18 October 2016

SECTION 51 OF PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 MANUAL FOR:

Bombela Concession Company (RF) (Pty) Ltd

1. INTRODUCTION

Bombela Concession Company (RF) (Pty) Ltd (“Bombela”) has designed, constructed and commissioned the Gautrain Rapid Rail System (the “System”), being a rail system linking the metropolitan cities of Johannesburg and Tshwane, and also linking the suburb of Sandton in the Metropolitan Municipality of Johannesburg and the O R Tambo International Airport located in the Ekurhuleni Metropolitan Municipality. Bombela is currently engaged in the operation and maintenance of the System which will continue until 2026.

2. INFORMATION REQUIRED UNDER SECTION 51 (1) (a) OF THE ACT

Directors: Mr HJ Laas
Mr IW Henstock
Mr AJ Bester
Mr P Casgrain
Mr DJ Barry
Mr MG Diliza
Mr D Moshapalo
Mr CAG Paradis
Mr ME Cote
Mr YP Le Saux (Alternate)

CEO: Andre van Rensburg
Postal Address of head of Bombela Concession Company (RF) (Pty) Ltd:
P O Box 1115
Kelvin
2054

Street Address of head of Bombela Concession Company (RF) (Pty) Ltd:
Office 204, The Firs
Cnr. Cradock and Biermann Avenue
Rosebank
2196

Telephone Number of head of Bombela Concession Company (RF) (Pty) Ltd:
(011) 446 6800

Fax Number of head of Bombela Concession Company (RF) (Pty) Ltd:
(011) 446 6804

E-Mail address of head of Bombela Concession Company (RF) (Pty) Ltd:
legal@bombela.com

3. DESCRIPTION OF GUIDE REFERRED TO IN SECTION10: SECTION 51 (1) (b)

- The Act grants a requester access to records of a private body, if the record is required for
  the exercise of protection of any rights. If a public body lodges a request, the public body
  must be acting in the public interest.
- Requests in terms of the Act shall be made in accordance with the prescribed procedures,
  at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- Requesters are referred to the Guide in terms of Section 10 which has been compiled by the
  South African Human Rights Commission, which will contain information for the purposes of
  exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:
Postal Address: Private Bag 2700. Houghton, 2041
Telephone Number: +27 -11 -877 3600
Fax Number: +27 -11 -403 0625
Website: www.sahrc.org.za
4. APPLICABLE LEGISLATION - RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51 (1) (c)

Records available in terms of other legislation are as follows:
- Labour Relations Act 66 of 1995
- Employment Equity Act 55 of 1998
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Disease Act 130 of 1993
- Companies Act 78 of 2008
- Unemployment insurance Act 63 of 2001
- Value Added Tax Act 89 of 1991
- Income Tax Act 58 of 1962
- Skills Development Act 97 of 1999

5. SUBJECTS AND CATEGORIES OF RECORDS HELD BY Bombela Concession Company (RF) (Pty) Ltd: Section 51 (1) (d)

All records listed below are available on request subject to the provisions in terms of PAIA and the Concession Agreement.

COMPANIES ACT RECORDS:
- Documents of incorporation
- Memorandum of Incorporation
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors / auditors / secretary / public officer and other officers
- Share Register and other statutory registers

FINANCIAL RECORDS:
- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records:
  - Bank Statements
  - Paid Cheques
  - Electronic banking records
- Asset Register
- Rental Agreements
- Invoices
INCOME TAX RECORDS:

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances:
  - VAT
  - Skills Development levies
  - UIF
  - Workmen’s Compensation

PERSONNEL DOCUMENTS AND RECORDS:

- Employment contracts
- Employment Equity Plan (Part of SED obligation)
- Disciplinary records
- Salary records
- SETA records
- Leave records
- Training records
- Training Manuals
- Policies and Procedures including Disciplinary Code

6. DETAIL ON HOW TO MAKE A REQUEST FOR ACCESS-SECTION 51 (e):

- The requestor must complete Form C and submit this form together with appropriate request fee, to the head of Bombela Concession Company (RF) (Pty) Ltd.

- The form must be submitted to the head of Bombela Concession Company (RF) (Pty) Ltd at its address, fax number, or electronic mail address.

- The form must:
  - Provide sufficient particulars to enable the head of Bombela Concession Company (RF) (Pty) Ltd to identify the record/s requested and to identify the requestor
  - Indicate which form of access is required
  - Specify a postal address or fax number of the requestor in the Republic of South Africa
• Identify the right that the requestor is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right
• If in addition to a written reply, the requestor wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner
• If the request is made on behalf of another person, to submit proof of the capacity in which the requestor is making the request, to the reasonable satisfaction of the head of Bombela Concession Company (RF) (Pty) Ltd.

7. PRESCRIBED FEES (Section 51(1)(f))

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

- A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- Records may be withheld until the fees have been paid; and
- The fee structure is available on the website and attached to this document.

Signed by the Chief Executive Officer, Andre van Rensburg, on this 16th day of October 2016 in Rosebank.

Andre van Rensburg
CHIEF EXECUTIVE OFFICER
PROMOTION OF ACCESS TO INFORMATION ACT, 2000
REGULATIONS RELATING TO THE PROMOTION OF ACCESS TO INFORMATION

The Minister for Justice and Constitutional Development has, under section 92 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), made the regulations in the Schedule.

