



TRANS-CALEDON TUNNEL AUTHORITY

PROMOTION OF ACCESS TO INFORMATION ACT AND PROTECTION OF PERSONAL INFORMATION ACT MANUAL

This manual was prepared in accordance with section 51 of the promotion of access to information act, 2000 and to address the provisions of the protection of personal information act, 2013.

TCTA is a public entity established by Notice No. 2631 published in Government Gazette No. 10545 dated 12 December 1986, as amended by Notice No. 277 published in Government Gazette No. 21017 dated 24 March 2000, and its successors-in-title, a major public entity listed in Schedule 2 of the Public Finance Management Act of 1999.

Registered office address:

Stinkhout Wing,
Tuinhof Building,
265 West Avenue,
Centurion
0014

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FOREWORD

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 realisation 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 realisation 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.



Percy Sechemane
Chief Executive Officer
Trans-Caledon Tunnel Authority

Date: _____

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 (“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. OBJECTIVES OF THE ACT

2.1 THE OBJECTIVES OF PAIA ACCORDING TO SECTION 9 ARE–

- 2.1.1 to give effect to the constitutional right of access to information held by the state and any information that is held by another person that is required for the exercise or protection of any rights;
- 2.1.2 to give effect to the right of access to information; subject to justifiable limitations, including, but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance; and in a manner which balances that right with any other rights, including the rights in the Bill of Rights in Chapter 2 of the Constitution;
- 2.1.3 to give effect to the constitutional obligations of the state of promoting a human rights culture and social justice;
- 2.1.4 to establish voluntary and mandatory mechanisms or procedures to give effect to the right of access to information in a manner which enables persons to obtain access to records of public and private bodies as swiftly, inexpensively and effortlessly as reasonably possible; and
- 2.1.5 to promote transparency, accountability and effective governance of all public and private bodies.

3. PURPOSE OF THE MANUAL

3.1 THIS MANUAL IS INTENDED TO:

- 3.1.1 Provide information on the Trans-Caledon Tunnel Authority’s (“TCTA”) structure, functions and services and how to gain access to them;

- 3.1.2 Provide information about organisational contact information including details of postal, street and electronic mail addresses; phone and fax numbers of the Information Officer (IO) and the designated Deputy Information Officer (DIO);
- 3.1.3 Provide a list of automatically available records under departmental custody;
- 3.1.4 Provide a list of records categories accessible to members of the public by following the processes as stipulated in PAIA sections 11 and 18;
- 3.1.5 Outline procedures to be followed by members of the public in accessing information under Trans-Caledon Tunnel Authority 's custody, in accordance with the provisions of the Act.

This manual is not a replacement for the Act and must be read in line with the provisions of the Act.

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

4.1 LEGISLATIVE MANDATE

- 4.1.1 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). 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.
- 4.1.2 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).
- 4.1.3 TCTA is a Schedule 2 Public Entity in terms of the Public Finance Management Act, 1 of 1999 (PFMA). As a 'public body' and a public entity in terms of Promotion of Access to Information Act and PFMA respectively and obligated to comply with the legislation applicable to public bodies when it processes requests for access to information and/or records.

