

**AIRPORTS COMPANY SOUTH AFRICA
LIMITED**

MANUAL

**IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT,
No. 2 OF 2000**

Dated : 20 NOVEMBER 2002

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CHAPTER 1

1. INTRODUCTION

1.1 The Promotion of Access to Information Act, No 2 of 2000 (*“the Act”*) was enacted on 3 February 2000, giving effect to the constitutional right of access to any information held by the State and any information that is held by another person that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released. The Act sets out the requisite procedural issues attached to such request.

1.2 PURPOSE OF THE MANUAL

This manual is intended to foster a culture of transparency and accountability by giving effect to the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect their rights.

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

Section 9 of the Act however recognises that such right to access to information cannot be unlimited and should be subject to justifiable limitations, including, but not limited to:

- Limitations aimed at the reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance;

and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This manual sets out to provide a broad guide which will enable the requestors to obtain the records which they are entitled to in a quick, easy and accessible manner.

CHAPTER 2

2 FUNCTIONS AND STRUCTURE OF AIRPORTS COMPANY SOUTH AFRICA LIMITED

2.1 FUNCTIONS

2.1.1 The functions of Airports Company South Africa (ACSA) are prescribed by the Airports Company Act No. 44 of 1993 of the Company :

“the main object of the Company is the acquisition, establishment, development, provision, maintenance, management, control or operation of any airport of facility or service and any other lawful activity.

Before its vesting as a Company, the nine major airports within South Africa were owned and operated by the State. These airports were transferred with all assets and liabilities to Airports Company South Africa through the Airports Company Act 1993. During April 1998, Aeroporti di Roma an Italian Airport Management firm won a competitive bid to become ACSA’s strategic equity partner and has acquired a 20% shareholding in the Company.

The bidding process for the strategic equity stake in the Company revealed a high regard for ACSA’s professionalism and inherent value amongst top International Companies, and indicated how well it measures up to international best practices. Other shareholders include five empowerment Company’s which own 4.22% of its shares.

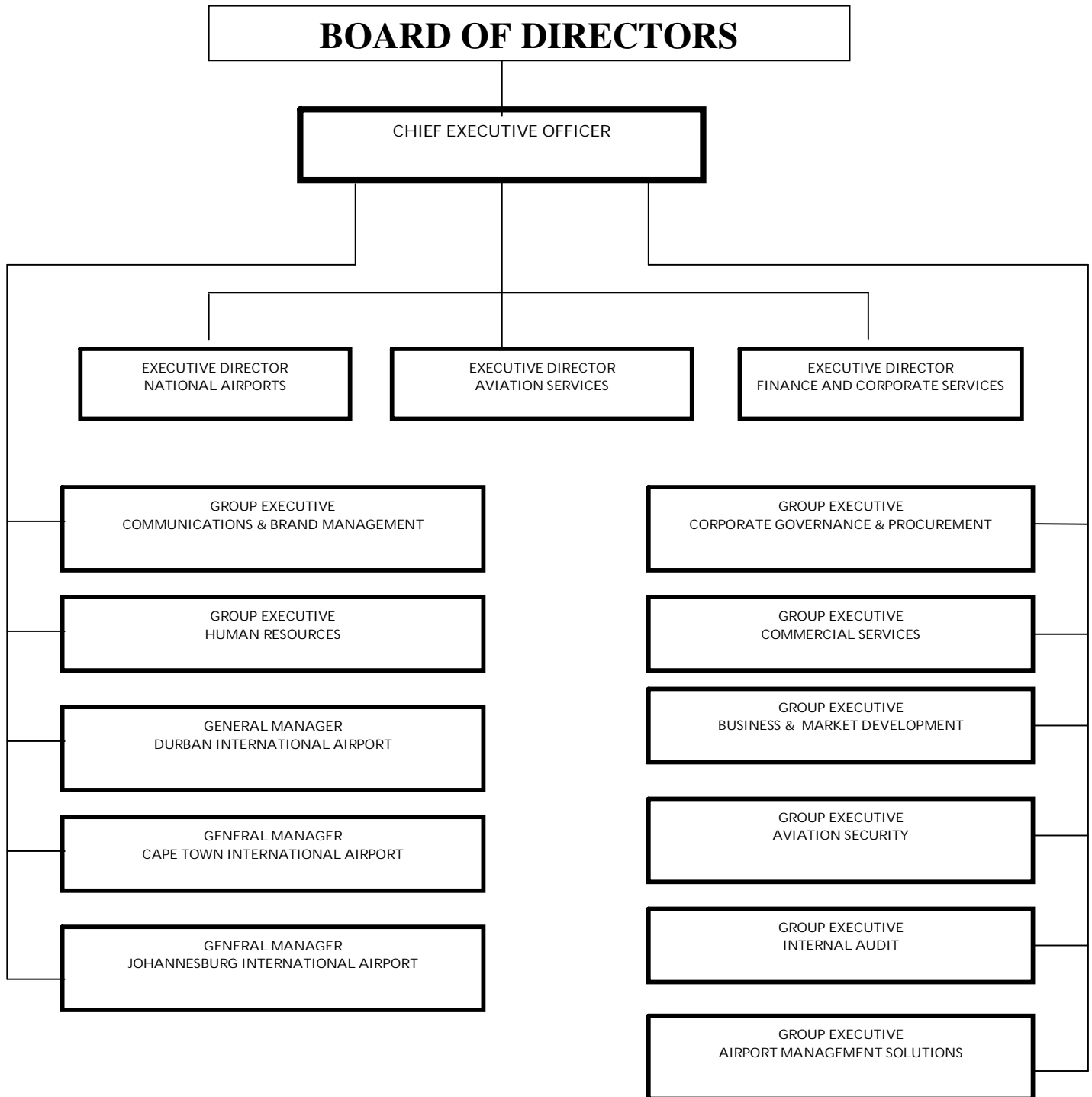
ACSA owns and manages South Africa’s nine principal airports comprising of three international gateways at Johannesburg, Durban and Cape Town as well as seven airports domestically at Bloemfontein, Port Elizabeth, East London, George, Kimberley and Upington. All the nine airports combined, handle more than 196 000 aircraft landings and 10 million departing passengers on average annually. Also, the Company holds a 35 year lease and concession to operate Pilanesberg International Airport near Sun City.

