



RICHARDS BAY CLEAN AIR ASSOCIATION

PAIA MANUAL

RBCAA-MA-002 Rev **04**

Registration number: 1996/013031/08

Prepared in terms of section 51 of the Promotion of Access to Information
Act 2 of 2000 (as amended)

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1. INTRODUCTION

The Richards Bay Clean Air Association has established a real-time monitoring network to characterise ambient air quality within the uMhlathuze Municipal Area. The Association's objective is to engage in research, primarily focusing on data capture, monitoring, and prediction of ambient air quality. The RBCAA renders a service to the public and is committed to observing and complying with the Constitution and national legislation, including the Promotion of Access to Information Act 2 of 2000 (PAIA). It endorses the principles of good governance, transparency, and accountability.

2. LIST OF ACRONYMS AND ABBREVIATIONS

- 2.1 "PAIA" - Promotion of Access to Information Act 2 of 2000 (as amended).
- 2.2 "POPIA" - Protection of Personal Information Act 4 of 2013.
- 2.3 "Regulator" - Information Regulator.
- 2.4 "RBCAA" - Richards Bay Clean Air Association.
- 2.5 "The Act" - PAIA.
- 2.6 "DIO" - Deputy Information Officer.
- 2.7 "HPB" - Head of Private Body.

3. THE ACT

PAIA gives effect to the constitutional right of access to information. In relation to a private body, section 50 of PAIA provides that a requester must be given access to a record where the record is required for the exercise or protection of a right, the procedural requirements of PAIA have been met, and access is not refused under a ground for refusal in Chapter 4 of Part 3 of PAIA.

Section 9 of PAIA recognises that the right of access is subject to justifiable limitations, including the reasonable protection of privacy and commercial confidentiality, while balancing access to information with other rights in the Bill of Rights. The applicable refusal grounds for private bodies are summarised in section 11 of this Manual, subject to the mandatory public-interest override in section 70 of PAIA.



4. PURPOSE OF PAIA MANUAL

This PAIA Manual is intended to assist the public to:

- 4.1 identify categories of records that are available without a formal PAIA request and records available under other legislation;
- 4.2 understand the subjects on which RBCAA holds records and the categories of records held on each subject;
- 4.3 obtain the contact details required to request access to RBCAA records;
- 4.4 obtain access to the Information Regulator's Guide on how to use PAIA;
- 4.5 understand how RBCAA processes personal information, including the purposes of processing and the categories of data subjects and personal information processed;
- 4.6 understand the recipients or categories of recipients to whom personal information may be supplied;
- 4.7 understand any planned transborder flows of personal information;
- 4.8 obtain a general description of RBCAA's information-security safeguards; and
- 4.9 understand the request procedure, prescribed fees, refusal grounds, remedies and availability of this Manual.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE RBCAA

Head of Private Body / Managing Director: Candice Webb

Information Officer / PAIA contact: Sandra Hannelore Camminga

Information Regulator registration no.: 0001684/2022-2023-IRR/PR (registered 5 September 2022 in terms of section 55(2) of POPIA)

Telephone No: 035 786 0076 / 083 515 2384

E-mail: sandy@rbcaa.org.za

Deputy Information Officer: None designated. All PAIA requests and enquiries must be directed to the Information Officer above.

General Information:

Richards Bay Clean Air Association

Registration No: 1996/013031/08

Postal Address: PO Box 10299, Meerensee, 3901

Physical Address (principal place of business): Suite 18, Calypso Centre, 2 Kruger Rand Grove, Richards Bay, 3900

Telephone No: 035 786 0076

E-mail: info@rbcaa.co.za

Website: <https://www.rbcaa.co.za/>



6. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

6.1 The Information Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the Guide on how to use PAIA ("Guide") in an easily comprehensible form and manner for persons wishing to exercise rights contemplated in PAIA and POPIA.

6.2 The Guide is available in the official languages and in Braille.

6.3 The Guide and prescribed PAIA forms are available from the Information Regulator:

- Website: <https://infoeregulator.org.za/paia/>
- E-mail: enquiries@infoeregulator.org.za
- Telephone: 010 023 5200
- Toll-free: 0800 017 160

7. RECORDS OF THE RBCAA

This section describes RBCAA records to facilitate requests in terms of PAIA. The availability of a record remains subject to PAIA and any applicable ground for refusal.

7.1 Categories of records available without a formal PAIA request

Records published by RBCAA that may be accessed without a formal PAIA request include air-quality data, published technical/monthly/annual reports, news and media items, selected published policies or manuals, and this PAIA Manual. These records may be accessed through <https://www.rbcaa.co.za/> or by contacting RBCAA where a published record is not readily accessible online.

