

ENERTRAG SOUTH AFRICA (2017/143710/07) ("ENERTRAG")

THE PROMOTION OF ACCESS TO INFORMATION MANUAL

("Manual")

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1. PREAMBLE

- 1.1. The Promotion of Access to Information Act, 2000 (“**PAIA**”) came into operation on 9 March 2001. PAIA seeks, among other things, to give effect to the Constitutional right of access to any information held by the State or by any other person where such information is required for the exercise or protection of any right and gives natural and juristic persons the right of access to records held by either a private or public body, subject to certain limitations, in order to enable them to exercise or protect their rights. Where a request is made in terms of PAIA to a private body, that private body must disclose the information if the requester is able to show that the record is required for the exercise or protection of any rights, and provided that no grounds of refusal contained in PAIA are applicable. PAIA sets out the requisite procedural issues attached to information requests.
- 1.2. Section 51 of PAIA obliges private bodies to compile a manual to enable a person to obtain access to information held by such private body and stipulates the minimum requirements that the manual has to comply with.
- 1.3. This Manual constitutes the ENERTRAG PAIA manual. This Manual is compiled in accordance with section 51 of PAIA as amended by the Protection of Personal Information Act, 2013 (“**POPIA**”), which gives effect to everyone’s Constitutional right to privacy. POPIA promotes the protection of personal information processed by public and private bodies, including certain conditions so as to establish minimum requirements for the processing of personal information. POPIA amends certain provisions of PAIA, balancing the need for access to information against the need to ensure the protection of personal information by providing for the establishment of an Information Regulator to exercise certain powers and perform certain duties and functions in terms of POPIA and PAIA, providing for the issuing of codes of conduct and providing for the rights of persons regarding unsolicited electronic communications and automated decision making in order to regulate the flow of personal information and to provide for matters concerned therewith.
- 1.4. This PAIA manual also includes information on the submission of objections to the processing of personal information and requests to delete or destroy personal information or records thereof in terms of POPIA.

VERSION	POLICY OWNER	DATE
1.0	ENERTRAG	16/10/2023

2. ABOUT ENERTRAG

ENERTRAG is a subsidiary of ENERTRAG SE, a German-based renewable energy company founded in 1992 with a history in developing and operating high yield renewable energy projects. ENERTRAG is a leading project developer, with active projects in Germany, United Kingdom, France, Poland, Bulgaria, Belarus, and now South Africa.

For more information, please see our website <https://www.enertrag.co.za/about-us/>

3. CONTACT DETAILS

Name of Private Body:	ENERTRAG South Africa (Pty) Ltd
Designated Information Officer:	Sebastian Tobias Bischof-Niemz
Email address of Information Officer:	Tobias.Bischof-Niemz@enertrag.com
Designated Deputy Information Officers:	Stephen Koopman Mercia Grimbeek Lehlogonolo Mohlala
Postal address:	Suite 104, 1st Floor, Albion Springs, 183 Main Road, Rondebosch, Cape Town, 7700
Street address:	Suite 104, 1st Floor, Albion Springs, 183 Main Road, Rondebosch, Cape Town, 7700
Phone number:	(012) 003 2915

4. INFORMATION REGULATORS GUIDE

An official Guide has been compiled which contains information to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is made available by the Information Regulator (established in terms of POPIA). Copies of the updated Guide are available from Information Regulator in the manner prescribed. Any enquiries regarding the Guide should be directed to:

Information Regulator:

Postal Address:	P.O. Box 31533, Braamfontein, Johannesburg, 2017
Telephone:	(010) 023 5200
Website:	www.justice.gov.za
Email:	PAIACompliance.IR@justice.gov.za

5. **OBJECTIVES OF THIS MANUAL**

The objectives of this Manual are:

- 5.1. to provide a list of all records held by the legal entity;
- 5.2. to set out the requirements with regard to who may request information in terms of PAIA as well as the grounds on which a request may be denied;
- 5.3. to define the manner and form in which a request for information must be submitted; and
- 5.4. to comply with the additional requirements imposed by POPIA.

6. **LATEST NOTICES IN TERMS OF SECTION 52(2) OF PAIA**

At this stage, no notices have been published on the categories of records that are available without having to request access to them in terms of PAIA.

