

# PAIA MANUAL OF BAY PROJECTS CONSTRUCTION PTY LTD

Prepared and compiled on 30 September 2025 in accordance with Section 51 of the Promotion of Access to Information Act, No 2 of 2000 (as amended).

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## 1. List of Acronyms and Abbreviations

TERM	DEFINITION
“Data Subject”	means the person to whom Personal Information relates, as contemplated in terms of section 1 of the POPIA;
“Deputy Information Officer”	means a Deputy Information Officer designated in terms of section 56 of the POPIA;
“Information Officer”	means in the case of a juristic person, (i) the chief executive officer or equivalent officer of the juristic person or any person duly authorised by that officer; or (ii) the person who is acting as such or any person duly authorised by such acting person as contemplated in section 1 of the Act;
“Information Regulator”	means the Information Regulator established in terms of section 39 of POPIA;
“Manual”	means this manual compiled by Bay Projects Construction Pty Ltd in terms of PAIA and POPIA;
“PAIA”	means the Promotion of Access to Information Act, 2 of 2000, including the PAIA regulations, as amended from time to time;
“Personal Information”	means information relating to an identified, or identifiable, living natural person and, where applicable, an identifiable existing juristic person as contemplated in the POPIA;
“Personnel”	means all partners, directors, officers, employees, individual contractors and other personnel of Bay Projects Construction Pty Ltd ;
“POPIA”	means the Protection of Personal Information Act, 4 of 2013, including the POPIA regulations, as amended from time to time;
“Processing”	means any operation, activity or set of operations, whether or not by automated means, concerning Personal Information as contemplated in the POPIA;
“Private Body”	means any former or existing juristic person, as contemplated in the Act and POPIA;
“Record”	means a record as contemplated in PAIA and includes Personal Information;
“Requester”	means, in relation to a Private Body, i. any person, including, but not limited to, a public body or an official thereof, making a request for access to a Record of that Private Body; or ii. a person acting on behalf of such person as contemplated in the Act;
“Responsible Party”	means a public or Private Body or any other person which, alone or in conjunction with others, determines the purpose of and means for Processing Personal Information as contemplated in the POPIA;
“Regulator”	Information Regulator

## 2. Purpose Of PAIA Manual

To promote effective governance of private bodies, it is necessary to ensure that everyone is empowered and educated to understand their rights in terms of PAIA, in order for them to exercise their rights in relation to public and private bodies.

Wherever reference is made to "Private Body" in this manual, it will refer to Bay Projects Construction Pty Ltd .

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 the Private Body:**

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

Name: Kara Joanie Willemse

Telephone No: 083 702 0092

E-mail: [kara@bayprojects.co.za](mailto:kara@bayprojects.co.za)

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

Name: Petronella van Zyl

Telephone No: 041 581 0400

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

Email: [construction@bayprojects.co.za](mailto:construction@bayprojects.co.za)

#### **3.4. Head Office**

Postal Address: 77 Union Road, Walmer, Port Elizabeth, 6070

Physical Address: 122 Albert Road Walmer Port Elizabeth, 6070

Telephone No: 041 581 0400

E-mail: [construction@bayprojects.co.za](mailto:construction@bayprojects.co.za)

Website: [www.bayprojects.co.za](http://www.bayprojects.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<sup>1</sup> and section 56 of POPIA<sup>2</sup>;

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<sup>3</sup>; and

4.3.3.2. access to a record of a private body contemplated in section 50<sup>4</sup>;

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<sup>1</sup> Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

<sup>2</sup> Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

<sup>3</sup> Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

<sup>4</sup> Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 4.3.4. the assistance available from the Information Officer 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<sup>5</sup> and 51<sup>6</sup> 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<sup>7</sup> and 52<sup>8</sup> 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<sup>9</sup> and 54<sup>10</sup> regarding fees to be paid in relation to requests for access; and

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<sup>5</sup> Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

<sup>6</sup> Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

<sup>7</sup> Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

<sup>8</sup> Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

<sup>9</sup> Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

<sup>10</sup> Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

4.3.10. the regulations made in terms of section 92<sup>11</sup>.

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://info regulator.org.za/>).

## **5. Categories Of Records Of The Private Body Which Are Available Without A Person Having To Request Access**

The following records are available to the public without having to submit a formal request for access in terms of PAIA:

- Private body profile and general information about services offered (construction, industrial, commercial and residential).
- Standard terms and conditions of construction.
- Company website information.
- Publicly available compliance certificates or accreditations (where published).

## **6. Description Of the Records of The Private Body Which Are Available In Accordance With Any Other Legislation**

The private body is required to maintain certain records in accordance with, but not limited to, the following legislation:

- Companies Act 71 of 2008 – company registration records, shareholder information, director information.

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<sup>11</sup> Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.

