

POPI & PAIA Manual

DOCUMENT APPROVAL

Action	Name	Role	Date
Author	Karen Potgieter	Compliance Manager	14/02/2022
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1. INTRODUCTION

SAE provides a solar finance solution through a Power Purchase Agreement (PPA) with the aim of reducing a clients monthly electricity cost and to enable the Clients to become more sustainable by installing renewable energy solution. Personal information from various parties is collected during the provision of the renewable energy solution and hence SAE is obliged to comply with the Protection of Personal Information Act 4 of 2013 and the Promotion of Access to Information Act 2 of 2000.

SAE is committed to protecting our stakeholder's privacy and ensuring that their personal information is used appropriately, transparently, securely and in accordance with applicable laws.

SAE endorses the spirit of PAIA and POPI Acts and believes this manual will assist requesters in exercising their rights. This Manual together with our Privacy Policy is available on the company website www.solarafrica.com and by request from our information officer.

2. ABBREVIATIONS AND DEFINITIONS

Abbreviations and Definitions	
Account	Means a unique account created for You to access our Service or parts of our Service.
Cookies	Are small files that are placed on Your computer, mobile device, or any other device by a website, containing the details of Your browsing history on that website among its many uses.
Country	Refers to: South Africa
Data Subject	The natural or juristic person whom the information relates to such as an individual client, customer, or a company.
Device	Means any device that can access the Service such as a computer, a cellphone, or a digital tablet.
Personal Data/Information	Is any information that relates to an identified or identifiable individual or juristic person including information on: <ul style="list-style-type: none">• Race, gender, sex, pregnancy, marital status, national or ethnical origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language, and birth.• Information relating to education or medical, financial, criminal or employment history of a person.• Any identifying number, symbol, email address, physical address, telephone number, location information, online identifier, or assignment to the person• Biometric information of a person• Personal opinions, views, or preferences of the person• Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence.• The views and opinions of another individual about the person.• The name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.
Service Provider	Means any natural or legal person who processes the data on behalf of the Company. It refers to third-party companies or individuals employed by the Company to facilitate the Service, to provide the Service on behalf of the Company, to perform services related to the Service, or to assist the Company in analyzing how the Service is used.
Usage Data	Refers to data collected automatically, either generated using the Service or from the Service infrastructure itself (for example, the duration of a page visit).
Website	Refers to the SolarAfrica website, accessible from https://solarafrica.com/
You	Means the individual accessing or using our services, or the company, or other legal entity on behalf of which such individual is accessing or using our services, as applicable.
SAE	SolarAfrica Energy (Pty) Ltd

3. OUR DETAILS AND CONTACT PERSON

The person responsible for the administration of, and compliance with the Act, has been delegated by the Chief Operating Officer who is also the designated Information Officer at SAE to the following persons, who serve as the Deputy Information Officers:

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Requests pursuant to the provisions of the Act, should be directed as follows:

- Full Name: SolarAfrica Energy (Pty) Ltd
- Registration Number: 2014/132926/07
- Registered Address: 49 Via Salara, Irene Corporate Corner, Nellmapius Dr, Irene Farm Villages, Centurion, 0133
- Postal Address: 49 Via Salara, Irene Corporate Corner, Nellmapius Dr, Irene Farm Villages, Centurion, 0133
- Telephone Number: 012 881 4800
- Website: <https://solarafrica.com/>

Name	Designation	POPI Description	Contact
David McDonald	Chief Executing Officer	Information Officer	info@solarafrica.com
Candice Seggie	Head of Human Capital	Deputy Information Officer: Human Capital	info@solarafrica.com
Bianca Swanepoel	Head of Marketing and Communications	Deputy Information Officer: Marketing	info@solarafrica.com
Michael Zorich	Head of Sales	Deputy Information Officer: Sales	info@solarafrica.com
Werner Fortuin	Head of Technical Operations	Deputy Information Officer: Technical	info@solarafrica.com
Belinda Grobler	Head of Group Finance	Deputy Information Officer: Finance	info@solarafrica.com

