BOMBELA Operating Company (Pty) Ltd A Subsidiary of RATP Dev	GAUTRAIN FOR PEOPLE ON THE MOVE
Element **Discipline**	**Management** **Legal**
Prepared by	**Olebogeng Tlhale**
Document type **Area/Section** **Subject**	**Manual** **BOMBELA OPERATING COMPANY** **PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) MANUAL prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended)**
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1 DOCUMENT CONTROL

1.1 Document Approval

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Verified by	Date of signature: 15/09/2025 pp.
	Name: Nikita Makasi Title: Senior Legal and Contracts Manager
Approved by	Date of signature: 17/09/2025
	Name: Nthabiseng Kubheka Title: Chief Executive Officer

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1.2 Document Revision Register

DATE	REVISION	REMARKS
09/09/2025	02	Update Deputy Information Officer details and the link to the prescribed PAIA Request for Access Form
27/08/2021	01	First Draft

1.3 Responsibility

The Senior Legal and Contracts Manager is responsible for the management, implementation and updating of this policy.

1.4 Distribution List

Division	Title	For Action	For Information
Board		X	
CEO		X	
All	Executives	X	
All	Level Ds	X	
All	Administrators	X	
All	BOC employees and sub-contractors	X	

1.5 Review of the Document

This document will be reviewed within 36 months of the last date of approval.

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1.6 Reference Documents

Document Number	Document Title
OPE-ALL-POL-00010303	Protection of Personal Information (POPI) Privacy Policy
OPE-ALL-POL-00010304	Data Breach Incident Policy
OPE-ALL-FRM-20005	Breach Notice
OPE-ALL-POL-00010305	Protection for Employees Policy
OPE-ALL-GUI-00010002	Personal Information Impact Assessment Guide
OPE-ALL-FRM-20003	Data Subject Consent Form
OPE-ALL-FRM-20004	Data Subject Consent Withdrawal Form
OPE-ALL-POL-00010231-02	Data Backup
OPE-ALL-PRD-00010468-07	Document Information Procedure
OPE-ALL-PRD-00010601-01	Information Technology Standards and Procedures

1.7 Definitions and Abbreviations

1.7.1 **BOC** means Bombela Operating Company Proprietary Limited;

1.7.2 **Manual** means this manual for access to information as required by section 51 of PAIA;

1.7.3 **Minister** means Minister of Justice and Correctional Services;

1.7.4 **PAIA means** Promotion of Access to Information Act 2 of 2000 and the regulations promulgated in terms of the Act;

1.7.5 **POPIA means** Protection of Personal Information Act 4 of 2013 and the regulations promulgated in terms of the Act;

1.7.6 **Regulator** means Information Regulator; and;

1.7.7 **Republic** means the Republic of South Africa;

Where this Manual uses words and phrases defined in PAIA and POPIA, unless otherwise indicated in this Manual those words and phrases have the same meaning as in PAIA and POPIA.

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2 PURPOSE OF THE DOCUMENT

This Promotion of Access to Information (PAIA) Manual has been prepared in accordance with the Promotion of Access to Information Act 2 of 2000, as amended.

2.1 BOC will update the Manual from time to time.

2.2 This Manual is available:

2.2.1 at our Head Office address set out in paragraph 4.4 below;

2.2.2 on our business website, https://bombelaop.com/

2.2.3 upon request and payment of a reasonable amount; and

2.2.4 to the Information Regulator on request.

3 COMPANY DETAILS

3.1 BOC, with company registration number 2005/024095/07, is a private company registered in terms of the company laws of South Africa which was sub-contracted by Bombela Concession Company (RF) Proprietary Limited maintain and operate the Gautrain rail system.

3.2 The Gautrain rail system was implemented as a Public Private Partnership between the Gauteng Provincial Department, as the public partner and Bombela Concession Company (RF) Proprietary Limited, as the concessionaire.

4 COMPANY CONTACT DETAILS

4.1 Information Officer:

- Name: Innocentia Nthabiseng Kubheka

4.2 Deputy Information Officer:

- Name: Nikita Makasi

4.3 Contact details:

- Tel (WiseCAll toll free): 0800 227 007
- Email Address: informationofficer@bombelaop.co.za

4.4 Head Office

- Physical Address: 1st Floor Midrand Train Depot,

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Alsatian Road, Midrand, Gauteng, 1685

- Telephone Number: 011 253 0000
- Fax Number: 011 253 0099
- Email: BOCCommunications@bombelaop.co.za

5 THE PAIA GUIDE

5.1 The Regulator has compiled a guide in terms of Section 23 of POPIA ("'Guide"). The guide contains information on how to use PAIA, including such information as may be reasonably required for the purpose of exercising any right contemplated in PAIA and POPIA.

