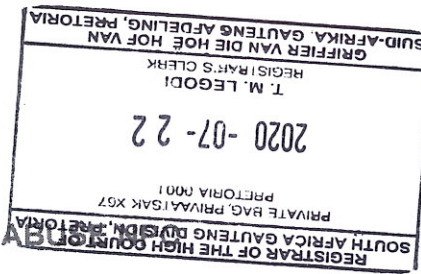


ORIGINAL

IN THE HIGH COURT OF SOUTH AFRICA  
(GAUTENG DIVISION, PRETORIA)

CASE NO: 32095/2020

In the matter between:



ORGANISATION UNDOING TAX ABUSE 1910

APPLICANT

And

SOUTH AFRICAN NATIONAL ROAD AGENCY LTD

FIRST RESPONDENT

THE MINISTER OF TRANSPORT

SECOND RESPONDENT

NAZIR ALLI

THIRD RESPONDENT

DANIEL MOTAUNG

FOURTH RESPONDENT

SKHUMBUZO MACOZOMA

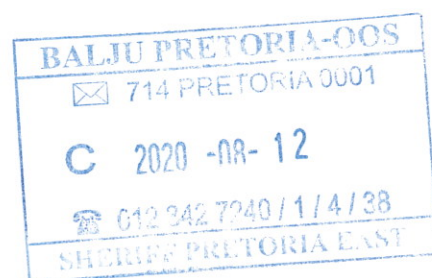
FIFTH RESPONDENT

NOTICE OF MOTION

KINDLY TAKE NOTICE THAT the Applicant intends to apply to the above Honourable

Court on 7 SEPT 2020 at 10h00 or so soon thereafter as counsel may be

heard for an order in the following terms:



1. Declaring that the First, Third, Fourth and Fifth Respondents' deemed refusal of access to the records is unlawful and in conflict with the provisions of PAIA;
2. Reviewing and setting aside the deemed refusal by the First, Third, Fourth and Fifth Respondents to the Applicant's request; and
3. Directing the First, Third, Fourth and Fifth Respondents to supply the Applicant with a copy of the requested information within 15 (fifteen) days of the granting of this order.
4. Directing the Respondents to pay the costs of this application in the event that they oppose the relief sought.
5. Further and/or alternative relief.

**TAKE NOTICE FURTHER** that the accompanying founding affidavit of **STEFANIE FICK** and the annexures thereto, will be used in support of this application

**BE PLEASED TO TAKE FURTHER NOTICE** that the Applicant has appointed, **ALET UYS ATTORNEYS** of the address below as the address at which it will accept notice and service of all further process in these proceedings.

AND TO: **DANIEL MOTAUNG**  
FOURTH RESPONDENT  
48 TAMBOTIE AVENUE  
VAL DE GRACE  
PRETORIA

AND TO: **SKHUMBUZO MACOZOMA**  
FIFTH RESPONDENT  
48 TAMBOTIE AVENUE  
VAL DE GRACE  
PRETORIA

IN THE HIGH COURT OF SOUTH AFRICA  
(GAUTENG DIVISION, PRETORIA)

CASE NO:

32095/20

In the matter between:

**ORGANISATION UNDOING TAX ABUSE NPC**

**APPLICANT**

And

**SOUTH AFRICAN NATIONAL ROAD AGENCY LTD**

**FIRST RESPONDENT**

**THE MINISTER OF TRANSPORT**

**SECOND RESPONDENT**

**NAZIR ALLI**

**THIRD RESPONDENT**

**DANIEL MOTAUNG**

**FOURTH RESPONDENT**

**SKHUMBUZO MACOZOMA**

**FIFTH RESPONDENT**

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**FOUNDING AFFIDAVIT**

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I,

**STEFANIE FICK**

Hereby make the following statements under oath:

- 1 I am the Chief Legal Officer of the Applicant and am duly authorised to bring this application on behalf of the Applicant. In this regard, I attach as **ANNEXURE "SF1"**, a resolution authorising the institution of these proceedings.
- 2 The facts contained herein are, unless the contrary appears from the context, within my personal knowledge and are true and correct.