4. PERSONAL INFORMATION COLLECTED

- SAE collects and processes personal information mainly to provide you access to our services, to help us improve our service offerings, to support our contractual relationship. The type of information that we collect will depend on the purpose for which it is collected and used.
- SAE collects information directly from our data subjects where they provide us with personal information, for example when an enquiry is submitted to us for potential service delivery. Examples of information collected include name, contact details, user generated content that you supply to our website or on customer questionnaires.
- The list below depicts records of information which SAE may have available (where applicable), and access thereto are restricted and protected to protect the privacy of the data subjects:

Statutory Company Information

- Certificate of incorporation
- Registration certificate
- Minutes of board and sub-committee meetings
- Share registers and certificates
- Company disclosure certificates
- Register of directors
- Director attendance registers
- Annual financial statements
- Management accounts \Director reports
- Auditor reports
- Books of account regarding information required by Companies Act
- Supporting schedules and documentation relating to management accounts
- All other forms and notices in terms of the Companies Act

Corporate Governance

- Code of conduct
- Risk management registers and associated records

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- Legal compliance registers and associated records
- Policies and procedures
- Fraud alerts and whistle blowing

Accounts Records

- Books of accounts
- Delivery notes, orders, invoices, statements, receipts, vouchers, and bills of exchange (where required)
- Agreements
- Banking records
- Tax records, returns and supporting documentation
- Correspondence
- Management reports
- Budgets
- Treasury dealing
- FICA records

Statutory Employee Records

- Employee names and occupations
- Salary and wage register
- Attendance register
- Employment equity plan
- Collective agreements
- Arbitration awards
- Determinations made in terms of the Wage Act
- Records of strikes, lockouts, and protest action (if applicable)
- Training records
- Staff records (after date of employment ceases)
- Expense accounts
- IRP5 for employee returns
- PAYE records and returns
- Payroll records
- Returns to UIF

Other Employee Records

- Incentive / variable Pay Schemes
- Staff loan schemes
- Study assistance schemes
- Maternity leave policy
- Disability scheme
- Group accident insurance

Human Resources

- BEE Statistics
- Career Development Records
- Personal Information
- Employee equity reports
- General terms of employment
- Letter of employment
- Leave records

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- Health records
- Performance management records
- Retirement benefits and medical aid records
- Training manuals
- Training records and statistics
- Training agreements
- Policies and procedures
- Cv's, application details
- Disciplinary code and records
- Disciplinary procedures, CCMA and court matters, retrenchment, and legal processes regarding employment matters
- Job profiles
- Social responsibility

Safety, Health, Environment and Quality

- Records of risk assessment and management
- Safety management system, data, and audits
- Permits, licences, approvals, and registrations
- Emergency preparedness and response plans and associated records
- Quality management program and records
- Customer complaints
- Standards
- Policies and procedures

Property

- Leases
- Asset registers
- Vehicle and trailer registration documents

Intellectual Property

- Agreements relating to intellectual property such as license agreements, secrecy agreements, research and development agreements, copyright agreements, use agreements, joint venture agreements (where applicable)
- Litigation and other disputes involving intellectual property and assets.
- Designs
- Solutions and products developed

Agreements and Contracts

- Material agreements concerning provisions of services or materials
- Agreements with shareholders
- Agreements with directors
- Acquisition and disposal documents
- Agreements with contractors, installer, suppliers, and service providers
- Agreements with customers
- Sale agreements
- Power purchase agreements
- Non-disclosure agreements
- Agreements with governmental departments (where applicable)
- Purchases or leases

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Taxation

- Copies of all income tax returns and other tax returns and documents

Legal

- Complaints, pleadings, briefs, and other documents pertaining to any actual, pending or threatened litigation, arbitration or regulatory investigation
- Material licences, permits and authorisations
- Agreements and contracts
- SAPS investigations and cases
- Records of stolen goods

Insurance

- Insurance policies
- Claim records
- Details of insurance coverage, limits, and insurers
- Insurance declarations

Information Technology

- Hardware
- Operating Systems
- Telephone and data lines
- Internal support, programming, and development
- Contracts and agreements
- Licences
- Policies, procedures, standards, templates, and guidelines
- Faults, troubleshooting and reporting
- Security access