7. **ENTRY POINT FOR REQUESTS**

- 7.1. PAIA provides that a person may only make a request for information, if the information is required for the exercise or protection of a legitimate right.
- 7.2. Information will therefore not be furnished unless a person provides sufficient particulars to enable ENERTRAG to identify the right that the requester is seeking to protect as well as an explanation as to why the requested information is required for the exercise or protection of that right. The exercise of an individual's rights is subject to justifiable limitations, including the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance. PAIA and the request procedure contained in this Manual may not be used for access to a record for criminal or civil proceedings, nor should information be requested after the commencement of such proceedings.
- 7.3. The Information Officer and Deputy Information Officer (s) have been delegated with the task of receiving and co-ordinating all requests for access to records in terms of PAIA, in order to ensure proper compliance with PAIA and POPIA.
- 7.4. The Information Officer and Deputy Information Officer (s) will facilitate the liaison with the internal legal team on all of these requests.
- 7.5. All requests in terms of PAIA and this Manual must be addressed to the Information Officer using the details in paragraph 3 above.

8. **AUTOMATICALLY AVAILABLE INFORMATION**

- 8.1. Information that is obtainable via the ENERTRAG website about ENERTRAG is automatically available and need not be formally requested in terms of this Manual.
- 8.2. The following categories of records are automatically available for inspection, purchase or photocopying:
 - 8.2.1. brochures
 - 8.2.2. press releases
 - 8.2.3. publication; and
 - 8.2.4. various other marketing and promotional material.

9. **INFORMATION AVAILABLE IN TERMS OF POPIA**

- 9.1. In terms of POPIA, personal information must be processed for a specified purpose. The purpose for which data is processed by ENERTRAG will depend on the nature of the data and the particular data subject. This purpose is ordinarily disclosed, explicitly or implicitly, at the time the data is collected. Please also refer to the ENERTRAG's Privacy Policy on <https://www.ENERTRAG.co.za/> for further information.
- 9.2. **Categories of personal information collected by ENERTRAG**
 - 9.2.1. client profile information;
 - 9.2.2. bank account details;
 - 9.2.3. payment information;
 - 9.2.4. client representatives information;
 - 9.2.5. names;
 - 9.2.6. email addresses;
 - 9.2.7. telephone numbers;
 - 9.2.8. facsimile numbers;
 - 9.2.9. physical addresses;
 - 9.2.10. tax numbers;

- 9.2.11. identity numbers;
 - 9.2.12. passport numbers;
 - 9.2.13. information relating to educational history;
 - 9.2.14. function; and
 - 9.2.15. description of an enquiry addressed to ENERTRAG.
- 9.3. The purpose of processing personal information
- 9.3.1. to fulfil agreements in relation to its employees;
 - 9.3.2. to provide services to its clients in accordance with terms agreed to by the clients;
 - 9.3.3. to undertake activities related to the provision of services, such as:
 - 9.3.3.1. to fulfil domestic legal, regulatory and compliance requirements
 - 9.3.3.2. to verify the identity of client representatives who contact ENERTRAG or may be contacted by the company;
 - 9.3.4. for risk assessment, information security management, statistical, trend analysis and planning purposes;
 - 9.3.5. to monitor electronic communications with the client for quality, training, investigation and fraud prevention purposes;
 - 9.3.6. to enforce or defend ENERTRAG or its' affiliates' rights;
 - 9.3.7. to manage ENERTRAG's relationship with its clients, which may include providing information to its clients and its clients affiliates about the company's and the company affiliates' services;
 - 9.3.8. for the purposes related to any authorised disclosure made in terms of agreement, law or regulation;
 - 9.3.9. any additional purposes expressly authorised by ENERTRAG's client;
 - 9.3.10. any additional purposes as may be notified to the client or data subjects in any notice provided by ENERTRAG;

9.4. **A description of the categories of data subjects and of the information or categories of information relating thereto**

- 9.4.1. personnel of ENERTRAG;
- 9.4.2. contractors of ENERTRAG;
- 9.4.3. suppliers of ENERTRAG;
- 9.4.4. service providers of ENERTRAG; and
- 9.4.5. users of the ENERTRAG website.

(This list of categories of data subjects is non-exhaustive).