- Labour Relations Act 66 of 1995 – employment contracts, disciplinary records, labour relations documentation.
- Basic Conditions of Employment Act 75 of 1997 – employee attendance registers, leave records, working hours.
- Employment Equity Act 55 of 1998 – employment equity plans and reports.
- Skills Development Act 97 of 1998 – training records, skills development plans.
- Unemployment Insurance Act 63 of 2001 – employee contribution records.
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 – workplace injury reports.
- National Road Traffic Act 93 of 1996 – fleet licensing records, driver permits, vehicle compliance records.
- Tax Administration Act 28 of 2011 and Income Tax Act 58 of 1962 – financial and tax records.
- Value-Added Tax Act 89 of 1991 – VAT records.
- POPIA (Protection of Personal Information Act 4 of 2013) – records related to data subject information and processing activities

## **7. Description Of The Subjects On Which The Body Holds Records And Categories Of Records Held On Each Subject By the Private Body**

- Private Body Administration – incorporation documents, governance records, CIPC document.
- Financial Records – annual financial statements, tax records, invoices, receipts, audit reports.
- Human Resources – employment contracts, personal files of employees, training records, payroll data, leave records.
- Operations – contracts with clients, service level agreements, route schedules, delivery notes, waybills, proof of delivery.
- Fleet Management – vehicle registration documents, maintenance records, fuel usage logs, driver logs, GPS tracking data.
- Warehousing & Storage – warehouse inventory records, goods received notes, storage agreements, stock reports.
- Health and Safety – workplace safety audits, incident reports, compliance certificates.
- Clients & Customers – customer contracts, orders, communications, billing information.
- Suppliers and Service Providers – contracts, invoices, service agreements.
- Information Technology – system usage logs, access records, software licenses.

## **8. Processing Of Personal Information**

## **8.1 Purpose of processing personal information**

The private body processes personal information for purposes including, but not limited to:

- Facilitating construction services.
- Managing customer accounts, contracts, billing, and communication.
- Managing employee relations, payroll, benefits, and performance.
- Ensuring compliance with labour, tax, and transport legislation.
- Maintaining vehicle and fleet safety, route planning, and driver scheduling.
- Enhancing customer service and responding to queries or complaints.
- Marketing and business development purposes.
- Security monitoring, access control and fraud prevention.

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

The private body may hold records relating to the following data subjects:

- Employees and Job Applicants – personal details, employment history, qualifications, medical records (where required), payroll and banking details.
- Customers/Clients – contact information, company registration details, VAT numbers, contract information, delivery details, billing and payment history.
- Suppliers/Contractors – business contact information, B-BBEE certificates, banking details, service agreements
- Fleet Drivers – identity documents, driver’s licenses, training records, disciplinary records, tracking logs.
- Visitors to Premises – identification details, access records, CCTV footage.

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

Personal information may be shared with the following recipients, where applicable and in line with POPIA:

- Statutory bodies and regulators (e.g., SARS, Department of Labour, Department of Transport).
- External auditors, accountants and legal advisors.

- Financial institutions (for payment processing).
- Insurance companies and brokers.
- Industry regulators and compliance authorities.
- IT service providers and data storage providers (subject to confidentiality).
- Customers and suppliers where contractual obligations require disclosure.
- Law enforcement or other authorities where legally obliged.

**8.4 Planned transborder flow of personal information.**

N/A

**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.**

The private body has implemented appropriate, reasonable technical and organisational measures to safeguard personal information, including:

- Restricted access to personal information on a “need-to-know” basis.
- Password protection and user authentication for IT systems.
- Firewalls, anti-virus software, and intrusion detection systems.
- Encrypted communication and data storage where applicable.
- Secure physical storage for paper-based records.
- CCTV monitoring and controlled access to premises.
- Regular employee training on POPIA compliance and information handling.
- Contracts with third-party service providers ensuring POPIA compliance.
- Backup and disaster recovery systems to ensure data availability.

**9. Availability Of The Manual**

**9.1 A copy of the manual is available at:**

- 9.1.1 The manual of the Private Body is available at the premises of the Private body as well as on the website [www.bayprojects.co.za](http://www.bayprojects.co.za) of the Private body.
- 9.1.2 At the Head Office of Bay Projects Construction Pty Ltd for public inspection during normal business hours
- 9.1.3 To any person upon request upon the payment of a reasonable prescribed fee.
- 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**

10.1. The head of Bay Projects Construction Pty Ltd will on a regular basis update this manual.

**Issued by: Kara Joanie Willemse (Information Officer)**

## ANNEXURE A:

The table below sets out the fees applicable to any request for a record of information held by Bay Projects Construction Pty Ltd :

ITEM	DESCRIPTION	AMOUNT
1.	The request fee payable by every requester	R 140.00
2.	Photocopy/printed black & white copy of A4-size page	R 2.00 per page or part thereof
3.	Printed copy of A4-size page	R 2.00 per page or part thereof
4.	For a copy of computer-readable form on: (i) Flash drive (to be provided by the requestor) (ii) Compact Disk: a. If provided by requester b. If provided to the requester	R 40.00 R 40.00 R 60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from service provider.
6.	For a copy of visual images	
7.	Transcription of an audio record, per A4-size page	R 24.00
8.	For a copy of audio recording on: (i) Flash drive (to be provided by the requestor) (ii) Compact Disk: a. If provided by requester b. If provided to the requester	R 40.00 R 40.00 R 60.00
9.	To search for and prepare the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. Not to exceed a total cost of	R 145.00 R 435.00
10.	Deposit: If search exceeds 6 hours	One third of the amount per request calculated in terms of items 2 to 8.
11.	Postage, email or any other electronic transfer	Actual expense, if any.

