

THE BUILDING COMPANY (PROPRIETARY) LIMITED

REGISTRATION NUMBER 1972/004708/07

(*"The Company" or "The Building Company"*)

THE PROMOTION OF ACCESS TO INFORMATION MANUAL "PAIA Manual"

Version 2025.01

Disclaimer: Older versions of this document are superseded and are not deemed official. Only the latest version is acceptable.

PROMOTION OF ACCESS TO INFORMATION MANUAL

1. PREAMBLE

The Promotion of Access to Information Act, 2000 ("PAIA") came into operation on 9 March 2001. PAIA seeks, among other things, to give effect to the Constitutional right of access to any information held by the State or by any other person where such information is required for the exercise or protection of any right and gives natural and juristic persons the right of access to records held by either a private or public body, subject to certain limitations, to enable them to exercise or protect their rights. Where a request is made in terms of PAIA to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights and provided that no grounds of refusal contained in PAIA are applicable. PAIA sets out the requisite procedural issues attached to information requests.

Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such a private body and stipulates the minimum requirements that the manual has to comply with.

This Manual constitutes TBCo's PAIA manual.

2. ABOUT

THE BUILDING COMPANY (PROPRIETARY) LIMITED

Registration Number: 1972/004708/07

3. CONTACT DETAILS

Name:	The Building Company (Pty) Ltd
Authorised Information Officer:	The Information Officer
Email address of Information Officer:	popia@thebuildingco.com
Postal address:	PO Box 155 Cape Town International Airport 7525
Physical address:	1 st Floor, Execujet Building Tower Road Matroosfontein 7409
Phone number:	+27 (21) 065 4100

4. INFORMATION REGULATORS GUIDE

An official Guide has been compiled, which contains information to assist a person wishing to exercise their right of access to information in terms of PAIA. Any request for public inspection of the Guide at the office of the Information Officer or a request for a copy of the Guide from the Information Officer must substantially correspond with Form 1 of Annexure A to Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA Regulations. Please refer to **Annexure C**.

5. OBJECTIVES OF THIS MANUAL

The objectives of this Manual are:

- to provide a list of all records held by The Building Company ("TBCo");
- to set out the requirements with regard to who may request information in terms of PAIA, as well as the grounds on which a request may be denied;
- to define the manner and form in which a request for information must be submitted.

6. ENTRY POINT FOR REQUESTS

PAIA provides that a person may only make a request for information if the information is required for the exercise or protection of a legitimate right.

Information will therefore not be furnished unless a person provides sufficient particulars to enable TBCo to identify the right that the requester is seeking to protect, as well as an explanation as to why the requested information is required for the exercise or protection of that right. The exercise of an individual's rights is subject to justifiable limitations, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance. PAIA and the request procedure contained in this Manual may not be used for access to a record for criminal or civil proceedings, nor should information be requested after the commencement of such proceedings.

The Information Officer has been delegated the task of receiving and coordinating all requests for access to records in terms of PAIA, in order to ensure proper compliance PAIA and POPIA.

The Information Officer will facilitate the liaison with the internal legal team on all of these requests.

All requests in terms of PAIA and this Manual must be addressed to the Information Officer using the details in paragraph 3 above.

7. AUTOMATICALLY AVAILABLE INFORMATION

Information that is obtainable via the TBCo website about TBCo is automatically available and need not be formally requested in terms of this Manual.

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

Published -

- brochures
- press releases
- publication; and
- various other marketing and promotional materials.

8. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of certain provisions of the following legislation to the persons or entities specified in such legislation:

- a. Administration of Estates Act 66 of 1965
- b. Basic Conditions of Employment Act 75 of 1997
- c. Broad-Based Black Economic Empowerment Act 53 of 2003
- d. Close Corporations Act 69 of 1984
- e. Companies Act 61 of 1973
- f. Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- g. Competition Act 89 of 1998
- h. Consumer Protection Act 68 of 2008
- i. Copyright Act 98 of 1978
- j. Customs and Excise Act 91 of 1964
- k. Customs Duty Act 30 of 2014
- l. Debt Collectors Act 114 of 1998
- m. Electronic Communications and Transactions Act 25 of 2002
- n. Electronic Communications Act, 36 of 2005
- o. Employment Equity Act 55 of 1998
- p. Financial Advisory and Intermediary Services Act 37 of 2002
- q. Financial Intelligence Centre Act 38 of 2001
- r. Income Tax Act 58 of 1962
- s. Insolvency Act No. 24 of 1936
- t. Labour Relations Act 66 of 1995

- u. Merchandise Marks Act 17 of 1941
- v. National Credit Act 34 of 2005
- w. Occupational Health & Safety Act 85 of 1993
- x. Pension Funds Act 24 of 1956
- y. Prevention of Organised Crime Act 121 of 1998
- z. Prevention and Combating of Corrupt Activities Act 12 of 2004
- aa. Protection of Personal Information Act 4 of 2013
- bb. Promotion of Access to Information Act 2 of 2000
- cc. Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- dd. Protected Disclosures Act 26 of 2000
- ee. Skills Development Act 97 of 1998
- ff. Skills Development Levies Act 9 of 1999
- gg. Stamp Duties Act 77 of 1968
- hh. Stock Exchanges Control Act 1 of 1985 (and the rules and listing requirements of the JSE Securities Exchange authorised in terms thereof)
- ii. Unemployment Contributions Act 4 of 2002
- jj. Unemployment Insurance Act 30 of 1966
- kk. Value Added Tax Act 89 of 1991
- ll. Such other legislation as may from time to time be applicable.