9.5. **The recipients or categories of recipients to whom the personal information may be supplied**

Depending on the nature of the personal information, ENERTRAG may supply information or records to the following categories of recipients:

- 9.5.1. statutory oversight bodies, regulators or judicial commissions of enquiry making a request for data;
- 9.5.2. any court, administrative or judicial forum, arbitration making a request for data or discovery in terms of the applicable rules (i.e. South African Revenue Services, or another similar authority and anyone making a successful application for access in terms of PAIA);
- 9.5.3. any person who conducts business with ENERTRAG, in the ordinary course of business;
- 9.5.4. other companies ENERTRAG may be affiliated to;
- 9.5.5. other parties in connection with certain business transactions. In the event that ENERTRAG restructures or sells any of its businesses or assets, ENERTRAG may disclose data subjects' personal information to the prospective buyer of such business or assets or other transacting party;
- 9.5.6. companies that provide services to ENERTRAG or act on its behalf may have access to information about data subjects. These companies are limited in their ability to use information they receive in the course of providing services to ENERTRAG or data subjects; and

9.5.7. third-parties where the data subject provides consent.

9.6. **Planned transborder flows of personal information**

ENERTRAG may need to transfer a data subject's information to service providers and personnel in countries outside South Africa, in which case ENERTRAG will fully comply with applicable data privacy and protection legislation. This may occur if ENERTRAG's servers, suppliers, service providers or personnel are based outside South Africa, or if ENERTRAG's services are hosted in systems or servers outside South Africa and/or if a data subject uses ENERTRAG's website visiting countries outside this area. These countries may not have data-protection laws which are similar to those of South Africa.

9.7. **A general description of information security measures to be implemented by ENERTRAG**

9.7.1. ENERTRAG takes extensive information security measures to ensure the confidentiality, integrity and availability of personal information in our possession. ENERTRAG takes appropriate technical and organisational measures designed to ensure that personal data remains confidential and secure against unauthorised or unlawful processing and against accidental loss, destruction or damage.

9.7.2. The following security measures are implemented by ENERTRAG:

9.7.2.1. ENERTRAG implements numerous Security measures to protect personal information that is stored electronically and physically.

9.7.2.2. ENERTRAG ensures that appropriate security measures are taken and updates these measures on a regular basis.

9.7.2.3. ENERTRAG has also implemented various policies for additional security for personal information stored both physically and electronically.

9.7.2.4. The personal information that is stored physically is protected as follows:

- (i) Where physical records of the data exist, such records will be stored in a secure area that can be 'locked-away' as to avoid a breach of the personal information.
- (ii) Such physical data records will be 'locked-away' and secured when not in use.

10. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of certain provisions of the following legislation to the persons or entities specified in such legislation:

- *Administration of Estates Act 66 of 1965*
- *Arbitration Act 42 of 1965*
- *Basic Conditions of Employment Act 75 of 1997*
- *Broad Based Black Economic Empowerment Act 53 of 2003*
- *Close Corporations Act 69 of 1984*
- *Companies Act 71 of 2008*
- *Compensation for Occupational Injuries and Health Diseases Act 130 of 1993*
- *Constitution of the Republic of South Africa Act 108 of 1996*
- *Criminal Procedure Act 51 of 1977*
- *Customs and Excise Act 91 of 1964*
- *Electronic Communications and Transactions Act 25 of 2002*
- *Employment Equity Act 55 of 1998*
- *Environment Conservation Act 73 of 1989*
- *Financial Intelligence Centre Act, No. 38 of 2001*
- *Income Tax Act 58 of 1962*
- *Insolvency Act No. 24 of 1936*
- *Labour Relations Act 66 of 1995*
- *Minerals Act 50 of 1991*
- *Mineral and Petroleum Resources Development Act 28 of 2002*
- *National Environmental Management Act 107 of 1998*
- *National Environmental Management: Waste Act 59 of 2008*
- *National Water Act 36 of 1999*
- *Occupational Health & Safety Act 85 of 1993*
- *Prevention and Combatting of Corrupt Activities Act 12 of 2004*
- *Prevention of Organised Crime Act 14 of 1998*
- *Promotion of Access to Information Act No 2 of 2000*
- *Protection of Personal Information Act No 4 of 2013*
- *Patents, Designs and Copyright Merchandise Marks Act, No. 17 of 1941*
- *Skills Development Act 97 of 1998*
- *Skills Development Levies Act 9 of 1999*
- *Tax Administration Act 28 of 2011*
- *Trademark Act No 194 of 1993*
- *Unemployment Contributions Act 4 of 2002*

- *Unemployment Insurance Act 63 of 2001*
- *Value Added Tax Act 89 of 1991*

11. CATEGORIES OF RECORDS AVAILABLE UPON REQUEST

- 11.1. ENERTRAG maintains records on the categories and subject matters listed below. Please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis in accordance with the provisions of PAIA.
- 11.2. Please note further that many of the records held by ENERTRAG are those of third parties, such as clients and employees, and ENERTRAG takes the protection of third-party confidential information very seriously. In particular, where ENERTRAG acts as professional advisors to clients, many of the records held are confidential and others are the property of the client and not of ENERTRAG. For further information on the grounds of refusal of access to a record please see paragraph 12.5 below. Requests for access to these records will be considered very carefully. Please ensure that requests for such records are carefully motivated.

Category of records	Records
<p>Internal records</p> <p>The records listed pertain to ENERTRAG's own affairs</p>	<ul style="list-style-type: none"> • Memoranda and Articles of Association • Financial records • Operational records • Intellectual property • Marketing records • Internal correspondence • Service records • Statutory records • Internal policies and procedures • Minutes of meetings • Tradename Registrations • Share Certificates
<p>Client-related records</p>	<ul style="list-style-type: none"> • Contracts with the client and between the client and other persons
<p>Other third-party records</p> <p>Records are kept in respect of other parties, including without limitation joint ventures and consortia to which ENERTRAG is a party, contractors and</p>	<ul style="list-style-type: none"> • Personnel, client, or ENERTRAG records which are held by another party as opposed to being held by ENERTRAG • Records held by ENERTRAG pertaining to other parties, including financial records,

Category of records	Records
<p>sub-contractors, suppliers, service providers, and providers of information regarding general market conditions. In addition, such other parties may possess records which can be said to belong to ENERTRAG.</p>	<p>correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors or suppliers</p>
<p>Transformation and Stakeholder Development Records</p>	<ul style="list-style-type: none"> • Proposals for funding received • Records concerning organisations receiving support • Schedules of approved projects • Reports, books, publications and general information • Records and contracts of agreements
<p>Corporate Affairs Records</p>	<ul style="list-style-type: none"> • Database of current and past institutional investors • Database of analysts • Media database • General mailing lists • Promotional material • Company article and newspaper records • Presentations on ENERTRAG • Market research on ENERTRAG and peers • Company press releases • Media coverage on ENERTRAG and peers
<p>Human Resources Records and personnel records</p> <p>For the purposes of this section, “personnel” means any person who works for or provides services to or on behalf of ENERTRAG and receives or is entitled to receive any remuneration and any other person who assists in carrying out or conducting the business of ENERTRAG. This includes partners, directors, all permanent, temporary and</p>	<ul style="list-style-type: none"> • Booklets and Codes for employees • Collective agreements • Human Resources Policies • Employee records relating to: <ul style="list-style-type: none"> ○ Employment ○ Remuneration and Incentives ○ Accommodation ○ Performance Management ○ Employee Development ○ Employee Relations ○ Employee Care

Category of records	Records
<p>part-time staff as well as consultants and contract workers.</p>	<ul style="list-style-type: none"> ○ Human Resource Administration ○ Health and Wellness ○ Managerial ○ Disciplinary Hearings ○ Employment Equity Plan ● Any personal records provided to us by our personnel ● Any records a third party has provided to us about any of their personnel ● Conditions of employment and other personnel-related contractual and quasi legal records ● Employment policies and procedures ● Internal evaluation and disciplinary records and ● Other internal records and correspondence.
<p>Finance</p>	<ul style="list-style-type: none"> ● Records for ENERTRAG comprise: <ul style="list-style-type: none"> ○ Vendor invoices ○ Remittance advices ○ Accounts receivable ○ Banking records ○ Management and monthly accounts, quarterly and annual financial statements ○ External audit reports and records ○ Annual budgets ○ Fixed asset register ○ Accounting policies and procedures ○ Benchmarking ○ Guarantees, undertakings, subordinations, bonds and similar liabilities ● Other records comprise: <ul style="list-style-type: none"> ○ Financial correspondence