Sales and Marketing

- Markets
- Customers
- Brochures, newsletters, and advertising materials
- Sales
- Customer satisfaction surveys
- Proposals and tenders

Procurement

- Inspections
- Inventory records
- Procurement policies and plans
- Supplier and contractor agreements
- Purchase orders
- Picking slips
- Suppliers and manufacturing details

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5. DATA SUBJECTS

SAE may possess records relating to employees, shareholders, investors directors, suppliers, contractors, and customers. These data subjects are summarised in the following table:

Data Subject	Personal Information Processed
Customers – Natural Persons (Limited)	Names, contact details, physical and postal addresses, date of birth, ID number, tax related information, nationality, confidential correspondence.
Customers- Juristic Persons/Entities	Names of contact persons, name of legal entity, physical and postal address and contact details, financial information, registration number, founding documents, tax related information, electricity consumption documentation, authorised signatories.
Shareholders	ID number, physical and postal address, contact details, opinions, correspondence.
Contracted Service Providers	Names of contact persons, name of legal entity, physical ad postal address and contact details, financial information, registration number, tax related information, authorised signatories.
Employees/Directors	Gender, pregnancy, marital status, colour, race, age, language, educational information, employment history, ID number, physical and postal address, contact details, opinions, well-being.

6. USE OF INFORMATION

SAE may use information gathered for the following purposes:

- To provide and maintain our service.
- To manage your account.
- For the performance of your contract.
- To contact you.
- To manage your requests.
- For business transfers.
- For other purposes such as data analysis, identifying usage trends and to evaluate and improve our services, products, and marketing.
- Staff administration.
- Keeping accounts and records.
- Conducting market or customer satisfaction research.
- Administration of agreements.

SAE may also share your information in the following situations:

- With service providers to monitor, analyse the use of our service and to contact you.
- For business transfers in connection with, or during negotiations of, any merger, sale of Company assets, financing, or acquisition of all or a portion of our business to another company.
- With affiliates including our parent company and any other subsidiaries, joint venture partners, or other companies that we control or that are under common control with SAE.
- With business partners to offer you certain products, services, and promotions.
- With other users when you share personal information or otherwise interact in the public areas with other users, such information may be viewed by all other users and may be publicly distributed outside.
- With your consent we may distribute your personal information for any other purpose.

7. RETENTION OF DATA

SAE will retain data only for as long as it is necessary to comply with legal obligations, resolve disputes and enforce legal agreements and policies, whereafter it will be destructed in a secure manner in accordance with the SAE document control procedure and record management procedure.

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8. TRANSFER OF DATA

Information is processed at SAE's operating offices and in any other places where parties involved in the processing are located. It means that this information may be transferred to-and maintained on-computers located outside of the country or other governmental jurisdictions where the data protection laws may differ from those from your jurisdiction.

SAE will take all steps reasonably necessary to ensure that data is treated securely and in accordance with our Privacy Policy and no transfer of data will take place to an organisation or a country unless there are adequate controls in place.

9. DISCLOSURE OF DATA

Information may be disclosed in:

Business Transactions

If SAE is involved in a merger, acquisition, or asset sale, data may be transferred.

Law enforcement

Under certain circumstances, SAE may be required to disclose data if required to do so by law or in response to a valid request by authorities.

Other legal requirements

SAE may disclose data in good faith belief that such an action is necessary to:

- Comply with a legal obligation
- Protect and defend the rights and property of SAE
- Prevent or investigate possible wrongdoing in connection with the service provided
- Protect the personal safety of users of the service or the public
- Protect against legal liability

10. SECURITY OF DATA

SAE employs up-to-date technology to ensure that the confidentiality, integrity, and availability of information under its care. Measures include, but are not limited to:

- Firewalls
- Virus protection software and update protocols
- Access control
- Secure setup of hardware and software making up the IT- infrastructure
- Outsourced service providers who process personal information on behalf of SAE to implement security controls. Verification of their privacy policies are undertaken.

The security of data is important to SAE, but no method of transmission over the internet or method of electronic storage is 100% secure. While SAE strive to use commercially acceptable means to protect data, SAE cannot guarantee its absolute security.