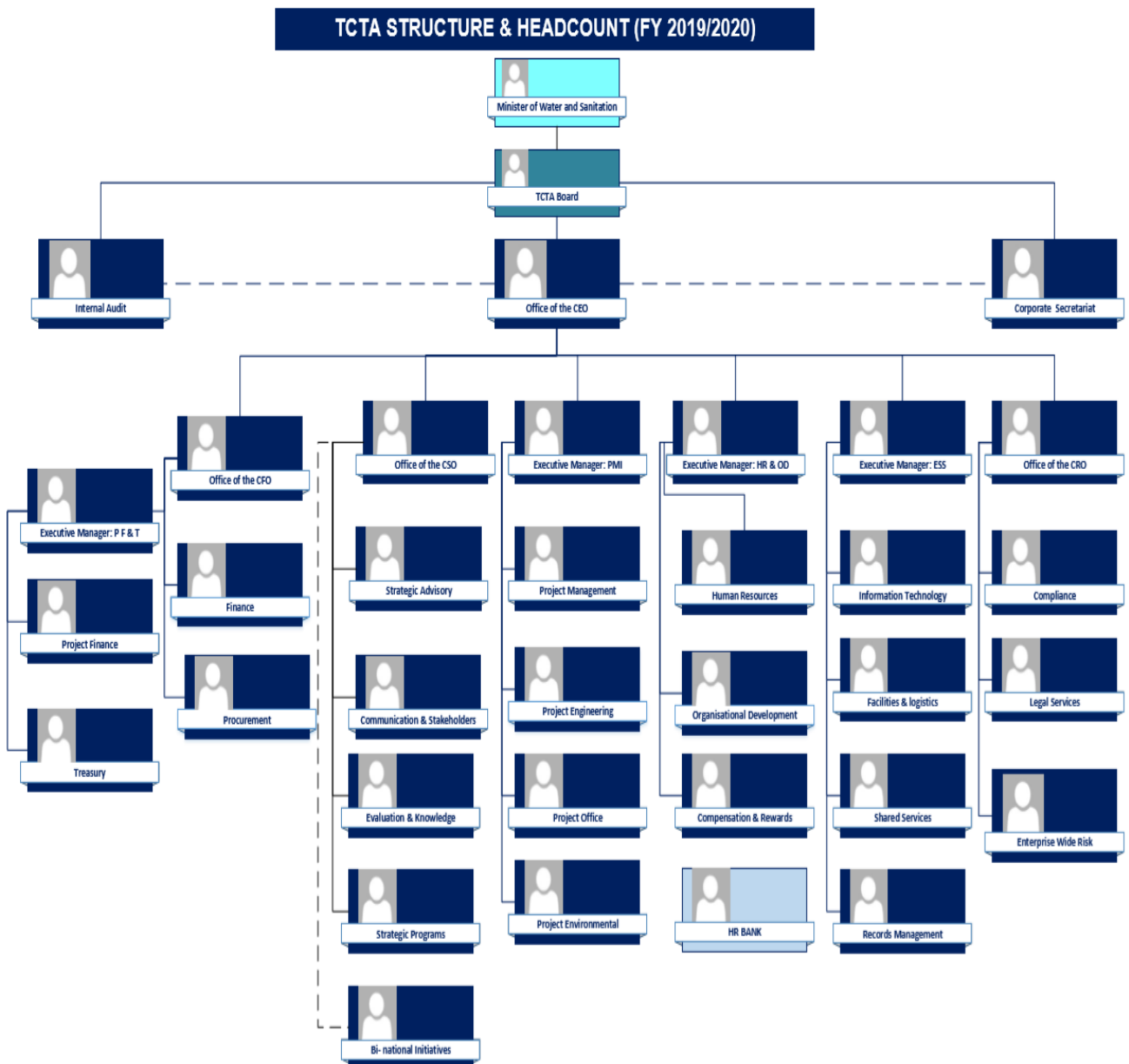
4.2 OUR BUSINESS

TCTA is a specialised liability management body mandated to finance and develop national water infrastructure on behalf of the national government.

4.3 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.

4.3.1 Schematic Diagram of Structure



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4.4 MAJOR PRODUCTS AND SERVICES

Whilst fulfilling the responsibilities set out in the Notice of Establishment and the directives that are given to it from time to time by the Minister, the Trans- Caledon Tunnel Authority provides the following services and associated products:

- 4.4.1. Structuring and raising project finance;
- 4.4.2. project management and implementation of water infrastructure covering:
 - 4.4.1.1. Design
 - 4.4.1.2. Construction
 - 4.4.1.3. environmental compliance
 - 4.4.1.4. land acquisition
- 4.4.2. Operation and maintenance;
- 4.4.3. Debt management;
- 4.4.4. Knowledge management;
- 4.4.5. Risk management;
- 4.4.6. Socio-economic transformation; and
- 4.4.7. Tariff setting.