Category of records	Records
	<ul style="list-style-type: none"> • Operational Audit and Risk
Legal	<ul style="list-style-type: none"> • Details of external counsel used by the company (locally and abroad) • Offshore company data sheets • Copies of agreements to which group companies are party to • List of current matters • Details of legal proceedings • General legal correspondence
Tax	<ul style="list-style-type: none"> • Tax returns as filed with the South African Revenue Services (“SARS”) • Correspondence with SARS on various issues <ul style="list-style-type: none"> ○ including objections to assessments, rulings obtained etc ○ Documentation on tax advice and opinions obtained from external counsel • Documentation on “internal” matters of ENERTRAG e.g. employees’ tax matters etc.
Information and Communication Technology	<ul style="list-style-type: none"> • Supply and maintenance contracts • Projects feasibility studies and proposals • Policies, standards and procedures • Internal reports and correspondence • ICT strategy plan • Audit reports pertaining to ICT • Project plans and project minutes • Software licensing agreements • Website Information • Domain Name Registrations
Other records	<ul style="list-style-type: none"> • Information relating to ENERTRAG • Research information belonging to ENERTRAG or carried out on behalf of a third party

12. REQUEST PROCEDURE

12.1. Completion of the prescribed form

- 12.1.1. Any request for access to a record in terms of PAIA must substantially correspond with Form C of Annexure B to Government Notice No. R.187 dated 15 February 2002 and should be specific in terms of the record requested. Please refer to Appendix B.
- 12.1.2. A request for access to information which does not comply with the formalities as prescribed by PAIA will be returned to you.
- 12.1.3. POPIA provides that a data subject may, upon proof of identity, request ENERTRAG to confirm, free of charge, all the information it holds about the data subject and may request access to such information, including information about the identity of third parties who have or have had access to such information.
- 12.1.4. POPIA also provides that where the data subject is required to pay a fee for services provided to him/her, ENERTRAG must provide the data subject with a written estimate of the payable amount before providing the service and may require that the data subject pays a deposit for all or part of the fee.
- 12.1.5. Grounds for refusal of the data subject's request are set out in PAIA and are discussed below.
- 12.1.6. POPIA provides that a data subject may object, at any time, to the processing of personal information by ENERTRAG, on reasonable grounds relating to his/her particular situation, unless legislation provides for such processing. The data subject must complete the prescribed form attached hereto as Appendix C and submit it to the Information Officer at the postal or physical address, electronic mail address set out above.
- 12.1.7. A data subject may also request ENERTRAG to correct or delete personal information about the data subject in its possession or under its control that is inaccurate, irrelevant, excessive, out of date, incomplete, misleading or obtained unlawfully; or destroy or delete a record of personal information about the data subject that ENERTRAG is no longer authorised to retain records in terms of POPIA's retention and restriction of records provisions.
- 12.1.8. A data subject that wishes to request a correction or deletion of personal information or the destruction or deletion of a record of personal information must submit a request to the Information Officer at the postal or physical address,

facsimile number or electronic mail address set out above on the form attached hereto as Appendix D.

12.2. **Proof of identity**

- 12.2.1. Proof of identity is required to authenticate your identity and the request. You will, in addition to this prescribed form, be required to submit acceptable proof of identity such as a certified copy of your identity document or other legal forms of identity.
- 12.2.2. The prescribed form must be completed with enough particularity to enable the Information Officer to determine:
 - a) The record(s) requested;
 - b) The identity of the requestor;
 - c) What form of access is required; and
 - d) The Postal address or fax number of the requestor.
- 12.2.3. Where the request is made on behalf of another person, the requestor must submit proof, in the form of an affidavit or letter of consent, of the capacity in which the requestor is making the request to the satisfaction of the Information Officer.

12.3. **Payment of the prescribed fees**

- 12.3.1. There are two categories of fees which are payable:
 - 12.3.1.1. The request fee: R140.00 (payable on every request)
 - 12.3.1.2. The access fee: This is calculated by taking into account reproduction costs, search and preparation costs, as well as postal costs. These fees are set out in Appendix B.
- 12.3.2. Section 54 of PAIA entitles ENERTRAG to levy a charge or to request a fee to enable it to recover the cost of processing a request and providing access to records. The fees that may be charged are set out in Regulation 9(2)(c) promulgated under PAIA.
- 12.3.3. Where a decision to grant a request has been taken, the record will not be disclosed until the necessary fees have been paid in full.

12.4. **Timelines for consideration of a request and request guidelines**

- 12.4.1. Requests will be processed within 30 (thirty) days, unless the request contains considerations that are of such a nature that an extension of the time limit is needed.
- 12.4.2. Should an extension be required, you will be notified, together with reasons explaining why the extension is necessary.
- 12.4.3. The period of 30 days may be extended by not more than 30 additional days, if the request is for a large quantity of information, or the request requires a search for information held at another office of the company and the information cannot be reasonably obtained within 30 days, the Information Officer will notify the requestor in writing should an extension be necessary.
- 12.4.4. The requestor will be informed in writing whether access to the records have been granted or denied. If the requestor requires a reason for the decision the request must be expressed in the prescribed form, the requestor must be further stated what particulars of the reasoning the requestor requires.
- 12.4.5. If a requestor has requested the records on another individual's behalf, the requestor must submit proof of the capacity the requestor submits the request in, to the satisfaction of the information officer.
- 12.4.6. Should the requestor have any difficulty with the form or the process laid out herein, the requestor should contact the Information Officer for assistance.
- 12.4.7. An oral request can be made, should the requestor be unable to complete the form due to illiteracy or a disability. Upon receipt of the oral request, the requestor will be duly assisted in completing the form.

12.5. **Grounds for refusal of access and protection of information**

- 12.5.1. There are various grounds upon which a request for access to a record may be refused. These grounds include:
- the protection of personal information of a third person (who is a natural person) from unreasonable disclosure;
 - the protection of commercial information of a third party (for example: trade secrets; financial, commercial, scientific or technical information that may harm the commercial or financial interests of a third party);

- if disclosure would result in the breach of a duty of confidence owed to a third party;
- if disclosure would jeopardise the safety of an individual or prejudice or impair certain property rights of a third person;
- if the record was produced during legal proceedings, unless that legal privilege has been waived;
- if the record contains trade secrets, financial or sensitive information or any information that would put ENERTRAG (at a disadvantage in negotiations or prejudice it in commercial competition); and/or
- if the record contains information about research being carried out or about to be carried out on behalf of a third party or by ENERTRAG.
- for the mandatory protection of confidential information of third parties if it is protected in terms of any agreement;
- for the mandatory protection of the safety of individuals and the protection of property;
- if the requests for records are clearly frivolous or vexatious, or involve an unreasonable diversion of resources.

12.5.2. Section 70 of PAIA contains an overriding provision. Disclosure of a record is compulsory if it would reveal (i) a substantial contravention of, or failure to comply with the law; or (ii) there is an imminent and serious public safety or environmental risk; and (iii) the public interest in the disclosure of the record in question clearly outweighs the harm contemplated by its disclosure.

12.5.3. If the request for access to information affects a third party, then such third party must first be informed within 21 (twenty one) days of receipt of the request. The third party would then have a further 21 (twenty one) days to make representations and/or submissions regarding the granting of access to the record.

13. **REMEDIES AVAILABLE TO A REQUESTER ON REFUSAL OF ACCESS**

13.1. If the Information Officer decides to grant you access to the particular record, such access must be granted within 30 (thirty) days of being informed of the decision.

13.2. There is no internal appeal procedure that may be followed after a request to access information has been refused. The decision made by the Information Officer is final. In the event that you are not satisfied with the outcome of the request, you are entitled to apply to a court of competent jurisdiction to take the matter further.

13.3. Where a third party is affected by the request for access and the Information Officer has decided to grant you access to the record, the third party has 30 (thirty) days in which to appeal the decision in a court of competent jurisdiction. If no appeal has been lodged by the third party within 30 (thirty) days, you must be granted access to the record.