9. CATEGORIES OF RECORDS AVAILABLE UPON REQUEST

TBCo maintains records on the categories and subject matters listed below. Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured.

All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of PAIA.

Please note further that many of the records held by TBCo are those of third parties, such as clients and employees, and TBCo takes the protection of third-party confidential information very seriously.

In particular, where TBCo acts as professional advisors to clients, many of the records held are confidential and others are the property of the client and not that of TBCo.

For further information on the grounds of refusal of access to a record please see paragraph 11.5 below. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.

Category of records	Records
Internal records The records listed pertain to TBCO's own affairs	<ul style="list-style-type: none"> • Memoranda and Articles of Association • Financial records • Operational records • Intellectual property • Marketing records; • Internal correspondence; • Service records; • Statutory records; • Internal policies and procedures; • Minutes of meetings.
Personnel records For the purposes of this section, "personnel" means any person who works for or provides services to or on behalf of TBCO and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of TBCO. This includes partners, directors, all permanent, temporary and part-time staff as well as consultants and contract workers.	<ul style="list-style-type: none"> • Any personal records provided to us by our personnel. • Any records a third party has provided to us about any of their personnel; • Conditions of employment and other personnel-related contractual and quasi-legal records; • Employment policies and procedures; • Internal evaluation and disciplinary records; and • Other internal records and correspondence.
Client-related records	<ul style="list-style-type: none"> • Contracts with the client and between the client and other persons;
Other third-party records Records are kept in respect of other parties, including without limitation joint ventures and consortia to which TBCO is a party, contractors and sub-contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to TBCO.	<ul style="list-style-type: none"> • Personnel, client, or TBCO records which are held by another party as opposed to being held by TBCO; and • Records held by TBCO pertaining to other parties, including financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers.

10. REQUEST PROCEDURE

10.1 Completion of the prescribed form

- 10.1.1 Any request for access to a record in terms of PAIA must substantially correspond with Form 2 of Annexure A to Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA Regulations and should be specific in terms of the record requested. Please refer to **Annexure A**.
- 10.1.2 A request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.
- 10.1.3 For information regarding the Protection of Personal Information Act (POPIA), please refer to the TBCo External Privacy Policy.
- 10.1.4 Grounds for refusal are set out in PAIA and are discussed below.

10.2 Proof of identity

Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.

10.3 Payment of the prescribed fees

- 10.3.1 There are two categories of fees which are payable:
 - 10.3.1.1 The request fee: R140.00
 - 10.3.1.2 The access fee: This is calculated by considering reproduction costs, search and preparation costs, as well as postal costs. These fees are set out in **Annexure B**.
- 10.3.2 Section 54 of PAIA entitles TBCo to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Annexure B of Government Notice No. R.757 dated 27 August 2021 promulgated under the PAIA Regulations. Please refer to **Annexure D**.
- 10.3.3 When a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

10.4 Timelines for consideration of a request for access

- 10.4.1 Requests will be processed within 30 (thirty) days unless the request contains considerations that are of such a nature that an extension of the time limit is needed.
- 10.4.2 The Information Officer will inform the requester of the decision, and the fees payable (if applicable) on a form that corresponds substantially with Form 3 of Annexure A to Government Notice No. R.757 dated 27 August

2021 promulgated under the PAIA Regulations.

- 10.4.3 Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.

10.5 Grounds for refusal of access and protection of information

- 10.5.1 There are various grounds upon which a request for access to a record may be refused. These grounds include:
- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
 - the protection of commercial information of a third party (for example, trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);
 - if disclosure would result in the breach of a duty of confidence owed to a third party;
 - if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
 - if the record was produced during legal proceedings, unless that legal privilege has been waived;
 - if the record contains trade secrets, financial or sensitive information or any information that would put TBCo at a disadvantage in negotiations or prejudice it in commercial competition; and/or
 - if the record contains information about research being carried out or about to be carried out on behalf of a third party or by TBCo.
- 10.5.2 Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal
- (i) a substantial contravention of, or failure to comply with the law, or
 - (ii) there is an imminent and serious public safety or environmental risk, and
 - (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.
- 10.5.3 If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty-one) days of receipt of the request. The third party would then have a further 21 (twenty-one) days to make representations and/or submissions regarding the granting of access to the record.

11. REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS

If the Information Officer decides to grant you access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.