11. OBJECTION TO PROCESSING PERSONAL INFORMATION IN TERMS OF POPI ACT

An objection for processing (personal) information may be lodged at any time by completing the form contained in Annex 1. This form should be emailed to the Information Officer and/or Deputy Information Officers as per the details provided

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within this Manual.

You may request reasonable assistance free of charge to make any request, or objection on any form supplied to you.

You may also request for a correction or deletion of personal information of a record of personal information at any time by completing the form in Annex 1 and sending it to the Information Officer and/or Deputy Information Officer.

Furthermore, you may withdraw your consent to process your personal information at any time by completing the form included in Annex 1 and sending it to the Information Officer and/or Deputy Information Officer at any time.

12. COMPLAINTS IN TERMS OF POPI ACT

A complaint may be lodged with SAE by contacting the Information Officer and/or the Deputy information officers via email as provided in this manual.

A complaint may also be lodged with the Regular about and interference with the protection of your personal information when there is a breach of any conditions for lawful processing or for non-compliance to the conditions provided in the POPI Act. The Regulator has the following powers when a complaint is lodged:

- Consult with SAE and with the complainant.
- Investigate the complaint by gathering information through subpoenas and warrants or search the premises.
- Summon people to appear and testify or compel them to provide written evidence.
- Conduct private interviews with people.
- Conduct any enquiry deemed fit.
- Resolve the complaint by means of dispute resolution.
- Apply for fines and penalties to be ordered by a competent court.
- Refer the matter to an enforcement committee and issue enforcement notices or information notices.
- Institute civil action for damages.

13. REQUEST FOR INFORMATION

13.1 Information that are not automatically available

Information which are not automatically available must be requested in terms of the procedure explained in this manual. Note that some information may be subject to restrictions and rights of refusal to access may apply as provided for in the PAIA and POPI Acts.

No requests will be accepted telephonically, nor shall any information be shared telephonically. Only written requests will be attended to by the Information Officer and/or the Deputy Information Officers who have the appointed mandates to disclose information in terms of this manual.

13.2 Procedure for requesting information

Information held by SAE may be accessed, on request, only once the requirements for access have been met. A request will not automatically be granted and a reason for refusal shall be supplied. The request for information can be refused should the request not comply with the provisions of this manual and/or the requirements of the Acts. The requester must comply with all the procedural requirements stipulated in the manual as well as the respective Acts.

The requester must complete a request form as contained in Annex 2 and stipulate that the information is required in order to exercise or protect a right, the nature of the protected right and an explanation of why the requested information is required.

If the requester is unable to complete the prescribed form due to illiteracy or disability the requester shall in person make the request orally to the Information Officer, who will complete the request form for processing.

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When a request is received by either the Information Officer and/or the Deputy Information Officers, a written notice will be issued within 14 days to indicate that the request has been received. The Information Officer and/or the Deputy Information Officers will process the request within 30 days of the request being received and furnish the requester with written feedback on whether the request has been granted or refused. If the request has been refused the reason for the refusal will be provided. Should the request for any reason not be able to be processed for example due to a large volume of information being requested the requestor will be informed in writing that an extended 30 days are required.

If it is reasonably suspected that the requester has obtained access to the information through the submission of materially false or misleading information, legal proceedings may be instituted against such a requester.

The completed access request (Annex 2) together with a certified copy of identity must be submitted via email as provided in this manual and must be addressed to either the Information Officer and/or Deputy Information Officer.

13.3 Grounds for refusal of access to information

SAE has the right to refuse access to information on legal grounds as set out in the respective Acts for example:

- Mandatory protection of personal information, special personal information, or privacy of a third party who is a natural person (including children).
- Mandatory protection of personal, confidential, or commercial information of a third party or a private body, which may be a natural person or a legal entity including but not limited to trade secrets, financial, commercial, scientific, or technical information, which if disclosed could cause financial or commercial harm.
- Mandatory protection of certain confidential information of a third party where such disclosure could lead to a breach of duty of confidence owed to a third party in terms of an agreement.
- Mandatory protection of the safety of individuals and the protection of property, where such disclosure could endanger the life or physical safety of an individual or impair the security of property, building, and or system.