14. **AVAILABILITY OF THIS MANUAL**

Copies of this Manual are available for inspection, free of charge, at the offices of ENERTRAG and on our website at <https://www.ENERTRAG.co.za/>.

ACCESS REQUEST FORM**Particulars of ENERTRAG's Information Officer**

Information Officer	Sebastian Tobias Bischof-Niemz
Physical Address	Suite 104, 1st Floor, Albion Springs, 183 Main Road, Rondebosch, Cape Town, 7700
Postal Address	Suite 104, 1st Floor, Albion Springs, 183 Main Road, Rondebosch, Cape Town, 7700
Telephone	(021) 207 2185
Email	info@enertrag.co.za
Website	https://www.ENERTRAG.co.za/

APPENDIX A

FORM 1

REQUEST FOR A COPY OF THE GUIDE
[Regulations 3]

TO: The Information Officer

I,

Full Names:			
In my capacity as (<i>mark with "X"</i>):	Information Officer:		Other:
Name of Public/Private Body (if applicable):			
Postal Address:			
Street Address:			
E-mail Address:			
Facsimile:			
Contact Numbers:	Tel. (B):		Cellular:

Hereby request the following copy(ies) of the Guide:

Language (<i>mark with "X"</i>):	No of Copies	Language (<i>mark with "X"</i>):	No of Copies
Sepedi		Sepedi	
Setswana		Setswana	
Tshivenda		Tshivenda	
Afrikaans		Afrikaans	
isiNdebele		isiNdebele	
isiZulu		isiZulu	
English			

Manner of Collection (*mark with "X"*):

Personal Collection	Postal Address	Facsimile	Electronic Communication (Please Specify)

Signed at _____ this _____ day of _____ 20 ____.

Signature of Requester

APPENDIX B

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulations 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

(Address)

E-mail Address: _____

Fax Number: _____

Mark with an "X"

- Request is made in my own name Request is made on behalf of another person

PERSONAL INFORMATION				
Full Names:				
Identity Number:				
Capacity in which request is made <i>(when made on behalf of another person):</i>				
Postal Address:				
Street Address:				
E-mail Address:				
Contact Numbers:	Tel. (B):		Facsimile:	
	Cellular:			
Full Name of person on whose behalf request is made <i>(if applicable):</i>				
Identity Number:				
Postal Address:				
Street Address:				
E-mail Address:				
	Tel. (B):		Facsimile:	

Contact Numbers:				
	Cellular:			
PARTICULARS OF RECORD REQUESTED				
<p><i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p>				
Description of record or relevant part of the record:				
Reference number, if available:				
Any further particulars of record:				

TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>	
Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	

FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED	
<i>If the provided space is inadequate, please continue on a separate page and attach it to the Form. The requester must sign all the additional pages.</i>	
Indicate which right is to be exercised or protected	
Explain why the record requested is required for the exercise or protection of the aforementioned right:	

FEES	
a) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record. d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.	
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal Address	Facsimile	Electronic Communication (Please Specify)

Signed at _____ this _____ day of _____ 20 ____.

Signature of Requester / Person on whose behalf request is made

FOR OFFICAL USE

<i>Reference Number:</i>	
<i>Request received by: (State Rank, Name and Surname of Information Officer)</i>	
<i>Date Received:</i>	
<i>Access Fees:</i>	
<i>Deposit (if any):</i>	

Signature of Information Officer

APPENDIX C

FORM 1

**OBJECTION TO THE PROCESSING OF PERSONAL INFORMATION
IN TERMS OF SECTION 11(3) OF THE
PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013)**

**REGULATIONS RELATING TO THE
PROTECTION OF PERSONAL INFORMATION, 2017**

[Regulation 2(1)]

Note:

1. *Affidavits or other documentary evidence in support of the objection must be attached.*
2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number _____

DETAILS OF DATA SUBJECT	
Name and Surname of Data Subject	
Residential, postal or business address	
Contact number(s)	
Fax number:	
E-mail address:	

DETAILS OF RESPONSIBLE PARTY	
Name and Surname of Responsible Party (if the Responsible Party is a natural):	

Residential, postal or business address	
Contact number(s)	
Fax number:	
E-mail address:	
Name of Public Body or Private Body (if Responsible Party not a natural person):	
Business address:	
	Code ()
Contact number(s):	
Fax number:	
e-mail address:	

<p>REASONS FOR OBJECTION <i>(Please provide detailed reasons for the objection)</i></p>

Signed at _____ this _____ day of _____ 20 ____.

Signature of Data Subject (Applicant)

APPENDIX D

FORM 2

REQUEST FOR CORRECTION OR DELETION OF PERSONAL INFORMATION OR DESTROYING OR DELETION OF RECORD OF PERSONAL INFORMATION IN TERMS OF SECTION 24(1) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.4 OF 2013)

REGULATIONS RELATING TO THE PROTECTION OF PERSONAL INFORMATION, 2017

[Regulation 3(2)]

NOTE:

- 1. *Affidavits or other documentary evidence in support of the request must be attached.*
- 2. *If the space provided for in this Form is inadequate, submit information as an Annexure to this Form and sign each page.*

Reference Number _____

Mark the appropriate box with an "x"

1. Request For:

Correction or deletion of personal information about the data subject which is in possession or under the control of the responsible party.

Destroying or deletion of a record of personal information about the data subject which is in possession or under the control of the responsible party and who is no longer authorized to retain the record of information.

DETAILS OF DATA SUBJECT	
Name and Surname of Data Subject	
Residential, postal or business address	

Contact number(s)	
Fax number:	
E-mail address:	

DETAILS OF RESPONSIBLE PARTY	
Name and Surname of Responsible Party (if the Responsible Party is a natural):	
Residential, postal or business address	
Contact number(s)	
Fax number:	
E-mail address:	
Name of Public Body or Private Body (if Responsible Party not a natural person):	
Business address:	Code ()
Contact number(s):	
Fax number:	
e-mail address:	

<p>REASONS FOR</p> <p>*CORRECTION OR DELETION OF THE PERSONAL INFORMATION ABOUT THE DATA SUBJECT/</p> <p>*DESTRUCTION OR DELETION OF A RECORD OF PERSONAL INFORMATION ABOUT THE DATA SUBJECT WHICH IN IN THE POSSESSION OR UNDER THE CONTROL OF THE RESPONSIBLE PARTY</p> <p><i>(Please provide detailed reasons for the objection)</i></p>

Signed at _____ this _____ day of _____ 20 ____.

Signature of Data Subject

APPENDIX E

FORM 3

OUTCOME OF REQUEST AND OF FEES PAYABLE

[Regulation 8]

1. *If your request is granted –*
 - (a) *Amount of the deposit, if any, is payable before your request is processed; and Requested record/ portion of the record will only be released once proof of full payment is received.*
2. *Please use the reference number hereunder in all future correspondence.*

Reference number: _____

TO: _____

Your request dated _____ refers

1. You Requested

<p>Personal Inspection of information at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i> is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you.</p> <p>If you then require any form of reproduction of the information, you will be liable for the fees in Annexure B</p>	
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OR

2. You Requested

Printed copies of the information <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription or virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of information on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of information on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

3. To be Submitted

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	
Preferred language: <i>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)</i>	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

4. Fees payable with regards to your request:

Item	Cost per A4-sizepage or part thereof/item	Number of pages/items	Total
The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2)	R140.00		
Photocopy	R2.00		
Printed copy	R2.00		
For a copy in a computer-readable form on:			
(i) Flash drive			
• To be provided by requestor	R40.00		
(ii) Compact disc			
• If provided by requestor	R40.00		
• If provided to the requestor	R60.00		
For a transcription of visual images per A4-sizepage	Service to be outsourced. Will		
	depend on the quotation of the		
Copy of visual images	service provider		
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive			
• To be provided by requestor	R40.00		
(ii) Compact disc			
• If provided by requestor	R40.00		
• If provided to the requestor	R60.00		
Postage, e-mail or any other electronictransfer:	Actual costs		
TOTAL:			

1. Deposit payable (if search exceeds six hours):

Yes

No

Hours of search		Amount of deposit <i>(calculated on one third of total amount per request)</i>	
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The amount must be paid into the following Bank account:
Name of Bank:

Name of account holder:

Type of account:

Account number:

Branch Code:

Reference Nr:

Submit proof of payment to:

Signed at _____ this _____ day of _____ 20 _____

Information officer