



COMPLIANCE MANUAL FOR THE IMPLEMENTATION OF THE PROMOTION OF ACCESS TO INFORMATION ACT

A copy of the manual will be available for inspection at GT Chaane Quantity Surveyors and Project Managers CC Offices and is available on the corporation's website at <https://gtchaane.co.za/>

SECTION: ADM-SP-PAIA-04-19

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	1 of 15

1. INTRODUCTION

- 1.1. On 9 March 2001, new legislation was enacted called the Promotion of Access to Information Act of 2000 (herein after referred to as "PAIA"). The purpose of this legislation is to address Section 32 of the Constitution, which provides that any person has a right to gain access to any information held by a public or private body. If the record is requested from a private body the requester needs to prove that the record is required for the exercise or protection of a right.
- 1.2. One of the main requirements specified in the PAIA is the compilation of a manual by 2 August 2003 that provides information on both the types and categories of records held by the public or private body. In terms of the PAIA, a private body includes any former or existing juristic person. Therefore, GT Chaane Quantity Surveyors and Project Managers CC is regarded as a "private body" and both the manual and the requirements regarding access must be in compliance with the provisions of PAIA relevant to private bodies.
- 1.3. In addition, the Protection of Personal Information Act of 2013 ("POPIA") amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.
- 1.4. POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information.
- 1.5. This document serves as the compliance manual in terms of PAIA to provide a reference as to the records held and the process that needs to be followed to request access to such records. This PAIA manual also includes information on the submission of objections to the processing of personal

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	2 of 15



information and requests to delete or destroy personal information or records thereof in terms of POPIA.

2. CORPORATION'S OVERVIEW

2.1 GT Chaane Quantity Surveyors and Project Managers CC was established in 2000 and since provides consulting services in the construction industry relating to infrastructure development and building within the scope of this environment.

2.2 Consulting services are conducted by professionals within the corporation having the necessary expertise to conduct these services.

2.3 The consulting services consist of both quantity surveying and project management.

3. SCOPE OF THE MANUAL

3.1. The scope of this manual will exclude consulting service operations outside South Africa and will serve to provide a reference regarding the records held by GT Chaane Quantity Surveyors and Project Managers CC at its Central office and various divisions.

4. ADMINISTRATION OF THE ACT - SECTION 51(1)(A)

4.1. The Chief Executive Officer (CEO) of GT Chaane Quantity Surveyors and Project Managers CC has duly authorised the contact person below to ensure that the requirements of PAIA and POPIA are administered in a fair, objective and unbiased manner:

Contact person: Godfrey Thamaga Chaane

Postal address: P O Box 2222, Damdoryn, Hartbeespoort, 0280

Physical address: 4th Floor, Building 22, CSIR, Meiring Naude Road, Brummeria, Pretoria, 0001

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	3 of 15

Phone number: (012) 349 5194

Fax number: (012) 349 2823

Email: thamaga@gtchaane.co.za

5. GUIDE FOR REQUESTS ON HOW TO USE THE ACT - SECTION 51(1)(B)

5.1. An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is made available by the Information Regulator (established in terms of POPIA). Copies of the updated Guide are available from Information Regulator in the manner prescribed.

5.2. Any enquiries regarding the Guide should be directed to:

Postal Address: 33 Hoofd Street

Forum III, 3rd Floor Braampark

Braamfontein, Johannesburg

E-mail Address: infoereg@justice.gov.za

Website: <https://www.justice.gov.za/infoereg/>

6. AUTOMATIC AVAILABILITY OF CERTAIN RECORDS - SECTION 51(1)(C)

6.1. The following categories of records are automatically available for inspection, purchase or photocopying:

6.1.1. Brochures;

6.1.2. press releases;

6.1.3. publication; and

6.1.4. various other marketing and promotional material.