7.2 Records available in accordance with other legislation

Category of records	Applicable legislation
Corporate records, including Memorandum of Incorporation and statutory company records	Companies Act 71 of 2008
Employment and labour records, where applicable	Basic Conditions of Employment Act 75 of 1997; Labour Relations Act 66 of 1995
Occupational injury and compensation records, where applicable	Compensation for Occupational Injuries and Diseases Act 130 of 1993
UIF records, where applicable	Unemployment Insurance Act 63 of 2001
Electronic communications and transaction records, where applicable	Electronic Communications and Transactions Act 25 of 2002
Taxation and accounting records, where applicable	Income Tax Act 58 of 1962; Tax Administration Act 28 of 2011; Value-Added Tax Act 89 of 1991
Personal information and access-to-information records	Protection of Personal Information Act 4 of 2013; Promotion of Access to Information Act 2 of 2000
Air-quality and environmental records, where created or retained under applicable requirements	National Environmental Management: Air Quality Act 39 of 2004 and other applicable environmental legislation



7.3 Records held in respect of third parties

RBCAA may hold records relating to members and their representatives, members of the public who submit complaints or queries, service providers and contractors, regulators and public authorities, and other stakeholders. Access to third-party information is subject to PAIA, POPIA and any applicable confidentiality obligations.

7.4 Subjects on which RBCAA holds records and categories of records

Subject	Categories of records held
Corporate governance	Memorandum of Incorporation; board and committee records; resolutions; governance policies; office-bearer and membership records.
Finance and administration	Budgets; financial statements; accounting records; invoices; payment records; procurement and administrative correspondence.
Human resources	Employment contracts; employee records; leave, training and competency records; HR policies and related correspondence, where applicable.
Air-quality monitoring and technical operations	Monitoring data; station records; calibration, verification and maintenance records; data-validation records; technical reports; monitoring-network documentation.
Complaints and incidents	Complaint and query logs; complainant contact details; correspondence; incident information; referrals and investigation-related records.
Members and stakeholders	Membership records; member contact details; meeting correspondence; submissions; stakeholder communications; environmental-impact assessment correspondence where held.
Service providers and contractors	Contracts; quotations; supplier details; tax/VAT and banking details where required; performance, procurement and correspondence records.
Quality Management System	Quality Manual; policies; procedures; audit records; management-review records; nonconformities; corrective actions; controlled-document records.
Information technology and information management	System, access, backup, security and support records; website and communications records, subject to security and confidentiality restrictions.
Legal, PAIA and POPIA compliance	Contracts; legal correspondence; PAIA requests and outcomes; privacy records; regulatory correspondence; compliance records and notices.

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of processing personal information

- to receive, manage, investigate and refer air-quality complaints and queries;
- to administer RBCAA membership, stakeholder engagement and governance activities;
- to manage employees, contractors and service providers and related administrative, financial and contractual obligations;
- to operate, secure and administer RBCAA information systems, communications and records;
- to comply with legal, regulatory, accounting, audit and reporting obligations; and



- to compile statistics and reports, using aggregated or de-identified information where appropriate.

8.2 Categories of data subjects and personal information

Category of data subject	Personal information that may be processed
Members, member representatives and stakeholders	Names; employer/organisation; role; business contact details; correspondence; meeting and membership information; other information supplied in the course of engagement.
Directors and office bearers	Identification and contact details; role/appointment information; declarations and governance records; correspondence.
Employees and job applicants	Identification and contact details; employment and payroll information; qualifications; training/competency records; banking and statutory information where applicable.
Complainants and members of the public	Name; address/location; telephone/email details; complaint/query details; correspondence; supporting information provided by the person.
Service providers, contractors and suppliers	Names and contact details; company/registration/VAT information; contractual and trade information; banking/payment information where required.
Website users and correspondents	Contact details and information voluntarily submitted through forms, email or other communication channels; technical/log data where collected for security and administration.

8.3 Recipients or categories of recipients

- municipal, provincial or national authorities where required to process, refer or investigate a complaint or to comply with the law;
- professional advisers, auditors and insurers where required for legitimate governance, audit, legal or risk-management purposes;
- banks and payment-service providers where necessary for financial administration;
- IT, hosting, email, communications, security, backup and other contracted service providers acting under appropriate confidentiality and data-protection arrangements; and
- other recipients where disclosure is required or authorised by law, or with the data subject's consent where consent is the appropriate lawful basis.

8.4 Planned transborder flows of personal information

RBCAA does not plan to transfer personal information outside South Africa, and personal information processed by or on behalf of RBCAA is stored within South Africa. Should this change, any transfer will comply with section 72 of POPIA, and this Manual will be updated accordingly.