If a request for access to information is refused the based on the above reasoning it will be disclosed to the requester. Should the requester be dissatisfied with the refusal may within 30 days of the notification of the decision apply to a court for appropriate relief, whereafter the court legislative process will be followed in accordance with the provisions of the acts.

13.4 Grounds for granting access to information

Information may be disclosed if:

- The disclosure of the information would reveal information of a substantial contravention of, or failure to comply with law or imminent and serious public safety or environmental risk.
- The public interest in the disclosure clearly outweighs the harm.
- If the disclosure would prejudice or impair the protection of a person in accordance with a witness protection scheme.
- Disclosure will not put SAE at a disadvantage in contractual negotiations or in its commercial competitiveness.

13.5 Fees applicable to access to information

The Act provides that two types of fees may apply, namely, a request fee and an access fee that will be based on reproduction costs, search, and preparation costs as well as any postal and courier costs, where applicable.

The request fee will be payable upon the receipt of the request from a requester and the access fee will be calculated and communicated prior to request being processed. The access fee will be communicated and once the requester has provided acknowledgement and acceptance of the fee the request will be processed. Should the information request be granted the requester will need to pay the access fee prior to information being released.

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Annex 1

OBJECTION/CORRECTION/DELETION AND CONSENT WITHDRAWN FOR THE PROCESSING OF PERSONAL INFORMATION

Purpose of Request	
Objection	
Correction	
Deletion	
Consent Withdrawn	

Details of Data Subject	
Name and Surname/ Company Name	
Address	
Contact Number	
Email	
Reason for Request	

Signed atthisday of20.....

.....
Signature of Data Subject

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Annex 2

REQUEST FOR INFORMATION

Particulars of Private Body	
The Head	
Particulars of Person Requesting Access to the Record	
<ul style="list-style-type: none"> The particulars of the person who requests access to the record must be given below. The address and/or email in republic to which the information is to be sent must be given. Proof of capacity in which the request is made, if applicable, must be attached. 	
Full names and surname	
Identity Number	
Postal Address	
Telephone Number	
Email Address	
Capacity in which request is made, when on behalf of another person	
Particulars of Person On Whose Behalf The Request Is Made	
Full names and Surname	
Identity Number	
Particulars of Record	
<ul style="list-style-type: none"> Provide full particulars of the record to which access is requested, including reference number if known to you, to enable the record to be located. If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requestor must sign all the additional folios. 	
Description of the record or relevant part of the record	
Reference number	
Any further particulars	

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Fees		
<ul style="list-style-type: none"> 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. You will be notified of the amount required to be paid as the request fee. The fee payable for access to a record depends on the form in which access is required and the reasonable time required, and the reasonable time required to search for and prepare the record. If you qualify for exemption of the payment of any fee, please state the reason for exemption. 		
Reason for exemption from payment of fees		
Form of Access to Record		
<ul style="list-style-type: none"> If you are prevented by 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		
<ul style="list-style-type: none"> Mark the appropriate box with an x <ul style="list-style-type: none"> Compliance with your request in the specified form may depend on the form in which the record is available. Access in the form request may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. The fees 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	
2. If record consists of visual images	View the images	
	Copy of the images	
	Transcript of the images	
3. If the record consists of recorded words or information which can be reproduced in sound.	Listen to the soundtrack	
	Transcript of soundtrack	
4. If record is held on a computer in an electronic or machine-readable form.	Printed copy of record	
	Printed copy of information derived from the record	
	Copy in computer readable form	
If you requested a copy or transcription of the record, do you wish the copy or transcription to be posted to you. (Postage is payable)		
Particulars of Rights to be Exercised or Protected		
<ul style="list-style-type: none"> 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. 		
Indicate which right is to be exercised or protected		
Explain why the record requested is required for		

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the exercise or protection of the aforementioned right	
Notice of Decision Regarding Request for Access	
<ul style="list-style-type: none"> You will be notified in writing whether your request has been approved/ denied. If you wish to be informed 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 thisday of20.....

.....
Signature of Requester

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