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	4 of 15



7. RECORDS AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION SECTION 51(1)(D)

- Basic Conditions of Employment Act No. 75 of 1997;
- Close Corporations Act 69 of 1984;
- Companies Act No. 71 of 2008;
- Competition Act No. 89 of 1998;
- Customs and Excise Act No. 91 of 1964;
- Electronic Communications and Transactions Act No. 2 of 2000;
- Employment Equity Act No. 55 of 1998;
- Financial Markets Control Act No. 19 of 2012;
- Income Tax Act No. 95 of 1967;
- Labour Relations Act No. 66 of 1995;
- National Environmental Management Act No. 107 of 1998;
- National Environmental Management: Air Quality Act No. 39 of 2004;
- National Environmental Management: Waste Act No. 36 of 1947;
- National Payment Systems Act No. 78 of 1998;
- Protection of Personal Information Act No. 4 of 2013;
- Quantity Surveying Profession Act No. 49 of 2000;
- The Compensation for Occupational Injuries and Diseases Act No. 130 of 1993;
- The Hazardous Substances Act No. 15 of 1973;
- The Insolvency Act No. 24 of 1936;
- The Medical Schemes Act No. 131 of 1998;
- The National Health Act No. 61 of 2003;
- The Occupational Health and Safety Act No. 85 of 1993;
- The Prescription Act No. 68 of 1969;
- The Professional Engineers Act No. 81 of 1968;
- The Road Transportation Act No. 74 of 1977;
- The Value-Added Tax Act No. 89 of 1991;
- Unemployment Insurance Act No. 63 of 2001;
- Foodstuffs, Cosmetics and Disinfectant Act No. 54 of 1972;
- Waste Act No. 59 of 2008;
- National Standard for Drinking Water (SANS 241-1 and SANS 241-2)

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	5 of 15



8. RECORD SUBJECTS AND CATEGORIES – SECTION 51(1)(E)

General

8.1.General Correspondence

8.2.Statutory Records

8.3. Administration Records

8.4.Technical Records

8.5.Technical Publications

8.6.Contracts and Agreements

8.7.Insurance Records

8.8.Capital Expenditure Records

8.9. Operational licences, permits, authorisations or certificates

9. Finance

9.1.Accounting Records

9.2.Investment Records

9.3.Management Reports

9.4.Transaction Records

9.5.VAT Records

9.6.PAYE Records

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	6 of 15



9.7. Tax Records

9.8. Consolidation Records

10. Audit

10.1. Risk Management Records

10.2. Audit Practice Records

10.3. Audit Reports and Supporting Working Papers

11. Close Corporation Records

11.1. Registration Records

11.2. Statutory Records

12. Corporate Communications

12.1. News Releases/Statements

12.2. Media Cuttings

12.3. Brochures

13. Human Resource (HR)

13.1. Employee Records

13.2. HR Policies and Procedures

13.3. External Training Records

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	7 of 15



- 13.4. Employee Benefit Records
- 13.5. Labour Relations Records
- 13.6. Statutory Records
- 13.7. Employment Equity Records
- 13.8. Employment Contracts

14. Legal

- 14.1. General Legal Correspondence
- 14.2. Patent Records
- 14.3. Property Records
- 14.4. Trademarks
- 14.5. Litigation and Dispute Records

15. Information Technology (IT)

- 15.1. IT Contracts and Agreements
- 15.2. IT Operational Records
- 15.3. Asset Records
- 15.4. Policy Records

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	8 of 15



16. Areas

- 16.1. Contracts and Agreements
- 16.2. General Correspondence
- 16.3. Insurance Records
- 16.4. Statutory Records
- 16.5. Area Accounting Records
- 16.6. Divisional Tax Records
- 16.7. Capital Expenditure Records
- 16.8. Purchasing Records
- 16.9. Sale Records
- 16.10. Supply Records
- 16.11. General Transport and Vehicle Records
- 16.12. Employee Records
- 16.13. Employment Contracts
- 16.14. Internal Training Records
- 16.15. Labour Relations Records
- 16.16. Property Records
- 16.17. Maps

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	9 of 15

16.18. Technical Records

16.19. Drawing and Design Records

17. ACCESS REQUEST PROCEDURE - SECTION 51(1)(E)

17.1. The purpose of this section is to provide requestors with sufficient guidelines and procedures to facilitate a request for access to a record held by GT Chaane Quantity Surveyors and Project Managers CC.

17.2. It is important to note that an application for access to information can be refused in the event that the application does not comply with the procedural requirements of PAIA.

17.3. In addition, the successful completion and submission of an access request form does not automatically allow the requestor access to the requested record, especially if records cannot be found, or any other permissible grounds for refusal as provided for in PAIA.

17.4. If it is reasonably suspected that the requestor has obtained access to GT Chaane Quantity Surveyors and Project Managers CC records through the submission of materially false or misleading information, legal proceedings may be instituted against such requestor.

17.5. Completion and submissions of Access Request Form

17.5.1. In order for GT Chaane Quantity Surveyors and Project Managers CC to respond to requests in a timely manner, the prescribed Form C Request Form on should be completed;

17.5.2. The completed Access Request Form must be submitted either via conventional mail, e-mail or fax and must be addressed to the contact person as indicated in Section 51(1)(a).