NA

- 3 Where necessary, I will refer to the relevant individuals who will support me in deposing to this affidavit, also in respect of the merits of this application, with which I will deal more fully hereunder.
- 4 To the extent that I rely on facts, statements, documents and/or reports made by third parties, I do so based on the belief that same is true and correct. To the extent necessary, I annex copies or extracts of those documents to this affidavit.
- 5 Where I make legal submissions, I do so based on the advice of the Applicant's legal representatives, which advice I choose to accept.

#### **PARTIES**

- 6 The applicant is the Organisation Undoing Tax Abuse ("OUTA"), a non-profit company, duly incorporated in terms of the law of the Republic of South Africa, with its registered address at 318 Oak Avenue, O'Keeffe & Swartz Building, Randburg, Gauteng.
- 7 The first respondent is the South African National Road Agency limited ("SANRAL"), an independent, statutory public company with registration number 1998/009584/06 and registered in terms of the Company Laws of Republic of South Africa, with its principal place of business situated at 48 Tambotie Avenue, Val de Grace, Pretoria.
- 8 The second respondent is the Minister of Transport who is cited herein in his capacity as the sole shareholder of SANRAL c/o the offices of State Attorney at SALU Building, 316 Thabo Sehume Street, Pretoria.

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- 9 The third respondent is Nazir Alli (“Mr Alli”) an adult male who is cited in his capacity as the SANRAL’s information officer with his place of employment at 48 Tambotie Avenue, Val de Grace, Pretoria. Mr Alli is listed as SANRAL’s information officer in its PAIA manual.
- 10 The fourth respondent is Daniel Motaung (“Mr Motaung”) an adult male who is cited in his capacity as the deputy information officer of SANRAL with place of employment at 48 Tambotie Avenue, Val de Grace, Pretoria.
- 11 The fifth respondent is Skhumbuzo Macozoma (“Mr Macozoma”) an adult male who is cited in his capacity as the Chief Executive Officer (“CEO”) of SANRAL with place of employment at 48 Tambotie Avenue, Val de Grace, Pretoria.
- 12 In terms of sections 14 and 51 of PAIA, SANRAL must update its PAIA manual annually. It has come to OUTA’s attention that Mr Alli is no longer the information officer and that a new information officer has been appointed. SANRAL has failed to update its PAIA manual by reflecting the details of the new information officer. Under these circumstances, OUTA had no choice but to cite both Mr Alli and the new information officer. Mr Alli is cited because he is listed in the manual as an information officer.

#### **THE NATURE OF THIS APPLICATION AND THE RELIEF SOUGHT**

- 13 This is an application brought in terms of section 78(2) read with section 82(2) of the Promotion of Access to Information Act 2 of 2000 (“PAIA”). OUTA seeks the following order:

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- 13.1 Declaring that SANRAL's deemed refusal for OUTA's request for access to information, dated 25 September 2019 is unlawful and in conflict with PAIA;
  - 13.2 Directing SANRAL to supply OUTA with a copy of the records requested in OUTA's request for access to information dated 25 September 2019 within fifteen (15) days of service of the court order.
- 14 Alternatively to paragraphs 10.1 and 10.2 above:
- 14.1 Declaring that SANRAL's refusal of access to the records is unlawful and in conflict with the provisions of PAIA;
  - 14.2 Reviewing and setting aside the SANRAL's refusal to grant OUTA access to information requested;
  - 14.3 Directing SANRAL to supply OUTA with a copy of the requested information within fifteen (15) days of service of the court order.

## **JURISDICTION**

- 15 I am advised that this court has jurisdiction to hear this application by virtue of the definition of "court" in section 1 of PAIA which provides that 'court' includes the High Court within whose area of jurisdiction the decision of the information officer or relevant authority of the public body or the head of the private body has been taken.
- 16 The request for access to information was sent to a "public body" as defined by PAIA.