## ANNEXURE B: FORM 2

### REQUEST FOR ACCESS TO RECORD

[Regulation 7]

#### NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Address)

E-mail address: \_\_\_\_\_

Fax number: \_\_\_\_\_

Mark with an "X"

Request is made in my own name  Request is made on behalf of another person.

PERSONAL INFORMATION			
Full Names			
Identity Number			
Capacity in which request is made (when made on behalf of another person)			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel. (B):		Facsimile:
	Cellular:		

Full names of person on whose behalf request is made( <i>if applicable</i> ):			
Identity Number			
Postal Address			
Street Address			
E-mail Address			
Contact Numbers	Tel.(B)		Facsimile:
	Cellular		

**PARTICULARS OF RECORD REQUESTED**

*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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)*

Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			

**TYPE OF RECORD**  
(*Mark the applicable box with an "X"*)

Record is in written or printed form	
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Record comprises virtual images ( <i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc</i> )	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	
<b>FORM OF ACCESS</b> (Mark the applicable box with an "X")	
Printed copy of record ( <i>including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form</i> )	
Written or printed transcription of virtual images ( <i>this includes photographs, slides, video recordings, computer-generated images, sketches, etc.</i> )	
Transcription of soundtrack ( <i>written or printed document</i> )	
Copy of record on flash drive ( <i>including virtual images and soundtracks</i> )	
Copy of record on compact disc drive ( <i>including virtual images and soundtracks</i> )	
Copy of record saved on cloud storage server	

<b>MANNER OF ACCESS</b> (Mark the applicable box with an "X")	
Personal inspection of record at registered address of public/private body ( <i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i> )	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format ( <i>including transcriptions</i> )	
E-mail of information ( <i>including soundtracks if possible</i> )	
Cloud share/file transfer	

**PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

*If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.*

Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

**FEES**

- a) A request fee must be paid before the request will be considered.
- b) You will be notified of the amount of the access fee to be paid.
- 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	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

***Signature of Requester / person on whose behalf request is made***

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**FOR OFFICIAL USE**

<i>Reference number:</i>	
<i>Request received by: (State Rank, Name and Surname of Information Officer)</i>	
<i>Date received:</i>	
<i>Access fees:</i>	
<i>Deposit (if any):</i>	

---

**Signature of Information Officer**

## ANNEXURE B: FORM 3

### OUTCOME OF REQUEST AND FEES PAYABLE

[Regulation 8]

Note:

1. If your request is granted the—
  - (a) amount of the deposit, (if any), is payable before your request is processed; and
  - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: \_\_\_\_\_

**TO:** The Information Officer

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Your request dated \_\_\_\_\_, refers.

#### 1. You requested:

Personal inspection of information at registered address of public/private body ( <i>including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form</i> ) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure A.	
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**OR**

#### 2. You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form )	
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Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
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#### 4. Fees payable with regard to your request:

ITEM	DESCRIPTION	AMOUNT	NUMBER OF PAGES/ITEMS	TOTAL:
1.	The request fee payable by every requester	R 140.00		
2.	Photocopy/printed black & white copy of A4-size page	R 2.00 per page or part thereof		
3.	Printed copy of A4-size page	R 2.00 per page or part thereof		
4.	For a copy of computer-readable form on: (i) Flash drive (to be provided by the requestor) (ii) Compact Disk: a. If provided by requester b. If provided to the requester	R 40.00  R 40.00 R 60.00		
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotation from service provider.		
6.	For a copy of visual images			
7.	Transcription of an audio record, per A4-size page	R 24.00		
8.	For a copy of audio recording on: (i) Flash drive (to be provided by the requestor) (ii) Compact Disk: a. If provided by requester b. If provided to the requester	R 40.00  R 40.00 R 60.00		
9.	To search for and prepare the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation. Not to exceed a total cost of	R 145.00  R 435.00		
10.	Deposit: If search exceeds 6 hours	One third of the amount per		

		request calculated in terms of items 2 to 8.		
11.	Postage, email or any other electronic transfer	Actual expense, if any.		
	<b>TOTAL:</b>			

**5. Deposit payable (if search exceeds six hours):**

Yes

No

Hours of search		Amount of deposit ( <i>calculated on one third of total amount per request</i> )	
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The amount must be paid into the following Bank account:

Name of Bank: \_\_\_\_\_

Name of account holder: \_\_\_\_\_

Type of account: \_\_\_\_\_

Account number: \_\_\_\_\_

Branch Code: \_\_\_\_\_

Reference No.: \_\_\_\_\_

Submit proof of payment to: \_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
**INFORMATION OFFICER**