2.2 STRUCTURE

Senior managers of Airports Company South Africa is accountable to a Board of Directors and a Chief Executive Officer. The executive management team comprises of fifteen executive managers and the general managers of the three international airports which makes up its executive committee. Airports Company employs approximately 890 employees (eight hundred and ninety) employees at all its nine airports.

2.3 SCHEMATIC DIAGRAM OF MANAGEMENT STRUCTURE

ACSA MANAGEMENT STRUCTURE



CHAPTER 3

CONTACT DETAILS OF INFORMATION OFFICERS

3.1 CONTACT DETAILS

3.1.1 Information Officer

Ms Nomini Rapoo
Nomini.Rapoo@airports.co.za

3.1.2 Deputy Information Officers

Bongani Machobane
Bongani.Machobane@airports.co.za

3.1.3 Physical Address

The Mapels, Riverwoods
24 Johnson Road
Bedfordview
2008

3.1.4 Postal Address

P O Box75480
Gardenview
2047

3.1.4 Tel No: +27 11 724 1400

3.1.5 Fax No: +27 11 453 9350

CHAPTER 4

GUIDE ON HOW TO USE THE ACT

This Guide will be available from the South African Human Rights Commission not later than August 2003.

Any queries relating thereto must be directed to:

The Research and Documentation Department
South African Human Rights Commission
PAIA Unit
Private Bag 2700
HOUGHTON
2041

Tel No: +27 11 484 8300

Fax : + 27 11 484 1360

Website: www.sahrc.org.za

E-mail: PAIA@sahrc.org.za

CHAPTER 5

ACCESS TO RECORDS

5.1 Voluntary Disclosure

Information on the following subjects is available without formal request as prescribed in the Act. Note however that an appointment to view documentation will still have to be made with the information officer, although the formal application need not be submitted.

5.1.1 Annual and associated reports

5.1.2 General information pertaining to Airports Company South Africa

5.1.3 Flight Information

5.1.4 Services Information and Brochures

5.1.5 Information available on Airports Company South Africa website:
www.airports.co.za

5.1.6 Black Economic Empowerment Policy

5.2 Information to be formally requested (section 14 (1) (d))

ACSA holds information pertaining to the following subjects which must be formally requested in terms of the Act. Inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and / or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records.

