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# MANUAL

in terms of  
Section 51 of

**The Promotion of Access to Information Act  
2/2000 (as amended)  
(the "Act")**

<b>Date of issue/update</b>	Created: 1 October 2019 Last reviewed and/or updated: 15 December 2021	Version	3
<b>Policy owner</b>	NS Mazwi		
<b>Approved by</b>	NS Mazwi	15 December 2021	

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## 1. LIST OF ACRONYMS AND ABBREVIATIONS

1.1	<b>“BIP”</b>	Bayakha Infrastructure Partners Proprietary Limited
1.2	<b>“CEO”</b>	Chief Executive Officer
1.3	<b>“DIO”</b>	Deputy Information Officer;
1.4	<b>“IO“</b>	Information Officer;
1.5	<b>“Minister”</b>	Minister of Justice and Correctional Services;
1.6	<b>“PAIA”</b>	Promotion of Access to Information Act No. 2 of 2000 ( as Amended;
1.7	<b>“POPIA”</b>	Protection of Personal Information Act No.4 of 2013;
1.8	<b>“Regulator”</b>	Information Regulator; and
1.9	<b>“Republic”</b>	Republic of South Africa

## 2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 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;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 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;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 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;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;

- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 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
- 2.10 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. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF BIP**

#### **3.1. Chief Information Officer**

Name: Ngoku-Sakhile Mazwi  
Tel: +27 76 650 8882  
Email: sakhile@bayakha.co.za  
Fax number: please use the email address provided for information requests

#### **3.2. Deputy Information Officer:**

Name: Thokozile Zambane  
Tel: +27 82 334 0300  
Email: thokozile@bayakha.co.za  
Fax Number: please use the email address provided for information requests

#### **3.3 Access to information general contacts**

Email: sakhile@bayakha.co.za/thokozile@bayakha.co.za

#### **3.4 National or Head Office**

Postal Address: Unit 4, Upper Ground, Katherine & West, 114 West Street,  
Sandton, 2196

Physical Address: Unit 4, Upper Ground, Katherine & West, 114 West Street,

Sandton, 2196

Telephone: +27 76 650 8882/+27 82 334 0300

Email: sakhile@bayakha.co.za/thokozile@bayakha.co.za

Website: www.bayakha.co.za

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

- 4.1. 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.
- 4.2. The Guide is available in each of the official languages and in braille.
- 4.3. The aforesaid Guide contains the description of-
  - 4.3.1. the objects of PAIA and POPIA;
  - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-
    - 4.3.2.1. the Information Officer of every public body, and
    - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
  - 4.3.3. the manner and form of a request for-
    - 4.3.3.1. access to a record of a public body contemplated in section 11; and
    - 4.3.3.2. access to a record of a private body contemplated in section 50;
  - 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
  - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
  - 4.3.6. 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-
    - 4.3.6.1. an internal appeal;
    - 4.3.6.2. a complaint to the Regulator; and
    - 4.3.6.3. 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;

- 4.3.7. 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;
  - 4.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
  - 4.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and
  - 4.3.10. the regulations made in terms of section 92.
- 4.4. 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 Regulator, during normal working hours.
- 4.5. The Guide can also be obtained-
- 4.5.1. upon request to the Information Officer;
  - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
- 4.6. A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
- 4.6.1. isiZulu
  - 4.6.2. Setswana

**5. CATEGORIES OF RECORDS OF BIP WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS**

<b>Records</b>	<b>Subject</b>	<b>Availability</b>
Public Affairs	<ul style="list-style-type: none"> <li>• Public Product Information</li> <li>• Public Corporate Records</li> </ul>	Freely available on website <a href="http://www.bayakha.co.za">www.bayakha.co.za</a>
Financial	<ul style="list-style-type: none"> <li>• Financial Statements</li> </ul> Financial and Tax Records (Company & Employees)	Request in terms of PAIA Request in terms of PAIA. Not available.
Marketing	<ul style="list-style-type: none"> <li>• Market Information</li> <li>• Performance Records</li> <li>• Marketing Strategies</li> <li>• Customer Database</li> </ul>	Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA

**6. DESCRIPTION OF THE RECORDS OF BIP WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION**

Category of Records	Applicable Legislation
Memorandum of incorporation	Companies Act 71 of 2008
PAIA Manual	Promotion of Access to Information Act 2 of 2000

**7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY BIP**

Subjects on which the body holds records	Categories of records
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	<ul style="list-style-type: none"> <li>- HR policies and procedures</li> <li>- Advertised posts</li> <li>- Employees records</li> </ul>

**8. PROCESSING OF PERSONAL INFORMATION**

**8.1 Purpose of Processing Personal Information**

BIP is a Category I and II authorised financial services provider under the FAIS Act (FSP No 47414) and processes information as part of its business activities in order to verify the identity of project sponsors and investors as part of Bayakha's obligations under PAIA. BIP also processes personal information of employees and service providers as part of its employee and service provider onboarding processes.

**8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto**

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details

<b>Categories of Data Subjects</b>	<b>Personal Information that may be processed</b>
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race

**8.3 The recipients or categories of recipients to whom the personal information may be supplied**

<b>Category of personal information</b>	<b>Recipients or Categories of Recipients to whom the personal information may be supplied</b>
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

**8.4 Planned transborder flows of personal information**

There is no planned transborder flow of personal information

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

Bayakha intends implementing safeguards in order to ensure the confidentiality and integrity of the personal information under the care of the body, these will include Data Encryption; Anti-virus and Anti-malware Solutions.

**9. AVAILABILITY OF THE MANUAL**

9.1 A copy of the Manual is available-

9.1.1 on [www.bayakha.co.za](http://www.bayakha.co.za);

9.1.2 head office of Bayakha Infrastructure Partners for public inspection during normal business hours;



9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

## 10. UPDATING OF THE MANUAL

The Chief Executive Officer of BIP will on a regular basis update this manual.

*Issued by*



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**Information Officer: Ngoku-Sakhile Mazwi**

**Chief Executive Officer**