8.5 General description of information-security safeguards

RBCAA implements administrative and technical safeguards intended to protect the confidentiality, integrity and availability of personal information. Safeguards include access controls and authentication, endpoint and anti-malware protection, email-security and anti-spoofing controls, backup and recovery arrangements, encryption where appropriate, system maintenance and patching, confidentiality requirements, and physical/organisational controls



appropriate to the information and risk. The specific controls and service providers should be reviewed whenever this Manual is updated.

9. REQUEST PROCEDURE FOR OBTAINING INFORMATION

A request for access to a record of RBCAA must comply with section 53 of PAIA and regulation 7 of the PAIA Regulations. The requester must submit a form corresponding substantially with prescribed Form 2, "Request for Access to Record" (Appendix 1), to the RBCAA PAIA contact identified in section 5. The current prescribed form is also available from the Information Regulator.

If a request is made on behalf of another person, proof of authorisation must accompany the request.

If a requester is unable to complete Form 2 because of illiteracy or disability, the Information Officer must provide reasonable assistance, reduce the oral request to writing on Form 2 and provide a copy to the requester.

The request must provide sufficient particulars to enable RBCAA to identify the record and the requester, specify the required form of access and contact details, identify the right to be exercised or protected, and explain why the requested record is required for that purpose.

RBCAA must decide the request as soon as reasonably possible and in any event within 30 days after receiving the request or the required particulars. Under section 57 of PAIA, the 30-day period may be extended once for not more than a further 30 days only on the grounds permitted by that section or with the requester's written consent. The requester must be notified of the extension and the reasons for it within the original 30-day period.

The outcome of the request and fees payable must be communicated on a form corresponding substantially with prescribed Form 3 in accordance with regulation 8. If access is refused, adequate reasons and the applicable PAIA provisions must be stated, without revealing the content of the record.

10. FEES

The prescribed private-body fees are set out in Appendix 2. The request fee is payable before further processing of the request, except by a personal requester (a requester seeking access to a record containing personal information about that requester), who is not required to pay the request fee in terms of section 54(1) of PAIA. In terms of section 23(1)(a) of POPIA, a data subject may, on providing adequate proof of identity, request RBCAA to confirm free of charge whether it holds personal information about that data subject. If access is granted, an access fee may be payable for reproduction, search and preparation, and transmission in accordance with the prescribed fee schedule.

As at the date of this revision, the Information Regulator's published private-body request fee is R140.00. Search and preparation is R145.00 for each hour or part thereof after the first hour, subject to the prescribed maximum of R435.00. If the search is expected to exceed six hours, a deposit of one-third of the applicable amount may be required as prescribed. Current fees must be checked against the Regulator's published fee structure whenever this Manual is updated.

A record may be withheld until the applicable prescribed fees have been paid. Any deposit paid in respect of a request that is subsequently refused must be refunded where required by PAIA.

11. GROUNDS FOR REFUSAL OF ACCESS TO INFORMATION

A request for access may or must be refused only on grounds permitted by PAIA. The principal private-body grounds include:



- mandatory protection of the privacy of a third party who is a natural person (section 63);
- mandatory protection of specified commercial information of a third party (section 64);
- mandatory protection of confidential information of a third party where disclosure would constitute a breach of a duty of confidence owed in terms of an agreement (section 65);
- mandatory protection of the safety of individuals, and protection of property (section 66);
- mandatory protection of records privileged from production in legal proceedings, unless privilege is waived (section 67);
- specified commercial information of RBCAA, including trade secrets, certain financial/commercial/scientific/technical information, negotiation or competitive information, and protected computer programs (section 68); and
- research information of a third party or RBCAA where the statutory requirements are met (section 69).

The frivolous-or-vexatious/unreasonable-diversion ground in section 45 of PAIA applies to public bodies and is therefore not stated as a private-body refusal ground in this Manual.

Despite an otherwise applicable refusal ground, section 70 of PAIA requires disclosure where the record would reveal evidence of a substantial contravention of or failure to comply with the law, or an imminent and serious public-safety or environmental risk, and the public interest in disclosure clearly outweighs the contemplated harm. Section 68(2) also limits refusal of certain product or environmental testing/investigation results where disclosure would reveal a serious public-safety or environmental risk.

12. REMEDIES AVAILABLE IN THE EVENT OF REFUSAL OR OTHER ADVERSE DECISION

RBCAA is a private body and does not have a PAIA internal-appeal procedure. A requester aggrieved by a decision of the head of a private body to refuse access, or by a decision under sections 54, 57(1) or 60 of PAIA, may submit a complaint to the Information Regulator in the prescribed manner within 180 days of the decision in terms of section 77A. A third party aggrieved by a decision of the head of a private body in relation to a request may likewise complain within 180 days. Complaints must be made using prescribed Form 5 (Regulation 10) and may be submitted through the Regulator's current complaints channels. After exhausting the applicable complaints procedure under section 77A, a requester or third party may apply to a court for appropriate relief under sections 78 and 82 of PAIA, subject to the applicable 180-day period and procedural requirements.