SCHEDULE

Definition

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall bear that meaning and, unless the context otherwise indicates -

"the Act" means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

Form of request

2. A request for access to a record, as contemplated in section 18(1) of the Act, must be made in the form of Form A of the Annexure.

Fees for records of public body

3.(1) The fee for reproduction, referred to in section 15(3) of the Act, is as follows:

(a) For every photocopy of an A4-size page or part thereof 0,60
(b) 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
(c) For a copy in a computer-readable form on -
   (i) stiffy disc 5.00
   (ii) compact disc 40.00

(d) (i) For a transcription of visual images,
   for an A4-size page or part thereof 22.00
   (ii) For a copy of visual images 60.00

(e) (i) For a transcription of an audio record,
   for an A4-size page or part thereof 12.00
   (ii) For a copy of an audio record 17.00

(2) The request fee payable by every requester, other than a personal requester referred to in section 22(1) of the Act, is R 35.00.

(3) The access fees payable by a requester referred to in section 22(7) of the Act, unless exempted under section 22(8) of the Act, are as follows:

   (a) For every photocopy of an A4-size page or part thereof 0.60
   (b) 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
   (c) For a copy in a computer-readable form on -
      (i) stiffy disc 5.00
      (ii) compact disc 40.00
   (d) (i) For a transcription of visual images,
      for an A4-size page or part thereof 22.00
      (ii) For a copy of visual images 60.00
   (e) (i) For a transcription of an audio record,
      for an A4-size page or part thereof 12.00
      (ii) For a copy of an audio record 17.00
   (f) To search for the record for disclosure, R 15.00 for each hour or part of an hour excluding the first hour, reasonably required for such search.

(4) The actual postal fee is payable when a copy of a record must be posted to a requester.
(5) For purposes of section 22(2) of the Act the following applies:

(a) Six hours as the hours to be exceeded before a deposit is payable; and

(b) one third of the access fee is payable as a deposit by the requester.

Form of request

4. A request for access to a record, as contemplated in section 53(1) of the Act, must be made in the form of Form B of the Annexure.

Fees for records of private body

5. (1) The fee for reproduction referred to in section 52(3) of the Act, is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) For every photocopy of an A4-size page or part thereof</td>
<td>R1.10</td>
</tr>
<tr>
<td>(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form</td>
<td>R0.75</td>
</tr>
<tr>
<td>(c) For a copy in a computer-readable form on:</td>
<td></td>
</tr>
<tr>
<td>(i) stiffy disc</td>
<td>R7.50</td>
</tr>
<tr>
<td>(ii) compact disc</td>
<td>R70.00</td>
</tr>
<tr>
<td>(d) (i) For a transcription of visual images, for an A4-size page or part thereof</td>
<td>R40.00</td>
</tr>
<tr>
<td>(ii) For a copy of visual images</td>
<td>R60.00</td>
</tr>
<tr>
<td>(e) (i) For a transcription of an audio record, for an A4-size page or part thereof</td>
<td>R20.00</td>
</tr>
<tr>
<td>(ii) For a copy of an audio record</td>
<td>R30.00</td>
</tr>
</tbody>
</table>

(2) The request fee payable by a requester, other than a personal requester, referred to in section 54(1) of the Act is R50.00.
(3) The access fees payable by a requester referred to in section 54(7) of the Act, unless exempted under section 54(8) of the Act, are as follows:

(a) For every photocopy of an A4-size page or part thereof
   R 1.10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form
   R 0.75
(c) For a copy in a computer-readable form on-
   (i) stiffy disc
       R 7.50
   (ii) compact disc
       R 70.00
(d) (i) For a transcription of visual images,
         for an A4-size page or part thereof
         R 40.00
   (ii) For a copy of visual images
         R 60.00
(e) (i) For a transcription of an audio record,
         for an A4-size page or part thereof
         R 20.00
   (ii) For a copy of an audio record
        R 30.00
(f) To search for the record for disclosure, R 30.00 for each hour or part of an hour reasonably required for such search.

(4) The actual postal fee is payable when a copy of a record must be posted to a requester.
(5) For purposes of section 54(2) of the Act the following applies:
   (a) Six hours as the hours to be exceeded before a deposit is payable; and
   (b) one third of the access fee is payable as a deposit by the requester.

Notice of internal appeal
6. Notice of an internal appeal, as contemplated in section 75(1) of the Act, must be lodged in the form of Form C of the Annexure.

Appeal fees
7. The appeal fee payable in respect of the lodging of an internal appeal by a requester against the refusal of his or her request for access, as contemplated in section 75(3)(a) of the Act, is R 50.00.
Value-added tax

8. Public and private bodies registered under the Value-Added Tax Act, 1991 (Act No. 89 of 1991), as vendors may add value added tax to all fees prescribed in terms of these regulations.

Commencement

9. These regulations shall come into operation on 9 March 2001.
FORM C

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)

[Regulation 10]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

(a) The particulars of the person who requests access to the record must be given below.
(b) The address and/or fax number in the Republic to which the information is to be sent must be given.
(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 for exemption.

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.

<table>
<thead>
<tr>
<th>Disability:</th>
<th>Form in which record is required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mark the appropriate box with an X.</td>
<td></td>
</tr>
</tbody>
</table>

NOTES:
(a) Compliance with your request in the specified form may depend 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 for 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 | 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? Yes No

Postage is payable.
G  Particulars of right to be exercised or protected

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. Indicate which right is to be exercised or protected:

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

H. 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 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..............................20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE