

# Promotion of Access to Information Manual



October 2023 | Version 1.0

(Published in terms of Section 51 of the Promotion of Access to Information Act, No. 2 of 2000)

## Contents

- 1. Purpose..... 1
- 2. Sun Solve Co Proprietary Limited (“Sun Solv”) Overview..... 2
- 3. Availability of this Manual..... 2
- 4. Contact Details..... 2
- 5. Records Held by Sun Solv..... 3
  - a. Customer Records..... 3
  - b. Sun Solv Records..... 3
  - c. Personnel Records..... 4
  - d. Records Automatically Available..... 4
- 6. Records Available in Terms of Other Legislation..... 4
- 7. Request Refusal..... 5
- 8. How to Request Access to Records..... 6
- 9. Remedies for Non-Compliance..... 6
- 10. Cost to Access Records..... 6
- 11. Prescribed FORM C..... 7

# 1. Purpose

The purpose of this manual is to promote transparency in our stakeholders' access to information. We believe that access to information is the core foundation to sound corporate governance and strong stakeholder relationships.

The Manual aims to provide the following information:

1. Description of the Records held by Sun Solv and any related third parties.
2. Procedure and Fees in relation to information access.

## 2. Sun Solve Co Proprietary Limited (“Sun Solv”) Overview

Sun Solv provides its customers with stand alone solar energy components (wholesale clients) as well as fully designed and installed 'solar energy systems' (solar package clients). In order to execute a fully designed solar system, Sun Solv will be privy to information regarding a customer's household or business premises' architectural and energy consumption information. In the facilitation of any client financing, Sun Solv may capture and pass on client financial information to registered credit providers.

## 3. Availability of this Manual

A copy of this Manual is available on Sun Solv's website (<http://www.sunsolv.co.za>) or at request from Sun Solv's Information Officer using the details below. The Manual may also be obtained from the South African Human Rights Commission's ("SAHRC") website (<http://www.sahrc.org.za/>) or at the address below.

Name	The PAIA Unit: Information
Physical Address	Forum III, 33 Hoofd Street, Braampark Braamfontein, 2001
Postal Address	Private Bag X2700, Houghton 2041
Telephone Number	011 484 8300
Fax Number	011 484 1360
Website	<a href="http://www.sahrc.org.za/">http://www.sahrc.org.za/</a>

## 4. Contact Details

The key contact details for any enquiry in relation to access to records are listed in the table below:

Company Name	Sun Solve Co Proprietary Limited
Information Officer	Robert Leusink
Physical Address	4 Rooibekkie Street, Denvar Park, George 6529
Postal Address	4 Rooibekkie Street, Denvar Park, George 6529
E-mail	accounts@sunsolve.co.za

## 5. Records Held by Sun Solv

Given Sun Solv's private company designation, all information held by Sun Solv is protected under strict confidentiality. That being said, Sun Solv will only disclose information held under the following circumstances:

1. if Sun Solv is legally compelled to do so by law;
2. if it is in the public interest to disclose information; and
3. if consent to share the information is granted.

Records held by Sun Solv are classified broadly across the following categories. Please note that the disclosure of the following records does not imply that an information request in relation to these records will be granted. Each request is considered according to the circumstances specific to the request (see section 7 below).

### a. Customer Records

Customer records constitute the personal information which:

1. a customer has provided to Sun Solv;
2. a customer has provided to a third party, acting for or on behalf of Sun Solv;
3. a third party has provided to Sun Solv in relation to a customer; or
4. is generated internally by Sun Solv in relation to the customer.

The main categories of personal information in relation to Customers, processed in the ordinary course of business, are summarized below:

1. Identification particulars
2. Contact particulars
3. Financial information
4. Marketing records
5. Customer correspondence records

## b. Sun Solv Records

Sun Solv records describe information pertaining to Sun Solv's own internal affairs, which include but are not limited to:

1. Financial information;
2. Operational information;
3. Strategic information;
4. Marketing Information;
5. Product information;
6. Information systems; and
7. Other policies and procedures.

## c. Personnel Records

Personnel refers to any person who works for or provides services to or on behalf of Sun Solv and receives or is entitled to receive any remuneration. This includes, but is not limited to, directors, all permanent, temporary/part-time employees and contractors. Personnel records include the following information:

1. Any personal records provided to Sun Solv by their personnel;
2. Any records a third party has provided to Sun Solv regarding its personnel;
3. Conditions of employment and other personnel-related contractual and quasi legal records;
4. Internal evaluation records; and
5. Other internal records and correspondence.

Personal information in relation to Personnel, processed in the ordinary course of business, is summarized below:

1. Identification particulars
2. Contact particulars
3. Internal employment
4. Marketing records
5. Customer correspondence records

## d. Records Automatically Available

Certain records are automatically available and can be accessed without following a formal request procedure. These records by nature usually do not contain any confidential information. The following records are automatically available at Sun Solv's head office or on Sun Solv website

([www.sunsolve.co.za](http://www.sunsolve.co.za)):

1. Press releases
2. Circulars
3. Newsletters
4. Other literature intended for public viewing

Other records relating juristic information of Sun Solv is available for the Company Intellectual Property Commission's (CIPC) website (<https://cipc.co.za/za/>) for example:

1. Directors' Details

2. Incorporation Documents
3. Other documents available from the CIPC directly

## 6. Records Available in Terms of Other Legislation

Information is available in terms of the following legislation, if and where applicable.

Note this is not an exhaustive list:

1. Basic Conditions of Employment No. 75 of 1997
2. Companies Act 71 of 2008
3. Compensation for Occupational Injuries and Diseases Act 130 of 1993
4. Consumer Protection Act 68 of 2008
5. Copyright Act 98 of 1978
6. Electronic Communications and Transactions Act 25 of 2002
7. Employment Equity Act 55 of 1998
8. Financial Intelligence Centre Act 38 of 2001
9. Income Tax Act 58 of 1962
10. Labour Relations Act 66 of 1995
11. Occupational Health and Safety Act 85 of 1993
12. Prevention and Combating of Corrupt Activities Act, No. 12 of 2004
13. Promotion of Access to Information Act, No. 2 of 2000
14. Protection of Personal Information Act, No. 4 of 2013
15. Regional Services Councils Act No. 109 of 1985
16. Regulation and interception of communications and Provision of Communication Related information Act 70 of 2002
17. Skills Development Act No. 97 of 1998
18. Skills Development Levies Act No. 9 of 1999
19. Unemployment Contributions Act No. 4 of 2002
20. Unemployment Insurance Act No. 63 of 2001
21. Value Added Tax Act No. 89 of 1991

## 7. Request Refusal

All requests for access to information are assessed on a case by case basis by the Information Officer.

Request for access to information may be refused on the following bases:

1. Protection of the privacy of a third party who is a natural person, which could involve the unreasonable disclosure of personal information of that natural person.
2. Protection of the commercial information of a third party, if the record contains:
  - a. Trade secrets;
  - b. Financial, commercial, scientific or technical information which disclosure could likely cause harm to financial or commercial interests;
  - c. Information disclosed in confidence by a third party to Sun Solv which disclosure could likely cause harm to financial or commercial interests.
3. Protection of confidential information of third parties if it is protected in terms of any agreement;
4. Protection of the safety of individuals and the protection of property.

5. Protection of records that would be regarded as privileged in legal proceedings.
6. The commercial activities of Sun Solv, which may include:
  - a. Trade secrets;
  - b. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests;
  - c. Information, which, if disclosed, could put Sun Solv at a disadvantage in negotiations or commercial competition;
  - d. A computer programme / software which is owned by Sun Solv, and which is protected by copyright;
7. The research information of Sun Solv or a third party, if its disclosure would disclose the identity of Sun Solv, the researchers or the subject matter of the research or would place the research at a disadvantage;
8. Requests for information that are frivolous, vexatious or which involve an unreasonable allocation of resources.

## 8. How to Request Access to Records

Requests for access to records held by the Sun Solv must be made using the prescribed Form C attached. Requests for access to records must be made to Sun Solv at the address or email address provided. Should a requester be unable to provide a written request, the requester may make a verbal request with the Information Officer.

The requester must ensure the following is provided within the form in relation to their request:

1. Sufficient detail on the to enable Sun Solv to identify the record
2. Sufficient detail on the to enable Sun Solv to identify the requester
3. the right that the requester seeks to exercise or protect and an explanation of why the requested record is required for the exercise or protection of that right
4. If a request is made on behalf of a person, proof of the capacity in which the requester is making the request to the satisfaction of Sun Solv
5. Manner of access to which the request wishes to access the record
6. The language in which the requester wishes to receive the record

Kindly note that all requests will be considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by Sun Solv does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

Sun Solv will respond 30 days after receiving the request. The Information Officer may request an extension for a period of no more than 30 additional days for specific reasons, which include the request involving:

1. a large volume of documents,
2. consultation with other public or private entities,
3. or if the requester has granted the extension in writing.

Only one extension is allowed per PAIA request.

## 9. Remedies for Non-Compliance

Sun Solv does not have an internal appeal procedure and therefore the decision as stipulated by the Information Officer is final. Should the requester be dissatisfied with the decision, the requester has the right to approach a court for relief within 180 days of being informed of the decision.

The requester may bring to the court's attention their dissatisfaction regarding:

1. The imposition of fees
2. The response timeframe
3. Decision by the Information Officer
4. Record provided in a different form than to what was originally requested

## 10. Cost to Access Records

There are costs associated with requesting access to records as stipulated by the Act.

The fees to request access to records are listed below:

Request Fee *	R 50.00
Access Fees: **	R 10.00
Copy per A4 page	R 1.10
Printing per A4 page	R 0.75
Copy on a CD	R 70.00
Transcription of visual images per A4 page	R 40.00
Copy of visual image	R 60.00
Transcription of an audio recording	R 20.00
Copy of an audio recording	R 30.00
Search and preparation of the record for disclosure	R 30.00 per hour or part thereof, excluding the first hour, reasonably required for search and preparation

\* The Request Fee is exempt for a requester if the requester is requesting access to personal information however the access fees are still due.

\*\* Requesters who earn less than R14,712.00 per year (if single) and R27,192.00 per year (if married or in a life partnership), do not have to pay access fees.

Postage fees must be paid by the requester.

If the Information Officer thinks that the collection and reproduction of documents will take longer than six hours, he/she must inform the requester (by formal notice) that one third of the access fee is payable upfront as a deposit.

If the record is not provided in the form requested, the access fee that is charged to the requester must not exceed the fee that would have been charged if access was granted in the form requested. However, this rule does not apply when an alternative form is required because information had to be severed from the record.

If the requester cannot read, view or hear the record in the form held by a public body because of a disability, the public body is required to provide the record in a form that is accessible to the requester. The access fee charged to the requester must not exceed the fee that would have been charged but for the disability.

## 11. Prescribed FORM C

ATTACH [https://www.justice.gov.za/forms/paia/J752\\_paia\\_Form%20C.pdf](https://www.justice.gov.za/forms/paia/J752_paia_Form%20C.pdf)