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	10 of 15

17.5.3. An initial, non-refundable R57.00 request fee is payable on submission of a request and before processing of such request. This fee is not applicable to Personal Requestors, referring to any person seeking access to records that contain their personal information.

17.5.4. Payment details can be obtained from the contact person as indicated in Section 51(1)(a) and payment can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied.

17.5.5. If the request for access is successful an access fee will be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees.

17.5.6. The access fee must be paid prior to access being given to the requested record.

17.6. Notification

17.6.1. Requests will be evaluated and the requestor notified within 30 days of receipt of the completed Access Request Form.

17.6.2. Notifications may include Notification of Extension Period (if required)

17.6.3. The requestors may be notified whether an extension period is required for the processing of their requests including:

17.6.3.1. The required extension period, which will not exceed an additional 30 day period;

17.6.3.2. Adequate reasons for the extension as permitted by PAIA;

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	11 of 15

17.6.3.3. Notice that the requestor may lodge an application with a court against the extension

17.6.3.4. the procedure, including the period, for lodging the application.

17.7. Payment of Deposit (if applicable)

17.7.1. The requestor may be notified whether a deposit is required.

17.7.2. A deposit will be required depending on certain factors such as the volume and/or format of the information requested and the time required for search and preparation of the record(s).

17.7.3. The notice will state:

17.7.3.1. The amount of the deposit payable (if applicable); and

17.7.3.2. That the requestor may lodge an application with a court against the payment of the deposit and the procedure, including the period, for lodging the application.

17.7.4. In the event that access is refused to the requested record, the full deposit will be refunded to the requester.

17.8. Decision on Request

17.8.1. If no extension period or deposit is required the requestors will be notified, within 30 days, of the decision on their requests.

17.8.2. If the request for access to a record is successful, the requestor will be notified of the following:

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	12 of 15

17.8.2.1. The amount of the access fee payable upon gaining access to the record (if any);

17.8.2.2. An indication of the form in which the access will be granted;

17.8.2.3. Notice that the requester may lodge an application with a court against the payment of the access fee and the procedure, including the period, for lodging the application.

17.8.3. If the request for access to a record is not successful the requester will be notified of the following:

17.8.3.1. Adequate reasons for the refusal (refer to Third Party Information and Grounds for Refusal below); and

17.8.3.2. That the requestor may lodge an application with a court against the refusal of the request and the procedure, including the period, for lodging the application.

17.9. Third Party Information

17.9.1. If access is requested to a record that contains information about a third party, GT Chaane Quantity Surveyors and Project Managers CC is obliged to attempt to contact this third party to inform them of the request. This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied.

17.9.2. In the event of the third party furnishing reasons for the support or denial of access, our designated contact person will consider these reasons in determining whether access should be granted, or not.

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	13 of 15

17.10. Grounds for Refusal

17.10.1. The Corporation legitimately refuse to grant access to a requested record that falls within a certain category.

17.10.2. Grounds on which GT Chaane Quantity Surveyors and Project Managers CC may refuse access include:

17.10.2.1. Protecting personal information that GT Chaane Quantity Surveyors and Project Managers CC holds about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;

17.10.2.2. Protecting commercial information that GT Chaane Quantity Surveyors and Project Managers CC holds about a third party or client (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of the organisation or the third party);

17.10.2.3. If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement;

17.10.2.4. If disclosure of the record would endanger the life or physical safety of an individual;

17.10.2.5. If disclosure of the record would prejudice or impair the security of property or means of transport;

17.10.2.6. If disclosure of the record would prejudice or impair the protection of a person in accordance with a witness protection scheme;

17.10.2.7. If disclosure of the record would prejudice or impair the protection of the safety of the public;

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	14 of 15



17.10.2.8. The record is privileged from production in legal proceedings, unless the legal privilege has been waived;

17.10.2.9. Disclosure of the record (containing trade secrets, financial, commercial, scientific, or technical information) would harm the commercial or financial interests of GT Chaane Quantity Surveyors and Project Managers CC;

17.10.2.10. Disclosure of the record would put GT Chaane Quantity Surveyors and Project Managers CC at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;

17.10.2.11. The record is a computer programme; and

17.10.2.12. The record contains information about research being carried out or about to be carried out on behalf of a third party.

17.11. Records that cannot be found or do not exist

17.11.1. If GT Chaane Quantity Surveyors and Project Managers CC has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

GT Chaane Quantity Surveyors and Project Managers CC

Compiled with the assistance of Christelis Artemides Attorneys

Authorised by:	Title	Date Issued:	Revision	Page
Godfrey Chaane	Managing Member	22/06/2020	00	15 of 15