5.2 The Guide is available in each of the official languages and in braille.

5.3 The aforesaid Guide contains the description of-

5.3.1 the objects of PAIA and POPIA;

the postal and street address, phone and fax number and, if available, electronic mail address of-

- the Information Officer of every public body, and
- every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA[1] and section 56 of POPIA[2];

5.3.2 the manner and form of a request for-

- access to a record of a public body contemplated in section 11[3]; and

[1] 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.

[2] 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.

[3] 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.

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- access to a record of a private body contemplated in section 50[4];

5.3.3 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;

5.3.4 the assistance available from the Regulator in terms of PAIA and POPIA;

5.3.5 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-

- an internal appeal;
- a complaint to the Regulator; and
- 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;

5.3.6 the provisions of sections 14[5] and 51[6] requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

5.3.7 the provisions of sections 15[7] and 52[8] providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

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[4] 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.

[5] 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.

[6] 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.

[7] 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

[8] 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

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5.3.8 the notices issued in terms of sections 22[9] and 54[10] regarding fees to be paid in relation to requests for access; and

5.3.9 the regulations made in terms of section 92[11].

5.4 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.

5.5 The Guide can also be obtained-

5.5.1 upon request to the Information Officer;

5.5.2 from the website of the Regulator (https://inforegulator.org.za/paia/).

5.6 A copy of the Guide is also available for public inspection during normal office hours.

6 RECORDS HELD IN TERMS OF OTHER LEGISLATION

6.1 BOC keeps records in terms of the legislation listed in paragraph 6.2 below and we may make these records available for inspection to a requester if:

6.1.1 the requester is entitled to such access in terms of PAIA or POPIA and such access is not prohibited by any other applicable law, codes of conduct, rules or regulations; and

6.1.2 a request for access to such information is made in terms of PAIA.

6.2 BOC holds records in terms of the following legislation:

Reference	Act
75 of 1997	Basic Conditions of Employment Act
53 of 2003	Broad-Based Black Economic Empowerment Act

[9] 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.

[10] 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.

[11] 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."

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130 of 1993	Compensation for Occupational Injuries and Diseases Act
71 of 2008	Companies Act
130 of 1993	Compensation for Occupational Injuries and Diseases Act
68 of 2008	Consumer Protection Act
Reference	**Act**
32 of 2007	Criminal Law (Sexual Offences and Related Matters) Amendment Act
51 of 1977	Criminal Procedure Act
57 of 2002	Disaster Management Act
36 of 2005	Electronic Communications Act
25 of 2002	Electronic Communications and Transactions Act
55 of 1998	Employment Equity Act
38 of 2001	Financial Intelligence Centre Act
15 of 1973	Hazardous Substances Act
56 of 1974	Health Professions Act
58 of 1962	Income Tax Act
18 of 2017	Insurance Act
66 of 1995	Labour Relations Act
131 of 1998	Medical Schemes Act
85 of 1993	Occupational Health and Safety Act
24 of 1956	Pension Funds Act
55 of 1975	Prescribed Rate of Interest Act
68 of 1969	Prescription Act
56 of 2001	Private Security Industry Regulation Act

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2 of 2000	Promotion of Access to Information Act
4 of 2013	Protection of Personal Information Act
97 of 1998	Skills Development Act
34 of 1997	South African Revenue Service Act
Reference	**Act**
8 of 2008	Standards Act
63 of 2001	Unemployment Insurance Act
4 of 2002	Unemployment Insurance Contributions Act
89 of 1991	Value Added Tax Act

7 CATEGORIES OF RECORDS HELD

7.1 The records held by BOC fall into the following categories:

7.1.1 records relating to Gautrain services and the performance of those services, including Gautrain timetables and brochures;

7.1.2 asset registers and other records relating to assets;

7.1.3 financial and tax records, including annual financial statements, management accounts, tax returns and invoices;

7.1.4 records relating to employees, their dependants and beneficiaries, including recruitment records, employment contracts, payroll records, records relating to employment benefits, disciplinary and performance records, training and assessment records, occupational health and safety, unemployment insurance and skills development records;

7.1.5 records relating to transformation;

7.1.6 documents relating to the assessment of risk and insurance cover;

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7.1.7 marketing records;

7.1.8 records relating to our suppliers and potential suppliers including quotes, proposals, contracts, invoices and correspondence;

7.1.9 records of Gautrain customers stored in respect of customers with standard Gautrain cards:

- exact times and points of entry and exit;
- CCTV footage of customer based on their transaction at point of entry;
- EFT transactions of a customer at Gautrain station;
- bank card utilised by a customer at ticket vending machine. However, no credit card or debit card information is collected because this is encrypted by the customer's device.