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- 17 Section 27 of PAIA provides that if an information officer fails to give the decision on request for access to the requester concerned within thirty (30) days after request is received, the information officer is regarded as having refused the request.
- 18 SANRAL is a public body as defined in section 1 of PAIA on the basis that at the time of the deemed refusal to OUTA's request for access to information ("OUTA's request"), SANRAL and the information officer were exercising their powers in terms of the enabling legislation, albeit a refusal deemed be such as contemplated in section 27 of PAIA.
- 19 On 30 July 2019 OUTA, acting in accordance with the provisions of the PAIA, requested from SANRAL a set of records pertaining the content of a concession contract, with contract no. N0304102/1, entered into between SANRAL and N3 Toll Concession (Pty) Ltd ("N3TC"). A copy of OUTA's request is attached hereto and marked **ANNEXURE "SF2"**.
- 20 On 25 September 2020 a further request for access to information was transmitted by OUTA to SANRAL and it was marked for the attention of the information officer Mr Alli. To date, SANRAL has failed to respond to the request for information.
- 21 It recently came to my attention that Mr Alli was no longer the information officer when OUTA sent this request. I however I submit that in terms of the PAIA manual, he is still listed as information officer and to the extent that he is no longer the information officer (which is contrary to the manual), then OUTA's

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correspondence ought to have been forwarded to the office of the information officer.

22 SANRAL has refused OUTA's request as it failed to give a decision within 30 days upon receipt of such request as contemplated in section 25(1) of PAIA. Notwithstanding,

23 On 4 November 2019, OUTA lodged an internal appeal to the first and third respondents' deemed refusal of access to information. To date, SANRAL has not responded to OUTA's internal appeal.

24 OUTA has exhausted the relevant internal appeal procedures in terms of PAIA. Section 77(7) of PAIA provides that where the relevant authority fails to give notice to the requester of its decision in relation to an internal appeal, such authority is regarded as having dismissed the internal appeal.

25 OUTA is therefore entitled to bring this application for the relief sought in the notice of motion.

**THE IMPORTANCE OF THE RIGHT OF ACCESS TO INFORMATION AND THE ROLE OF PAIA IN GIVING EFFECT TO THE CONSTITUTIONAL RIGHT.**

26 Section 32 of the Constitution provides for a right of access to information held by both public and private bodies. It states that:

1) *“Everyone has the right to have access to*

*a) any information held by the State; and*

*b) any information that is held by another person that is required for the exercise or protection of any right.*

*2) National legislation must be enacted to give effect to this right and may provide for reasonable measures to alleviate the administrative and financial burden on the State.”*

27 PAIA is the national legislation envisaged in section 32(2) of the Constitution. It was enacted in order to give effect to access to information and to promote the values of openness, transparency, accountability and good governance – principles foundational to the Constitution.

28 The preamble of PAIA provides that the systems of government in South Africa before 27 April 1994 “*resulted in secretive and unresponsive culture in public and private bodies which often led to an abuse of power and human rights violations*”. The preamble continues that PAIA is enacted to “*foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information*”.

29 Section 9 of PAIA describes as its object, *inter alia*, the promotion of:

*“... transparency, accountability and effect governance of all public and private bodies by, including, but not limited to, empowering and educating everyone*

*i) to understand their rights in terms of this Act in order to exercise their rights in relation to public and private bodies;*



- ii) *to understand the functions and operation of public bodies; and*
- iii) *to effectively scrutinise ... decision- making by public bodies that affects their rights.”*

30 I am advised and submit that:

30.1 In terms of PAIA, public bodies are under a duty to provide access to a requested record, or part of it, unless refusal to the request is permitted or required on one or more of the grounds listed in PAIA; and

30.2 Everyone's request for access to information in terms of PAIA is an invocation of section 32 right in the Constitution and entitles the requestor to access to the requested record, or part thereof, if that requestor complies with all the procedural and statutory requirements set out in the statute, unless there is a valid ground of refusal which the private or public body may rely on.

30.3 The Constitutional Court has repeatedly made clear that the right of access to information is fundamental to the realisation of the rights guaranteed in the Bill of Rights.

### **STRUCTURE OF THE AFFIDAVIT**

31 The structure of this affidavit is as follows:

31.1 An overview and objectives of OUTA;

31.2 The factual background to this application;

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31.3 The deemed refusal by SANRAL to grant access to the records;

31.4 There is no basis in law for such refusal;

31.5 The public interest requires that access be granted.

31.6 Section 80 of PAIA; and

31.7 Conclusion.

## **OVERVIEW AND OBJECTIVES OF THE APPLICANT**

32 OUTA is a civil action organisation (civil society) that through its various methodologies aims to hold government to account by challenging the abuse of authority, challenging irrational policy and legislation as well as engaging with the community and authorities in resolving issues pertaining to administration and service delivery within all spheres of government.