Information Regulator PAIA complaints: PAIAComplaints@inforegulator.org.za | <https://inforegulator.org.za/complaints/> | 010 023 5200.

13. DECISION

RBCAA must decide whether to grant or refuse a request as soon as reasonably possible and within 30 days after receipt of the request or required particulars and notify the requester in accordance with section 56 of PAIA. The period may be extended once for not more than a further 30 days only in the circumstances specified in section 57, including where a large number of records must be searched, records must be collected from another office, consultation is necessary, multiple such circumstances apply, or the requester consents in writing. Failure to make a decision within the applicable period constitutes a deemed refusal under section 58.

14. AVAILABILITY OF THE MANUAL

In accordance with section 51(3) of PAIA, this Manual, or an updated version, is available: (a) on the RBCAA website at <https://www.rbcaa.co.za/>; (b) at RBCAA's principal place of business for public inspection during normal business hours; (c) to any person upon request and upon

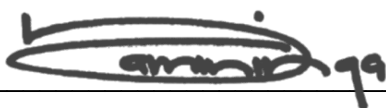


payment of the applicable reasonable/prescribed amount for a copy, where applicable; and (d) to the Information Regulator upon request.

15. UPDATING OF THE MANUAL

The head of RBCAA will update this Manual on a regular basis as required by section 51(2) of PAIA and whenever necessary to ensure that it remains accurate and current, including when there are material changes to applicable law, prescribed fees, contact details, categories of records, personal-information processing, transborder flows, security arrangements or RBCAA operations.

Issued/approved by:



Name: Sandy Camminga

Capacity: RBCAA Information Officer

Approval date: 12 October 2026

16. DOCUMENT REVISION HISTORY

Revision	Revision date	Approval/status	Description
03	2025-09-15	Signed 2025-10-17	Previous revision.
04	2026-10-12	Signed 2026-10-12	Comprehensive PAIA compliance update: current prescribed fees; complaints/remedies; statutory references; section 51 records and POPIA disclosures; request procedure; availability; document-control and editorial corrections.



APPENDIX 1 - FORM 2: REQUEST FOR ACCESS TO RECORD

A full-size, printable copy of Form 2 can be downloaded from the Information Regulator's website at <https://infoeregulator.org.za/paia/> or obtained from the RBCAA Information Officer (see section 5). The completed form should be submitted to the Information Officer.

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 (if applicable):			
Identity Number			
Postal Address			



Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
<p align="center">PARTICULARS OF RECORD REQUESTED</p> <p><i>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.)</i></p>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
<p align="center">TYPE OF RECORD (Mark the applicable box with an "X")</p>			
Record is in written or printed form			
Record comprises virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
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 <i>(Mark the applicable box with an "X")</i>	
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	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
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	
Preferred language <i>(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)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED <i>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.</i>	
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)	<i>A request fee must be paid before the request will be considered.</i>
b)	<i>You will be notified of the amount of the access fee to be paid.</i>
c)	<i>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.</i>
d)	<i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>
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 (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf 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



APPENDIX 2 - PRESCRIBED FEES FOR PRIVATE BODIES

The private body fees below reflect the Information Regulator's published PAIA fee structure, available as of the date of this revision (March 2026 publication). The current prescribed fee structure should be rechecked whenever the Manual is updated.

Item	Description	Amount
1	Request fee, payable by every requester other than a personal requester (PAIA s54(1))	R140.00
2	Photocopy or printed black-and-white copy, every A4 page or part thereof	R2.00 per page or part
3	Printed copy of an A4-size page	R2.00 per page or part
4a	Computer-readable copy on flash drive provided by requester	R40.00
4b	Computer-readable copy on compact disc (CD) - not offered; RBCAA does not have CD facilities	Not applicable
5	Transcription of visual images, A4 page or part	Outsourced - service-provider quotation
6	Copy of visual images	Outsourced - service-provider quotation
7	Transcription of audio record, per A4 page	R24.00
8a	Copy of audio record on flash drive provided by requester	R40.00
8b	Copy of audio record on compact disc (CD) - not offered; RBCAA does not have CD facilities	Not applicable
9	Search and preparation: each hour or part thereof, excluding the first hour	R145.00; maximum R435.00
10	Deposit if search exceeds 6 hours	One-third of the amount per request, calculated as prescribed
11	Postage, email or other electronic transfer	Actual expense, if any

Source: Information Regulator, "PAIA Fee Structure and Exemptions" (published March 2026), <https://inforegulator.org.za/>.