basis of calculation• Management Remuneration• Disciplinary records and documentation pertaining to disciplinary proceedings

Categories	Subject
	<ul style="list-style-type: none"> • Documentation relating to employee benefits. • Employment equity plan • Employment policy • Injuries on duty • Job specifications • Leave records. • List of employees • Minutes of meeting with union(s) • Organisation structure • Performance Appraisal Records <ul style="list-style-type: none"> ○ Personnel Improvement Programme ○ Promotions • Personnel files • Policies and Procedure of Human Resources • Records provided by staff members. • Recruitment and appointment documentation <ul style="list-style-type: none"> ○ Advertisements ○ Staff selection • Retrenchments • Salary Scales • Score cards used in interviews. • Secondments • Training and development plan • Training manuals • Employee Assistance Programme • HIV/AIDS Programme • Skills Development
Information Technology	<ul style="list-style-type: none"> • Agreements relating to computer systems and computer programs. • Costing of hardware and software
Intellectual property	<ul style="list-style-type: none"> • Approvals • Authorisation certificates • Consents • Insurance policies • Insurance records • Licenses • Permits • Project designs
Ministerial Directives)	<ul style="list-style-type: none"> • Ministerial Directives of all projects • Shareholders Compact

Categories	Subject
Moveable and Immoveable Assets	<ul style="list-style-type: none"> • Agreements of Lease with landlords • Proof of ownership of moveable assets • Title deeds in respect of properties owned by Trans- Caledon Tunnel Authority
Plans	<ul style="list-style-type: none"> • Business Plans • Human Resource Plans
Policies	<ul style="list-style-type: none"> • Strategic • Operational
Projects	<ul style="list-style-type: none"> • Information about environmental processes
Reports	<ul style="list-style-type: none"> • Audit Reports • Quarterly Reports
Risk Management	<ul style="list-style-type: none"> • Business Continuity Plan • Enterprise-Wide Risk Management Reports • Incident reports relating to security and safety. • Insurance reports and policies • Occupational health and safety reports
Services and administration	<ul style="list-style-type: none"> • Maintenance contracts • Service contracts with all service providers
Supply Chain Management	<ul style="list-style-type: none"> • Tender Advertisements • Bid Committees' Minutes • Pre- tender briefing session attendance registers • Request for proposals • Supply Chain Management policy • Tender Submissions
Communications	<ul style="list-style-type: none"> • Internal Communications Strategy • Media Communications Strategy • Trans- Caledon Tunnel Authority media releases