## **BACKGROUND**

33 OUTA conducted an investigation into a series of irregularities following a concessionaire agreement entered into between SANRAL and N3TC. Such agreement provides for the design, construction, finance, operation and maintenance of a portion of the N3 highway between Cedara in Kwa-Zulu Natal and the Heidelberg South interchange in Gauteng.

34 Without elaborating on the merits of the above-mentioned agreement, OUTA has established that the agreement will lapse during the course of May 2029. Notwithstanding, SANRAL has continued to implement the agreement, in the



absence of justifiable extension to that effect, potentially in contravention of the Public Finance Management Act, 1999 (“PFMA”).

35 I submit, however, that the legality of the agreement entered into between SANRAL and N3TC can only be established upon consulting all relevant annexures and addendums to such agreement.

36 In order to verify the abovementioned findings, OUTA submitted its Request for Access to Information in terms of section 18(1) of PAIA (the request) on 30 July 2019. The particulars of records so requested are consolidated in the table as reflected in “**SF2**”.

37 Subsequent to SANRAL’s failure to provide OUTA with a formal response to its request within 30 days as prescribed in section 25 of PAIA, Mr Faizel Davids (“Mr Davids”), representative of OUTA, sent email correspondence to the SANRAL on 13 September 2019. In the email correspondence, which is attached hereto and marked **ANNEXURE “SF3”**, Mr Davids as a courtesy, granted extended the period for SANRAL to provide a decision to OUTA’s request to 20 September 2019.

38 Notwithstanding Mr Davids’ courtesy as referred to above, SANRAL failed to provide a formal response to OUTA’s request. I submit that OUTA’s request (“**SF2**”) as well (“**SF3**”) had been transmitted to [info@nra.co.za](mailto:info@nra.co.za) and [macozomas@nra.co.za](mailto:macozomas@nra.co.za), which according to SANRAL’s website was the correct email addresses as Mr Macozoma was the information officer at that time, as opposed to the email addresses of SANRAL’s Information Officer, Nazir Alli, being [alli@nra.co.za](mailto:alli@nra.co.za), as per SANRAL’s PAIA Manual.



39 Considering that OUTA's initial transmission of its request on 30 July 2019 was transmitted to the incorrect email recipient as stated in above, OUTA forwarded its request to both SANRAL's information officer and deputy information officer, as was set out in SANRAL's PAIA Manual, on 25 September 2019. Email correspondence to this effect is attached hereto and marked **ANNEXURE "SF4"** and **ANNEXURE "SF5"** respectively.

40 I submit that 25 September 2019 may be construed as the date that SANRAL had received OUTA's request. Consequently, SANRAL's information officer ought to have made a decision on the request and accordingly informed OUTA thereof by 25 October 2019. I confirm that to date OUTA had not enjoyed the courtesy of being notified of a decision of its request.

41 As a result of SANRAL's failure to respond to the OUTA's repeated requests for access of information, its failure is in terms of section 27 of PAIA, regarded as a deemed refusal.

42 I am advised and submit that SANRAL's failure to engage with OUTA indicate a failure to comply with the obligations imposed on public bodies.

#### **SANRAL'S DEEMED REFUSAL IN TERMS OF SECTION 27 OF PAIA: OUTA'S REQUEST**

43 I am advised and submit that SANRAL's failure to respond to OUTA's repeated requests for access to information is deemed to be a refusal by SANRAL to provide OUTA with access to information.



## INTERNAL APPEAL PROCEEDINGS

- 44 In terms of section 74(1)(a) of PAIA, a requester may lodge an internal appeal against the decision of a public body in which the later refused to grant access to a request. Read together with section 25(1) of PAIA, SANRAL's failure to provide OUTA with a decision timeously, renders such failure to be deemed as SANRAL having refused OUTA's request.
- 45 On 4 November 2019, OUTA lodged its internal appeal against SANRAL's refusal in terms of section 75 of PAIA. A copy of the cover letter dated 3 November 2019, together with a copy of OUTA's notice of internal appeal (Form B) is attached hereto and marked **ANNEXURE "SF6"** and **ANNEXURE "SF7"** respectively.
- 46 I confirm that OUTA has substantially complied with the provisions of section 75 of PAIA which sets out the manner of an internal appeal and appeal fees, if applicable. In the absence of any correspondence received from SANRAL and the lack of third-party proceedings, I submit that the relevant third-party notice proceedings set out in section 76 of PAIA are not applicable under the current circumstances.
- 47 On 17 December 2019, OUTA sent yet another follow-up to the internal appeal. A copy of a follow up email is attached hereto and marked as annexure **"SF8"**. SANRAL had to date, failed to respond to the repeated requests and reminder to grant access to information requested by OUTA.

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48 As reflected in **ANNEXURE “SF6”**, OUTA’s internal appeal is based on section 11(1) of PAIA, which specifically provides that:

*“1) A requester must be given access to a record of a public body if-*

*(a) that requester complies with all the procedural requirements in [PAIA] relating to a request for access to that record; and*

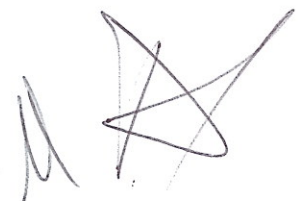
*(b) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.”*

49 Thus, I confirm that OUTA has substantially complied with section 18 of PAIA, as apparent from **ANNEXURE “SF7”**. In addition, SANRAL failed to provide grounds for a refusal as set out in Chapter 4 of PAIA. Consequently, I submit that OUTA’s internal appeal is justified.

50 As a matter of courtesy, OUTA, through its attorneys sent a letter to the fourth respondent requesting that its request be reconsidered. However, by the deadline of 19 June 2020, no response was received. A copy of the letter is attached hereto and marked **ANNEXURE “SF9”**.

#### **ABSENCE OF THIRD-PARTY PROCEEDINGS**

51 In the present circumstances, SANRAL failed in its compliance with the provisions of PAIA relating to third-party proceedings. As the records reflected in OUTA’s request relate to a contractual agreement between SANRAL and a third-party, Chapter 5 of PAIA naturally applies.

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52 In terms of section 47(1) of PAIA *“the information officer... must take all reasonable steps to inform a third party to whom or which the record relates of the request.”* I submit that OUTA has to date neither been advised as to whether any third party had been informed of its request nor about the outcome thereof, if any.

53 Accordingly, SANRAL’s failure to adhere to section 47(1) of PAIA eliminated OUTA’s right to consider two possible outcomes from a third party as per section 48(1), namely:

53.1 the possibility that a third party may make written or oral representations to the information officer concerned why the request should be refused;  
or

53.2 the possibility that a third party may give written consent for the disclosure of the record to the requester concerned.

54 I submit that SANRAL’s indifference to the initiation of third-party proceedings presupposes that such third party have submitted representations and effectively refused to grant access to the records in question. As a state-owned entity, SANRAL’s failure to impose procedures that give effect to section 32 of the Constitution cannot be construed as a mere oversight, but as a blatant disregard towards the rule of law.

55 This application is brought on the basis that it is unlikely that the release of transcripts would:

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- 55.1 Constitute an unreasonable disclosure of highly personal information in terms of section 34(1) of PAIA, insofar as these records ought to be publicly available;
- 55.2 Facilitate a contravention of the law to the extent that reputations and dignity of the individual names may be impaired thereby as contemplated by section 39(i)(b)(dd) of PAIA given that the information requested by OUTA ought to be publicly available.
- 55.3 Be a breach of the first respondent's confidentiality undertaking given that the information requested by OUTA ought to be publicly available.

**PUBLIC INTEREST REQUIRES THAT ACCESS BE GRANTED**

56 Section 46 of PAIA provides:

*“Despite any other provision of this Chapter, the information officer of a public body must grant a request for access to record of body contemplated in section 34(1), 36(1), 37(1)(a) or (b), 38(a) or (b), 39(1)(a) or (b), 40, 41(1)(a) or (b), 42(1) or (3), 43(1) or (2), 44(1) or (2) or 45, if-*

*(a) the disclosure of the record would reveal evidence of-*

*(i) a substantial contravention of, or failure to comply with, the law; or*



*(ii) an imminent and serious public safety or environmental risk;*  
*and*

*(b) the public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question."*

57 The general override provision is mandatory and does not vest any discretion in the information officer.

58 Section 46 of PAIA provides that access to information must be granted if the disclosure of the record would reveal evidence of a substantial contravention of, or a failure to comply with, the law, and the public interest in the disclosure of the record outweighs the harm contemplated in the ground for refusal.

59 OUTA wishes to evaluate the legality of an agreement that is of public interest, however, OUTA will only be in a position to do so upon the production of the records referred to in its request. Should OUTA determine that SANRAL had acted unlawfully in the implementation of its agreement with N3TC, OUTA ultimately wishes to institute the relevant proceedings in a court of law.

60 This matter falls rightfully under the provisions of section 46, as the production of the records in question would reveal whether or not SANRAL complied with the provisions of the PFMA and essentially, sections 181 and 182 of the Constitution.

61 As SANRAL is a public company, it is subject to, *inter alia*, the provisions set out in Chapter 5 of the PFMA, non-compliance of which may potentially amount to financial misconduct as contemplated in section 81 of the PFMA.



- 62 It is for this reason that OUTA wishes to be granted access to the records in question, as such record will prove pivotal in determining whether the PFMA and/or other relevant legislation had been contravened.
- 63 Section 32(1) of the Constitution confers on everyone the right of access to any information that is held by the State.
- 64 OUTA accordingly has a right to access the information held by SANRAL. Thus, SANRAL has an obligation to foster accountability and transparency. PAIA gives effect to section 32 of the Constitution.
- 65 Section 11 of PAIA provides that OUTA must be given access to a record held by a public body (such as SANRAL) if the request complies with all procedural requirements in terms of PAIA and access is not refused in terms of any ground of refusal set out under that Act.
- 66 In terms of section 11(3) of PAIA OUTA's right of access are not by any reasons which may be given by SANRAL for requesting access, or the information officer's belief as to what OUTA's reasons are for requesting access.
- 67 In this matter SANRAL refused access to the information by virtue of its failure to provide OUTA with a decision on its request as per section 27 of PAIA.
- 68 Even if any of the records in question fell within the restriction set out in sections 36, 37 and 38 of PAIA, I respectfully submit that the request for access should still have been granted in accordance with section 46 of PAIA.

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69 In any event, even if there were a valid ground for refusing the request for information concerned, which is not conceded, I am advised and submit that the public interest in the information clearly outweighs any interest advanced for refusing access to the records.

70 SANRAL has accordingly failed to give effect to their constitutional obligations under PAIA.

### **SECTION 80 OF PAIA**

71 Section 80(1) of PAIA makes provision for what our courts have termed “a judicial peek”. It provides:

*“Despite this Act and any other law, any court hearing an application, or an appeal against a decision on that application, may examine any record of a public or private body to which this Act applies, and no such record may be withheld from the court on any grounds.”*

72 Should this Court wish to examine the records concerned with a view to determining whether there is any basis for refusing access to the records concerned, it is empowered to do so *mero motu*.

### **CONCLUSION**

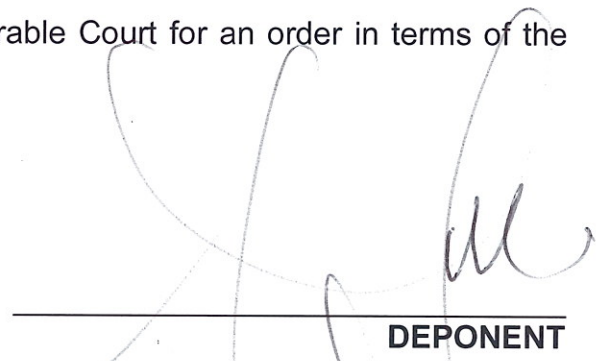
73 For all the reasons set out in this affidavit, I am advised and submit that:

73.1 SANRAL has failed to give effect to its constitutional obligations and its obligations under PAIA; and

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73.2 There is no justifiable basis for the deemed refusal of access to the information requested.

74 In the circumstances, I ask the Honourable Court for an order in terms of the notice of motion.



\_\_\_\_\_

**DEPONENT**

The Deponent has acknowledged that he/she knows and understands the contents of this affidavit which was signed and sworn to before me at Roodepoort on this the 6 day of July 2020 the regulations contained in Government Notice No. 1258 of 21 July 1972, as amended and Government Notice No. R 1648 of 17 August 1977, as amended having been complied with.