4.5 OUR PROJECTS

- 4.5.1. While Trans- Caledon Tunnel Authority works on several projects simultaneously, it does so in terms of explicit directives from the Minister on each specific project, Trans- Caledon Tunnel Authority raises finance, manages design and construction of the infrastructure and the subsequent liability, until the full debt is repaid.

4.5.2. Mandates and Directives:

Since its original mandate (the Notice of Establishment), Trans- Caledon Tunnel Authority has received further directive as shown below:

- 4.5.2.1. Lesotho Highlands Water Project (LHWP): Delivery Tunnel North (Treaty obligations);

- 4.5.2.2. Vaal River System (VRS) To fulfil all the Republic's financial obligations in terms of or resulting from the Treaty (non-Treaty functions) on the Lesotho Water Highlands Project and any other obligations on the Vaal river system (Acid Mine Drainage Project).;
- 4.5.2.3. Umgeni Water;
- 4.5.2.4. Advisory Services to Water Management Institutions, Water Boards and Department of Water and Sanitation;
- 4.5.2.5. Berg Water Project (BWP);
- 4.5.2.6. Vaal River Eastern Subsystem Augmentation Project (VRESAP);
- 4.5.2.7. Mooi-Mgeni Transfer Scheme Phase 2 (MMTS2);
- 4.5.2.8. Komati Water Scheme Augmentation Project (KWSAP);
- 4.5.2.9. Olifants River Water Resource Development Project Phase 2 (ORWRDP2);
- 4.5.2.10. Mokolo-Crocodile River Water Augmentation Project (MCWAP) Phase;
- 4.5.2.11. Acid Mine Drainage- Short term Intervention (AMD);
- 4.5.2.12. Metsi Bophelo Borehole Project;
- 4.5.2.13. Refurbishment of Mooi-Mgeni Transfer Scheme- Phase 1;
- 4.5.2.14. Strategic Integrated Programme 3;
- 4.5.2.15. uMzimbubu Water Project;
- 4.5.2.16. Strategic Integrated Programme 18;
- 4.5.2.17. Amendments to MMTS-2 directive to include the construction of potable water pipeline for Umgeni Water;
- 4.5.2.18. Olifants River Water Resource Development Project Phase 2B
- 4.5.2.19. Water Off-take for Kriel Town;
- 4.5.2.20. Acid Mine Drainage Project- Long Term Solution;
- 4.5.2.21. Berg River- Voelvlei Augmentation Scheme; and;
- 4.5.2.22. uMkhomazi Water Project Phase1 (uMWP-1)

4.6 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.

5. CONTACT DETAILS

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.

Please refer to schedule 1 of this PAIA manual for contact details.

6. SOUTH AFRICAN HUMAN RIGHTS COMMISSION (“SAHRC”) GUIDE ON HOW TO USE PAIA (SECTION 10 AND 14(1) (C))

- 6.1. The SAHRC has in terms of section 10 of the Act compiled a guide on the use of the Act. The guide is available at the SAHRC. The SAHRC will further upon receiving each Manual from public and private bodies compile a final directory (Guide). This Directory will be like a telephone directory and will contain the “Address” where a Body’s Manual could be found apart from the SAHRC.
- 6.2. Any queries relating to the guide should be directed to SAHRC.

Please refer to schedule 2 of this PAIA manual for the contact details.

7. 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.

ACCESS TO INFORMATION/RECORDS

7.1 INFORMATION 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. Senior Manager: IT and Acting Executive Manager: EWSS.

7.2 About Trans- Caledon Tunnel Authority –

7.2.1 Notice of Establishment

7.2.2 Our role within the context of National Water Resource Infrastructure

7.2.3 Our position in water sector

7.2.4 Vision, Mission and Values

7.2.5 Organograms

7.2.6 Board of Directors/ Accounting Authority

7.2.7 Executive Committee / Management

7.2.7.1 Our Services

7.2.7.2 Our Projects – incl. details of each Trans- Caledon Tunnel Authority project

7.2.7.3 Investors

7.2.7.4 Communities (Stakeholder Management)

7.2.7.5 Publications

7.2.7.5.1 PAIA/POPIA Manual; and

7.2.7.5.2 Annual Reports.

7.2.7.6 Opportunities

7.2.7.6.1 Tenders;

7.2.7.6.2 Vacancies;

7.2.7.6.3 Project Naledi;

7.2.7.6.4 Contact Us; and

7.2.7.6.5 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.