- 5.2.2 **Finance and Administration**
 - Incorporation Documents
 - Memorandum and Articles of Association of ACSA
 - Incorporation forms of ACSA
 - Share Register of ACSA
 - Shareholders Agreement between ACSA and Shareholders
 - Register of list of Directors

- Minute books of Board Meetings
- Minutes of Executive Meetings
- Minutes of General Meetings

5.2.1 Financial Records of ACSA

- Accounting Records Books and Documents
- Interim and Annual Financial Reports
- Details of Auditors
- External Auditors Reports
- Tax returns of ACSA
- Other documents relating to Taxation
- Banking details
- Bank statements
- Guarantees and securities
- Financial commitments

5.2.2 Human Resources

- Organisation structure
- Recruitment and appointment documentation
- Employment equity plan
- Employment policy
- Training and development plan
- Recognition agreements
- Minutes of meeting with unions
- Disciplinary records and documentation pertaining to disciplinary proceedings
- Training manuals
- Documentation relating to employee benefits
- Personnel files
- Policies and Procedure of Human Resources
- List of employees
- Minutes of Committee Meetings

5.2.4 Intellectual property

- Licenses, material permits, consents, approvals and authorisation certificates
- Insurance records and insurance policies

5.2.5 Moveable and Inmoveable Property

- Title deeds in respect of properties owned by company
- Agreements of Lease with tenants and concessionaires

- Mortgage bonds, liens, notarial bonds and other security interest

5.2.6 Information Technology

- Agreements relating to computer systems and computer programs
- Shareholders agreements with subsidiary company relating to information technology

5.2.7 Risk Management

- Occupational health and safety reports
- Insurance reports and policies
- Incident reports relating to security and safety

5.2.8 Services and administration

- Service contracts with all service providers
- Maintenance contracts
- Concession agreement

5.2.9 Procurement

- Procurement policy
- Tender Board Minutes
- Tender Submissions

5.2.10 Aviation Services

- Master planning documents
- Plans, drawings and diagrams

5.3 The Request Procedure

A requester will be given access to a record of ACSA if the requester complies with the following:

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is not refused on any ground of refusal mentioned in the Act.

Nature of the request:

- A requester must use the form that has been printed in the Government Gazette [Govt. Notice R187 – 15 February 2002 Form A] – see Schedule 1
- The requester must also indicate if the request is for a copy of the record or if the requester wants to come in and look at the record at the offices of ACSA. Alternatively if the record is not in a printed form then the document can be viewed in the manner prescribed in section 29 (2).

- If a person asks for access in a particular form then the requester should get access in the manner that has been requested, this is unless doing so would interfere unreasonably with the running of ACSA, or damage the record, or infringe a copyright not owned by ACSA. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee will be calculated according to the manner originally requested. Section 29(3) and (4)].
- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be indicated [s18(2)(e)].
- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated [s18(2)(f)].
- If a requester is unable to read or write, or has a disability, they then can make the request for the record orally. The information officer must then fill in the form on behalf of such a requester and give them a copy [s 18(3)].

5.4 Remedies available when ACSA Refuses a Requester for Information

5.1 Internal Remedies

ACSA does not have an internal appeal procedure. As such, the decision made by the information officer is final, and requestors will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the information officer.

5.2 External Remedies

A requestor that is dissatisfied with the information officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a Court for relief.

Likewise, a third party dissatisfied with the information officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction over these applications are the Constitutional Court, the High Court or another court of similar status.

CHAPTER 6

SERVICES AVAILABLE

6.1 Nature of services

ACSA has the following services available to the members of the public

6.1.1 Aviation services

6.1.2 Flight information

6.1.3 Retail services

6.1.4 Property services

6.1.5 Parking

6.1.6 General Information relating to Airports Company South Africa

6.1.7 Aerodrome licenses, consents and permits

6.1.8 Schedule of charges and tariffs

6.2 How to Gain Access to These Services

6.2.1 All airport services and related matters are available through the **eleven** airports managed by Airports Company South Africa

6.2.2 Access to these services and information related thereto can be obtained via the general managers of the respective airports or through the information officer. Furthermore details are obtained via the website.

CHAPTER 7

ARRANGEMENTS ALLOWING FOR PUBLIC PARTICIPATION IN THE FORMULATION OF POLICY AND EXERCISING OF POWERS OF AIRPORTS COMPANY SOUTH AFRICA

ACSA has implemented various public forums in order to address certain critical issues in its interaction with the users of the airport and in particular with its direct partners involved in providing aviation services to the general members of the public:

7.1 Airports Operators Committee (AOC)

Direct monthly interface with National and International Airline Representatives to ensure co-ordination and support in the provisions of excellent service to members of the public. This forum ensures that service levels and facilitation of goods and passenger are of a high standard and are continuously improved.

7.2 Airports Cargo's Operators Forum - ACOC

A regular forum with cargo operators to ensure efficient delivery of and movement of cargo.

7.3 Security Forum

A regular forum consisting of the South African Police, Border Police, Customs, Immigrations, other Government representatives and other stakeholders within the airport to ensure high security at all our airports.