7.1.10 records of Gautrain customers stored in respect of customers with personalised Gautrain cards:

- name and surname of customer;
- identity number of customer;
- residential address of customer;
- contact details of customer, including email address and cell phone number;

7.1.11 records of Gautrain customers that have requested refunds:

- the Personal Information contained in paragraph 7.1.10;
- a customer bank statement (to confirm validity of the request for a refund).

REQUESTING INFORMATION

7.2 To facilitate the processing of your request, kindly:

7.2.1 use the form prescribed by the Regulator, available at the following hyperlink *InfoRegSA-PAIA-Form02-Reg7.pdf*

7.2.2 address the request to the Information Officer of BOC;

7.2.3 provide sufficient details to enable BOC to identify:

- the record(s) requested;

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- the requester (and if an agent is lodging the request, proof of authority);
- the form of access required;
- the requester's postal address or fax number in South Africa;
- if the requester wishes to be informed of BOC's decision about the request in any manner in addition to in writing, advise the manner and particulars thereof; and
- advise the right which the requester is seeking to exercise or protect including an explanation of the reason the record is required to exercise or protect the right.

8 INFORMATION REQUIRED IN TERMS OF POPIA

8.1 Purpose of the processing

8.1.1 BOC legally processes data under the following justifications:

- Where we have your specific consent to carry out the processing for the Purpose in question (**Consent**).
- Where we need to perform a contract we are about to enter into or have entered into with you (**Contractual Necessity**).
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests (**Legitimate Interests**).
- Where we need to comply with a legal or regulatory obligation (**Compliance with Law**).

8.2 Description of the categories of data subjects and of the information or categories of information relating data subjects

8.2.1 BOC holds records in respect of the following categories of data subjects:

- employees;
- suppliers and potential suppliers;
- Gautrain customers.

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8.2.2 BOC holds the following categories of information in respect of the data subjects:

- **Identity data** (first name, surname, company name, trading name): We use this to authenticate you as a customer or service provider and to keep a record of the Personal Information that we process.
- **Contact details** (telephone number, email address): We use this to communicate with you.
- **Summaries of conversations**: We use this data that you provide to us when you report a problem or ask a question in respect of our Services or when you request further services from us. If you contact us, we may keep a record of that correspondence. We use this to provide more information about the Services or to help resolve issues experienced using the Services.
- **Bank account details**: We use this information to process any refunds that may be required through your use of the Services.
- **Location details**: We use this information to assess the locations of where you make use of the Services, including which train stations and bus stops you depart and arrive at when you use the Services.

8.3 The recipients or categories of recipients to whom the Personal Information may be supplied

8.3.1 The following recipients or categories of recipients may be supplied with the Personal Information processed by BOC:

- BOC Service Providers
- BOC Professional Advisors
- Regulators and other authorities
- Client (Bombela Concession Company (RF) (Pty) Ltd)
- The Gauteng Provincial Government
- BOC Shareholders
- BOC Directors

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8.4 Planned transborder flows of Personal Information

BOC's email servers are hosted in the cloud by Office 365 and is subject to the Microsoft data protection regulations and policies.

8.5 General description allowing a preliminary assessment of the suitability of the information security measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information which is to be processed

We take your privacy seriously and as such we have policies and technical measures in place to safeguard and protect your Personal Information against unauthorised access, accidental loss, improper use and disclosure.

We also limit access to your information only on a need-to-know basis to people in our company, and to any third parties who need to have access to the relevant information for the purposes set out in this Privacy Policy.

We have put in place procedures to deal with any actual or suspected Personal Information breaches. We will notify you and guide you through steps to mitigate any damage and stay better protected. In the event of any such breach, we have systems in place to work with the Information Regulator. In addition, in certain circumstances (e.g., where we are legally required to do so) we may notify you of breaches affecting your Personal Information.

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