7.3 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:

- 7.3.1 Basic Conditions of Employment Act, 75 of 1997;
- 7.3.2 Compensation for Occupational Injuries and Diseases Act, 130 of 1993;
- 7.3.3 Employment Equity Act, 55 of 1998;
- 7.3.4 Labour Relations Act, 66 of 1995;
- 7.3.5 Occupational Health and Safety Act, 85 of 1993;
- 7.3.6 Public Finance Management Act, 1 of 1999;
- 7.3.7 Unemployment Insurance Act, 63 of 2001;
- 7.3.8 Financial Intelligence Centre Act, 38 of 2001;
- 7.3.9 Prevention of Organised Crime Act, 121 of 1998;
- 7.3.10 Prevention and Combating of Corrupt Activities Act, 12 of 2004; and
- 7.3.11 Protection of Constitutional Democracy against terrorist and related Activities Act, 33 of 2004.

7.4 INFORMATION TO BE FORMALLY REQUESTED

- 7.4.1. 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 – 45) of PAIA, unless –
 - 7.4.2. the disclosure of the information would reveal evidence of-
 - 7.4.2.1. a substantial contravention of, or failure to comply with the law; or
 - 7.4.2.2. an imminent and serious public safety or environmental risk; and

7.4.3. the public interest in the disclosure of the record/information clearly outweighs the harm contemplated in the provision in question.

7.4.4. Therefore, the inclusion of any subject or categories of records below should not be construed as information automatically available upon request.

Please refer to schedule 3 of this PAIA manual for the subjects which must be formally requested in terms of the PAIA.

7.5 MATTERS TO BE CONSIDERED BY THE REQUESTER

Prior to submitting a request

7.5.1. The following are of critical importance to note namely:

7.5.1.1. 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 as a result of a requester submitting a request not in line with the provisions of PAIA. Section 7(1).

7.5.1.2. The limitations or grounds for refusal of access to records in terms of Sections 33 – 45 of PAIA.

7.5.1.3. 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.

7.6 SUBMITTING A REQUEST

1.6.1. In submitting a request for the information, it is important that the requester state the capacity in which the request is being made, i.e. personal capacity or on behalf of another person. A request for access 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 fax, letter, or e-mail. Alternatively, it can be collected from at the Trans- Caledon Tunnel Authority's offices.

- 1.6.2. 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 a printed form then the document can be viewed in the manner prescribed in section 29 (2) of the PAIA.
- 1.6.3. 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.
- 1.6.4. 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**
- 1.6.5. Dispatch the completed request form to the Information Officer/Deputy by post or delivery or email or fax provided above under contact details.

7.7 GRANT OR REFUSAL FOR ACCESS TO THE RECORDS

- 7.7.1 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:
- 7.7.1.1 access fee to be paid for information in accordance with Annexure B;
- 7.7.1.2 the format in which records to the information will be given; and
- 7.7.1.3 an appeal with the relevant courts against the fee charged or format to be used in granting access.
- 7.7.2 The 30 days period within which a decision has to 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:

- 7.7.2.1 if the request is for a large amount of information;
- 7.7.2.2 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;
- 7.7.2.3 if the information cannot reasonably be obtained within the original 30 days,
- 7.7.2.4 the requestor agrees to an extension in writing; and
- 7.7.2.5 the parties agree in any other acceptable manner to such an extension.

7.7.3 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.

7.7.4 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:

- 7.7.4.1 reasons for the refusal;
- 7.7.4.2 that the requestor may appeal to the High Court against the refusal and advising on the period for lodging such an appeal;
- 7.7.4.3 that the deposit paid by the requestor will be refunded; and
- 7.7.4.4 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.