7.4 Land Use and Co-ordination Committee with Local Authorities

7.5 Airline Representative Forum

Association of Airline Representative of Southern Africa (AARSA)

Board of airline representatives (BAARSA)

The above forums interact regularly and on a structured basis with ACSA to ensure safe and efficient Airports Services to all Stakeholders and to monitor service levels of all parties.

7.6 Regulating Committee

This is prescribed by the Airports Company Act to amongst others regulate the tariffs charged by Airports Company to its users and ensure a high level of service. The regulating committee in addition receives complaints from any person who is aggrieved by the failure of the Airports Company to provide the services contemplated in the Airports Company Act, by lodging a complaint. Complaints to be sent to the Regulating Committee, Private Bag X 193, Pretoria, 0001

7.7 **Civil Aviation Consultative Structures**

The Civil Aviation Authority is the overall body responsible for Civil Aviation. ACSA participates in regular and structured forums with the Civil Aviation Authority on the issues of :

Safety;
Security;
Environmental Protection;
Civil Aviation.

CHAPTER 8

MISCELLANEOUS

8.1 This Manual will be:

8.1.1 updated annually

8.1.2 available at the following places:

7.1.2.1 Every place of legal deposit as defined in section 6 of the Legal Deposits Act 1997;

7.1.2.2 The South African Human Rights Commission;

7.1.2.3 Airports Company South Africa's offices; **airports & corporate?**

7.1.2.4 Airports Company South Africa's website at www.airports.co.za

SCHEDULE 1

Prescribed fees scale

PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE OF 15 FEBRUARY 2002 FEES IN RESPECT OF PUBLIC BODIES

1. The fee for a copy of the manual as contemplated in regulating 5 (c) is R0,60 for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 7(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	0,60
(b) For every printer copy of an A4-size page or part thereof Thereof held on a computer or in electronic or machine readable form	0,40
(c) For a copy in a computer-readable form on –	
(i) stiffy disc	5,00
(ii) compact disc	40,00
(d) (I) For a transcription of visual images, for an A4-size page or part thereof	22,00
(ii) For a copy of visual images	60,00
(e) (I) For a transcription of an audio record, for an A4-size page or part thereof	12,00
(ii) For a copy of an audio record	17,00
3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35,00
4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

	R
(1) (a) For every photocopy of an A4-size page or part thereof	R0,60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine readable form	0,40

- (c) For a copy in a computer-readable form on –
 - (i) floppy disc 5,00
 - (ii) compact disc 40,00
- (d) (i) For a transcription of visual images, for an A4-size page or part thereof 22,00
 - (ii) For a copy of visual images 60,00
- (e) (i) For a transcription of an audio record, for an A4-size page or part thereof 12,00
 - (ii) For a copy of an audio record 17,00
- (f) To search for and prepare the record for disclosure, R15,00 for each hour or part of an hour, excluding the first hour, reasonable required for such search and preparation.
- (2) For purposes of section 22(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) One third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

SCHEDULE 2

PRESCRIBED FORMS FOR ACCESS TO RECORDS

The Prescribed forms for access to record is published in

**ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE
15 FEBRUARY 2002.**

**ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY
2002**

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2
of 2000))

[Regulation 2]

FOR DEPARTMENTAL USE	Reference number
Request received by (state rank, name and surname of information officer/deputy information officer) on (date) at (place).	
Request fee (if any): R	
Deposit (if any): R	
Access fee: R	
SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER	

A. Particulars of public body

The Information Officer/Deputy Information Officer

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be recorded below.*
- (b) Furnish an address and/or fax number in the Republic to which information must be sent.*
- (c) Proof of the capacity in which the request is made, if applicable, must be attached,*

Full names and surname identity number: Postal address:

Fax number: Telephone number: E-mail address:

Capacity in which request is made, when made on behalf of another person:

B. Particulars of person on whose behalf request is made

This section must be completed only if a request for information is made on behalf of another person.

Full names and surname:

Identity number:

D. Particulars of record

(a) 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.

*(b) If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. Description of record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of record:

E. Fees

*(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.*

(b) You will be notified of the amount required to be paid as the request fee.

*(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 therefore.

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.,

Disability	Form in which record is required:
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Mark the appropriate box with an "X".

NOTES:

(a) Your indication as to the required form of access depends on the form in which the record is available.

(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.

(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form -

copy of record*	inspection of record
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2. If record consists of visual images -

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

	View the images	copy of the images*	transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound –

	Listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form-

	Printed copy of record*	Printed copy of information derived from the record*	Copy in computer readable form* (stiffy or compact disc)
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<p>*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?</p> <p>A postal fee is payable.</p>	YES	NO
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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.

In which language would you prefer the record?

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at this day of (day) of (month) (year)

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE