

PAIA & POPIA MANUAL

Published in terms of

SECTION 51 of the

PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000

&

Sections 11 and 24 of the

Protection of Personal Information Act (No.4 of 2013)

INDEX

Table of Contents

1	Introduction	3
2	Company Contact Details.....	4
3	Records in terms of PAIA	5
4	Personal Information Processing	9
5	Prescribed Request Forms and Fees	13

1 Introduction

SegenSolar (Pty) Ltd (“the Company”) is a company incorporated in the Republic of South Africa, specialising in the distribution and wholesale of photovoltaic solutions.

This Manual has been compiled in accordance with the requirements of the Promotion of Access to Information Act No. 2 of 2000 (“the Act”), read together with the Protection of Personal Information Act No. 4 of 2013 (“POPIA”).

The Company is a private body as defined in the Act, and this Manual contains the information specified in section 51(1) of the Act, which is applicable to such private bodies.

The Act and POPIA gives effect to everyone’s constitutional right of access to information held by private or public bodies, if the record or personal information is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests shall be made in accordance with the prescribed procedures, and at the rates provided. The forms and relevant fees are dealt with hereunder.

1.1 Availability of this PAIA and POPIA Manual

This Manual is published on the Company website at www.segensolar.co.za/ or alternatively, a copy can be requested from the Information Officer (see contact details in section 2).

1.2 Guide to the Act and POPIA

A Guide has been compiled by the Human Rights Commission in terms of Section 10 of the Act. It contains information required by a person wishing to exercise any right contemplated by the Act and is available in all of the official languages. The Guide is available for inspection at the office of the offices of the Human Rights Commission at 29 Princess of Wales Terrace, corner York and St. Andrews Street, Parktown and on its website at www.sahrc.org.za.

1.3 The Latest Notice in terms of Section 52(2)

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

2 Company Contact Details

The MD of the Company is as stated below and is the head of the Company for the purposes of the Act and is the person to whom requests for access to records should be addressed.

Name of MD:

James Shirley

Physical address of the Company:

245 Masjien Street
Strydompark, Randburg, 2194

Postal address of the Company:

P.O. Box
5316
Cresta
Gauteng
2188

Telephone of the Company:

011 085 2600

Information officer

James Shirley

E-mail address of the head of the Company: compliance@segensolar.co.za

Website: www.segensolar.co.za/

3 Records in terms of PAIA

3.1 Key Company Record Classification

Classification No.	Access	Classification [PAIA section]
1	May be Disclosed	Public Access Document
2	May not be Disclosed	Request after commencement of criminal or civil proceedings [Section 7]
3	May be Disclosed	Subject to copyright

4	Limited Disclosure	Personal Information of Natural Persons that belongs to the requestor of that information, or personal information of Juristic Persons represented by the requestor of that information [Section 61]
5	May not be Disclosed	Unreasonable disclosure of personal information of Natural Person [Section 63(1)] or Juristic Person [POPIA]
6	May not be Disclosed	Likely to harm the commercial or financial interests of third party [Section 64(1)(a) and (b)]
7	May not be Disclosed	Likely to harm the Company or third party in contract or other negotiations [Section 64(1)(c)]
8	May not be Disclosed	Would breach a duty of confidence owed to a third party in terms of an Agreement [Section 65]
9	May not be Disclosed	Likely to compromise the safety of individuals or protection of property [Section 66]
10	May not be Disclosed	Legally privileged document [Section 67]
11	May not be Refused	Environmental testing / investigation which reveals public safety / environmental risks [Section 64(2); Section 68(2)]
12	May not be Disclosed	Commercial information of Private Body [Section 68]

13	May not be Disclosed	Likely to prejudice research and development information of the Company or a third party [Section 69]
14	May not be Refused	Disclosure in public interest [Section 70]

3.2 Company records Availability

Departmental Records	Subject	Classification No.
Communications / Public Affairs Department	Current Product Information	1, 4
	Public Corporate Records	1
	Launches and Events Records	4, 5
	Journalist Records	4, 5
	Media Releases	1
Health, Safety and Environmental Department	Environmental Policy	1
	Environmental Records	11, 14
	Health and Safety Records (Employees, Contractors)	4, 5, 9
Human Resources Division	Employee Records / Information	4, 5, 9 / 10
	Employment Contracts	4, 5
	Personnel Guidelines, Policies and Procedures	12
	Employee Medical Records	4, 5, 8
	Employee Disability Insurance Records	4, 5
HR Continues	Employee Pension and Provident Fund Records	4, 5
	Payroll Records	4, 5
	Recruitment Records	4, 5
	In- and-Ex-patriates' Records	4, 5

Financial Division	Audited Financial Statements	12
	Tax Records (Company & Employees)	4, 12
	Asset Register	12
	Supplier Records / Information	4, 5 / 10
	Management Accounts	12
Legal Services	General Contract Documentation	6, 12
	Intellectual Property Records	3
	Immovable Property Records	12
	Statutory Records	12
Compliance	Company Guidelines, Policies and Procedures	12
Sales and Marketing Division Business Relations – SADC Region	Market Information	12, 13
	Product Brochures	1
	Owner Manuals	4, 5
	Field Records	4, 12
	Performance Records	12
	Product Sales Records	1
	Marketing and Future Product Strategies	12
	Customer Information and Database	4, 5, 12
	Agency Agreements and Documents	4, 5, 6, 7, 12, 13
	Agencies, Customers if applicable)	4, 5
Production / Logistics Division	Production Records	12
	Products and Components Specifications	12,13
	Engineering Records	12,13
	Apprenticeship Records	4, 5
	Quality Records	12
Customer Interaction Centre	Customer Records	4, 5
Aftersales Department	Warranties	4, 5
	Customer Records / Information	4, 5 / 10
IT Department	Processing, Testing and Records Development	4, 5

Learning Centre	Bursars Records	4, 5
	Training Records	4, 5
Facilities Management Department	Physical Security Records (Visitors, Suppliers, Contractors, Employees)	4, 5
	Electronic Access & Identity Management Records (Employees, Contractors)	4, 5
	Time and Attendance Records	4, 5
Risk Control Centre	Complaints and Investigations Records	4, 5
Mail Room	Mail Register	4, 5

4 Personal Information Processing

SegenSolar takes the privacy and protection of personal information very seriously and will only process personal information in accordance with the South African privacy protection laws, as amended from time to time.

Accordingly, the relevant personal information privacy principles relating to the processing thereof (including, but not limited to, the collection, handling, transfer, sharing, correction, storage, archiving and deletion) will be applied to any personal information processed by the Company.

4.1 Purpose of processing personal information by the company

We process personal information for a variety of purposes, including but not limited to the following:

- to provide or manage any information, products and/or services requested by data subjects;
- to help us identify data subjects when they contact the Company;
- to maintain customer records;
- to maintain customer vehicle information;
- for recruitment purposes;
- for employment purposes;
- for apprenticeship purposes;
- for travel purposes;
- for general administration, financial and tax purposes;

- for legal or contractual purposes;
- for health and safety purposes;
- to monitor access, secure and manage our premises and facilities;
- to transact with our suppliers and business partners, including SegenSolar Business Partners;
- to help us improve the quality of our products and services;
- to help us detect and prevent fraud and money laundering;
- to help us recover debts;
- to carry out analysis and customer profiling; and
- to identify other products and services which might be of interest to data subjects and to inform them about our products and services.

For further detail and understanding of what personal information is processed, how it is processed and stored, and with which third parties it is shared, kindly consult the **SegenSolar Privacy and Cookies Policy**.

4.2 Categorisation of data subjects and personal information processes by the Company

This part is for the categories of data subjects and personal information processes by the Company which includes the following but not limited.

Categories of Data Subjects	Personal Information processed
Customers and Potential Customers	Personal information
	Contracts and warranties
	Location information
Business Partners	Personal information
	Performance information
	Personal information of employees
Suppliers	Personal information
	Personal information of representatives
Employees	Personal information
	Medical information
	Disability information
	Pension and Provident Fund Information
	Contracts
	Performance records

	Payroll records
	Electronic access records
	Physical access records
	Surveillance records
	Health and safety records
	Training records
	Employment history
	Time and attendance records
Job Applicants	Curriculum Vitae and application forms
	Criminal checks
	Background checks
Children	Personal information processed for life policies
	Medical information
	Information acquired for processing travel documents
Visitors	Physical access records
	Electronic access records and scans
	Surveillance records

4.3 Recipients or categories of recipients with whom personal information is shared

We may share the personal information of our data subjects for any of the purposes outlined in [paragraph 4.1](#) above, with the following:

- our other SegenSolar Service providers in South Africa and in other countries;
- our authorised SegenSolar Customers
- our carefully selected business partners who provide products and services under one of our brands; and
- our service providers and agents who perform services on our behalf.

We do not share the personal information of our data subjects with any third parties, except if:

- we are obliged to provide such information for legal or regulatory purposes;
- we are required to do so for purposes of existing or future legal proceedings,
- we are selling one or more of our businesses to someone to whom we may transfer our rights under any customer agreement we have with you;
- we are involved in the prevention of fraud, loss, bribery or corruption;
- they perform services and process personal information on our behalf;
- this is required to provide or manage any information, products and/or

services to data subjects; or

- needed to help us improve the quality of our products and services.

We will send our data subjects notifications or communications if we are obliged by law, or in terms of our contractual relationship with them.

We will only disclose personal information to government authorities if we are required to do so by law.

Our employees, authorised customers/business partners and their employees, and our suppliers are encouraged to adhere to data privacy and cookies policy and confidentiality principles, and where necessary, and encouraged to participate in data privacy training.

4.4 *Security measures to protect personal information*

Reasonable technical and organizational or policy measures have been implemented for the protection of personal information processed by the Company and its operators. In terms of POPIA, operators are third parties that process personal information on behalf of the Company.

We continuously implement and monitor technical and organisational security measures to protect the personal information we hold against unauthorised access, as well as accidental or wilful manipulation, loss or destruction.

We will take steps to ensure that operators that process personal information on behalf of SegenSolar apply adequate safeguards as outlined above

4.5 *Trans-border flows of personal information*

We will only transfer personal information across South African borders if the relevant business transactions or situation requires trans-border processing and will do so only in accordance with South African legislative requirements; or if the data subject consents to transfer of their personal information to third parties in foreign countries.

We will take steps to ensure that operators are bound by laws, binding corporate rules or binding agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information, in terms of POPIA.

We will take steps to ensure that operators that process personal information in jurisdictions outside of South Africa, apply adequate safeguards.

4.6 *Personal information received from third parties*

Where personal information from a third party is sought on behalf of a data subject, we require confirmation that they have written consent from the data subject.

This is to ensure that they are aware of the contents of this Manual and the Company's Privacy Statement, and do not have any objection to our processing of their information in accordance with this Manual.

5 Prescribed Request Forms and Fees

5.1 PAIA -Step to follow for ACCESS REQUEST

- i. Use the Prescribed PAIA Form on the Company website. (Check the Form availability)
- ii. Address your request to the Information Officer.
- iii. Provide sufficient detail to enable the Company to identify:
 - a. The record(s) requested.
 - b. The requestor (and, if an agent is lodging the request, proof of capacity).
 - c. The South African postal address, e-mail address or fax number of the requestor.
 - d. The form of access required.
 - e. If the requestor wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof.
 - f. The right which the requestor is seeking to exercise or protect with an explanation of the reason, the record is required to exercise or protect the right.

POPIA – Objection, Correction or Deletion Requests

- i. Upon receipt of the requested information, the following actions may be taken:
 - No further action necessary;
 - Object to the processing of your personal information; or
 - Request for the correction or deletion of your personal information.
- ii. Once a decision has been made, use the relevant Prescribed POPIA

Form. (Form 1 or Form 2) on the Company website.

- iii. Address your request to the Information Officer.
- iv. Ensure to provide sufficient detail in the Forms:

Form 1 – Objection to the Processing of Personal Information

A. DETAILS OF THE DATA SUBJECT

- a. Name and surname / registered name of data subject.
- b. Unique identifier / Identity Number
- c. Residential, postal, or business address
- d. Contact numbers, and
- e. Fax number

B. DETAILS OF THE RESPONSIBLE PARTY

- a. Name(s) and surname / registered name of responsible party (provide all details of parties with whom personal information was shared including but not limited to Financial Services, customers);
- b. Residential, postal or business address;
- c. Contact number(s); and
- d. Fax number / E-mail address.

C. REASONS FOR OBJECTION IN TERMS OF SECTION 11(1)(d) to (f)

Form 2 – Request for Correction or Deletion of Personal Information

A. DETAILS OF THE DATA SUBJECT

- a. Name and surname / registered name of data subject;
- b. Unique identifier / Identity Number;
- c. Residential, postal or business address;
- d. Contact number(s); and
- e. Fax number / E-mail address.

B. DETAILS OF THE RESPONSIBLE PARTY

- a. Name(s) and surname / registered name of responsible party (provide all details of parties with whom personal information was shared with SegenSolar Financial Services, Customers).
- b. Residential, postal or business address;
- c. Contact number(s).

d. Fax number / E-mail address; and

C. INFORMATION TO BE CORRECTED / DELETED / DESTROYED / DESTROYED.

D. REASONS FOR *CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(A) WHICH IS IN POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY, AND OR REASONS FOR *DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT IN TERMS OF SECTION 24(1)(B) WHICH THE RESPONSIBLE PARTY IS NO LONGER AUTHORISED TO RETAIN.

5.2 Prescribed Fees in terms of PAIA

- i. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed.
- ii. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- iii. A requestor may lodge an application with a court against the tender / payment of the request fee and/or deposit.
- iv. Records may be withheld until the fees have been paid.
- v. The detailed Fee Structure is available on the website of the Company, at the following address: <https://segensolar.co.za/>

5.3 Access to Required PAIA and POPIA Forms and the Prescribed Fees are published on the Company website or, alternatively, copies can be requested from the Information Officer (see contact details in paragraph 2).

5.4 The Prescribed Forms and Fee Schedule can be found on the Company website as follows:

PAIA Form - <https://segensolar.co.za/> /Forms

1. **Prescribed Fees**
2. **POPIA Form 1 PDF – Objection to the Processing of Personal Information**
 - **Form one (1)** - <https://segensolar.co.za/>
3. **POPIA Form 2 PDF – Request for Correction or Deletion of Personal Information**
 - **Form two (2)** - <https://segensolar.co.za/>

4. **Disclaimer**

SegenSolar does not have internal appeal procedures regarding the PAIA and POPIA Act requests. As such, the decision made by the duly authorised persons in paragraph 2, is final. If a request is denied, the requestor is entitled to apply to a court with appropriate jurisdiction, or the Information Regulator (South Africa), for relief.