7.7.5 Appeal by the Requestor

A requestor who is dissatisfied with any decision of the Trans-Caledon Tunnel Authority in respect of a request for access to information can lodge an internal appeal and if the appeal is not successful or granted, then the High Court may be approached to seek redress. However, a requestor may only apply to the court after having exhausted all internal appeal processes. Should a requestor wish to lodge an internal appeal, the requestor must do so within 60 days after receiving the notice that the request was not approved or within 30 days if notice to a third party is required in terms of Section 49(1)(b). An internal appeal must be lodged in Form B attached as Annexure C below.

PROTECTION OF PERSONAL INFORMATION ACT

8. PROCESSING OF PERSONAL INFORMATION

8.1 PURPOSE OF PROCESSING

8.1.1. TCTA uses the Personal information under its care in the following ways:

- 8.1.1.1. Staff administration
- 8.1.1.2. Keeping of accounts and records
- 8.1.1.3. Facilitating projects
- 8.1.1.4. Complying with relevant laws

8.2 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;

8.3 CATEGORIES OF RECIPIENTS FOR PROCESSING THE PERSONAL INFORMATION

8.3.1. TCTA may supply the Personal information to service providers who render the following services:

8.3.1.1. Capturing and organising of data

8.3.1.2. Storing of data

8.3.1.3. Conducting due diligence checks

8.3.1.4. Conduction employment verifications and recruitments

8.3.1.5. Making travel arrangements

8.3.1.6. Medical aid funds

8.3.1.7. Pension/provident funds and/ or other trustees

8.3.2. TCTA will also supply Personal Information to financial institutions for the purpose of complying with FICA.

8.4 CROSS-BORDER DATA FLOWS

8.4.1. TCTA may share with or receive Personal Information from parties that reside out of the Republic of South Africa. This will include entities such as LHDA which is a partner to TCTA on some projects, as well as other funders and service providers.

8.4.2. Some of these entities are bound by the same legislations as FICA, Anti-Money Laundering and Financing of terrorist Acts.

8.5 INFORMATION SECURITY MEASURES

8.5.1. TCTA prides itself with 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:

8.5.1.1. Firewall

8.5.1.2. Virus protections

8.5.1.3. Secured Access

8.5.2. 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.

9. 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.

10. 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 South African Human Rights Commission ("SAHRC") as required by PAIA

Document Type	Strategic
Compiled by	Compliance Officer
TCTA Board	Chairperson: Gerald Dumas
APPROVAL	
Signature	
Date of Approval	28 January 2021

ANNEXURE A



FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

FOR DEPARTMENTAL 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 and/or fax number 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: _____

Fax number: _____

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
--	-----------------	--	----------------------

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*	
-----------------	--	---------------------	--	------------------------------	--

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 summarised 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	stiffy 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 INTERNAL APPEAL

(Section 75 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))

[Regulation 8]

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 lodge 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:

Fax number: _____

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	
<input type="checkbox"/>	Refusal of request for access
<input type="checkbox"/>	Decision regarding fees prescribed in terms of section 22 of the Act
<input type="checkbox"/>	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act
<input type="checkbox"/>	Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester
<input type="checkbox"/>	Decision to grant request for access

E. Grounds for appeal

*If the provided space is inadequate, please continue on 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

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:	Ground Floor, Stinkhout Wing, Tuinhof Building, 265 West Street, Centurion, 0157
Telephone number:	+27 12 683 1200
Facsimile number:	+27 12 683 1361
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 wde Witt@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



SCHEDULE 2

CONTACT DETAILS THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION

The table below reflects contact details of the South African Human Rights Commission that may be accessed through PAIA requests.

The South African Human Rights Commission	
Telephone No:	+27 11 484 8300
Fax Nr:	+27 11 484 7149
E-Mail Address:	PAIA@sahrc.org.za
Postal Address:	PAIA Unit: The Research and Documentation Department Private Bag 2700 Houghton 2041
Street Address:	PAIA Unit: The Research and Documentation Department 29 Princess of Wales Terrace Corner of York and St Andrews Streets, Houghton JOHANNESBURG
Website:	www.sahrc.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