There is no internal appeal procedure that may be followed after a request to access

information has been refused. The decision made by the Information Officer is final. In the event that you are not satisfied with the outcome of the request, you are entitled to apply to a court of competent jurisdiction to take the matter further.

Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

12. AVAILABILITY OF THIS MANUAL

Copies of this Manual are available for inspection, free of charge, at the offices of TBCo and at <https://thebuildingco.com/privacy-policy/>

13. VERSION CONTROL AND CHANGE HISTORY

Version No	Review Date	Amendment	Effective Date	Change made by
2021.01	N/A	First publication	23/04/2021	J van Zyl
2021.02	01/06/2021	General administrative changes.	01/06/2021	J van Zyl
2024.01	09/10/2024	Rebranding & Formatting	04/11/2024	P van Staden
2025.01	21/08/2025	POPIA moved to TBCO External Privacy Statement.	21/08/2025	P van Staden

ANNEXURE A
FORM 2: REQUEST FOR ACCESS TO RECORD

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

Requests can be submitted either via post or e-mail: popia@thebuildingco.com and should be addressed to the Information Officer.

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 and surname	
Identity number	
Capacity in which a request is made (when made on behalf of another person)	
Postal address	
Street address	
Email address	
Contact numbers	
Telephone number (business)	
Cellular number	

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 with an "X")

Record is in written or printed form	
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	

FORM OF ACCESS

(Mark with an "X")

Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription or virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

MANNER OF ACCESS

(Mark with an "X")

Personal inspection of record at registered address of public/private body (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)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language: (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)	

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:

Electronic communication (Please specify):

Signed at _____ this _____ day of _____ 20____

Signature of Requester/Person on behalf of whom request is made

FOR OFFICIAL USE

Reference number:

Request received by: *(state rank, name and surname of information officer)*

Date received:

Access fees:

Deposit (if any):

Signature of information officer

**ANNEXURE B
FEES IN RESPECT OF PRIVATE BODIES**

Item	Description	Amount
1.	The request fee payable by every requester	R140.00
2.	Photocopy of A4-size page	R2.00 per page or part thereof.
3.	Printed copy of A4-size page	R2.00 per page or part thereof.
4.	For a copy in a computer-readable form on: (i) Flash drive (to be provided by requestor) (ii) Compact disc <ul style="list-style-type: none"> If provided by requestor If provided to the requestor 	R40.00 R40.00 R60.00
5.	For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on quotations from the service provider.
6.	Copy of visual images	Service to be outsourced. Will depend on quotations from the service provider.
7.	Transcription of an audio record, per A4-size page	R24.00
8.	Copy of an audio record on: (i) Flash drive (to be provided by requestor) (ii) Compact disc <ul style="list-style-type: none"> If provided by requestor If provided to the requestor 	R40.00 R40.00 R60.00
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. To not exceed a total cost of	R145.00 R435.00
10.	Deposit: If search exceeds 6 hours	One third of the amount per request calculated in terms of items 2 to 8.
11.	Postage, e-mail or any other electronic transfer	Actual expense, if any.

ANNEXURE C
FORM 1: REQUEST FOR A COPY OF THE GUIDE

REQUEST FOR A COPY OF THE GUIDE
[Regulations 2 and 3]

Requests can be submitted either via post or e-mail: popia@thebuildingco.com and should be addressed to the Information Officer.

TO: The Information Regulator of South Africa
P.O. Box 31533
Braamfontein
2017
Email address: enquiries@infoeregulator.org.za

OR

The Information Officer

(Address)

I, _____ (full names) in my capacity as:

Mark with "X"

☐

Information Officer

☐

Other

Name of public/private body (if applicable): _____

Postal address: _____

Street address: _____

Email address: _____

Contact numbers:

Telephone number (business): _____

Cellular number: _____

Facsimile: _____

Thereby request the following copy(ies) of the guide:

Language (mark with an "X")		No. of copies	Language (mark with an "X")		No. of copies
	Sepedi			Sesotho	
	Setswana			siSwati	
	Tshivenda			Xitsonga	
	Afrikaans			English	
	isiNdebele			IsiXhosa	
	isiZulu				

Manner of collection

Mark with "X"

Postal address	Facsimile	Electronic communication (please specify)

Signed at _____ this _____ day of _____ 20_____

Signature of Requester

ANNEXURE D
FORM 3: OUTCOME OF REQUEST AND OF FEES PAYABLE

OUTCOME OF REQUEST AND OF FEES PAYABLE
[Regulation 8]

Requests can be submitted either via post or e-mail: popia@thebuildingco.com and should be addressed to the Information Officer.

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:

Your request dated _____, refers.

You requested:

Personal inspection of information at the registered address of [] (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) 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 are liable for the fees prescribed in Annexure B.	
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OR

You requested:

Printed copies of the information (including copies of an virtual images, transcriptions and information held on computer or in an electronic or machine readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	

Copy of information on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language (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)	

Kindly note that your request has been:

☐

Approved

☐

Denied for the following reasons:

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 number: _____

Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

Signature of Information Office