\_\_\_\_\_

**COMMISSIONER OF OATHS**

**RASHAAD PANDOR**  
EX-OFFICIO COMMISSIONER OF OATHS  
PRACTICING ATTORNEY  
UNIT 35, WATERFORD OFFICE PARK,  
WATERFORD DRIVE, FOURWAYS

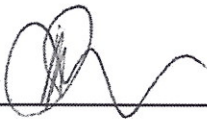
**RESOLUTION No 2020/011**

*Of the Executive Committee*

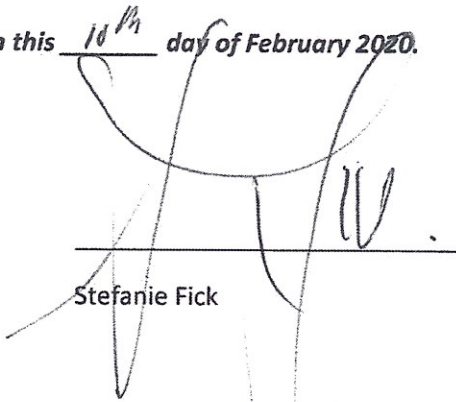
The Executive Committee of the Organisation Undoing Tax Abuse has discussed and resolved that:

- Stefanie Fick, in her capacity as Chief Legal Officer of the Organisation Undoing Tax Abuse ("OUTA") is hereby authorised to institute legal proceedings against the South African Roads Agency Ltd ("SANRAL") on behalf of OUTA; and
- The scope of such authorisation includes, but is not limited to, the deposing to any affidavit so required by the relevant rules of court applicable to such legal proceedings.

Approved by the Executive Committee on this 10<sup>th</sup> day of February 2020.



Wayne Duvenage



Stefanie Fick



Heinrich Volmink

Aboult



Julius Kleynhans



Kerry de Jonge



30 July 2019

Attention: The Information Officer  
The South African National Roads Agency Limited  
48 Tambotie Avenue  
Val de Grace  
Pretoria  
0184

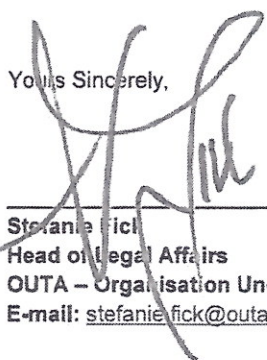
Email: [info@nra.co.za](mailto:info@nra.co.za)  
[macozomas@nra.co.za](mailto:macozomas@nra.co.za)

Dear Sir/Madam,

**REQUEST FOR ACCESS TO INFORMATION IN TERMS OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT, 2000 ("PAIA") – FORM A  
OUR REF: TR1712/-016/A**

1. We refer to the above.
2. The Organisation Undoing Tax Abuse (OUTA) is a proudly South African non-profit civil action organisation, comprising of and supported by people who are passionate about improving the prosperity of our nation. OUTA was established to challenge the abuse of authority, in particular the abuse of taxpayers' money.
3. Kindly find attached hereto our request for access to information in terms of section 18(1) of the PAIA.
4. Kindly note that we tender any cost occasioned by our request.
5. Kindly contact our Head of Legal Affairs Stefanie Fick at [stefanie.fick@outa.co.za](mailto:stefanie.fick@outa.co.za) in the event of any queries.
6. We trust that you find the above in order and look forward to receiving your response on or before 28 August 2019.
7. Kindly acknowledge receipt of this letter.

Yours Sincerely,

  
\_\_\_\_\_  
Stefanie Fick  
Head of Legal Affairs  
OUTA – Organisation Undoing Tax Abuse  
E-mail: [stefanie.fick@outa.co.za](mailto:stefanie.fick@outa.co.za)

ORGANISATION UNDOING TAX ABUSE NPC


Reg No.: 2012/064213/08

Directors: W Duvenage (CEO), Adv. S Fick, G Guiston, Dr H Volmink

Non-Executive Directors: F Adam (Chair), P Majosi, W Modisapodi, LP Pauwen, T Pillay Van Graan

Address: O'Keeffe & Swartz Building, 318 Oak Avenue, Randburg, Gauteng

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REPUBLIC OF SOUTH AFRICA

**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 6]

**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

THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED  
48 TAMBOTIE AVENUE  
VAL DE GRACE  
PRETORIA  
0184