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## **PAIA MANUAL**

**PREPARED IN TERMS OF SECTION 51 OF THE *PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 (AS AMENDED)* AND THE *PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (AS AMENDED)***

**OF**

**SOLAR SOLUTIONS ENGINEERING SA (PTY) LTD  
("SSESA")**

**COMPILED: SEPTEMBER 2023**

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## 1. INTRODUCTION

SSESA understands the importance of transparency and the Constitutional right of access to information and will do our utmost best to ensure that anyone who requires access to any record to fully exercise and protect their rights has access to the PAIA Guide prepared by the Regulator as well as assistance from SSESA in undertaking the request process. SSESA takes extreme care to ensure all the records we hold are protected from unlawful access and are processed in accordance with South African law. To this end, SSESA has prepared this PAIA manual in accordance with the requirements of section 51 of PAIA to assist anyone where they seek to request access to information held by SSESA under PAIA.

## 2. DEFINITIONS AND INTERPRETATION

In this Agreement, unless otherwise indicated by context, the following words and expressions bear the meanings assigned to them and cognate expressions bear corresponding meanings:

- 2.1. **"CEO"** means the Chief Executive Officer;
- 2.2. **"DIO"** means the Deputy Information Officer;
- 2.3. **"IO"** means Information Officer;
- 2.4. **"PAIA"** means the *Promotion of Access to Information Act, 2 of 2000*, as amended;
- 2.5. **"POPI"** means the *Protection of Personal Information Act, 4 of 2013*, as amended;
- 2.6. **"Regulator"** means the Information Regulator established in terms of section 39 of POPI;
- 2.7. **"Regulations"** means the regulations published in terms of section 92 of PAIA; and
- 2.8. **"South Africa"** means the Republic of South Africa.

## 3. PURPOSE OF PAIA MANUAL

The purpose of this PAIA manual is to assist anyone to:

- 3.1. review the categories of records held by SSESA which are available without having to submit a formal PAIA request;
- 3.2. understand how to make a request for access to a record of SSESA, by providing a description of the subjects on which we hold records and the categories of records held under each subject;
- 3.3. review the types of records of SSESA which are available in accordance with any other legislation;
- 3.4. access all the relevant contact details of the IO of SSESA who will assist with the records anyone intends to access;
- 3.5. understand how to access the guide on how to use PAIA, as updated by the Regulator;
- 3.6. understand whether SSESA will process personal information, the purposes for which we process personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;



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- 3.7. distinguish the categories of data subjects and of the information or categories of information relating thereto;
  - 3.8. identify the third parties to whom personal information may be supplied by SSESAs;
  - 3.9. identify if SSESAs has planned to transfer or process personal information outside of South Africa and the parties to whom the personal information may be transferred; and
  - 3.10. understand the appropriate security measures which SSESAs employs to ensure the confidentiality, integrity and availability of the personal information we process.
4. **GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE**
- 4.1. The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("**PAIA Guide**"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPI.
  - 4.2. The Regulator has made the PAIA Guide available in each of the official languages of South Africa and in braille.
  - 4.3. The PAIA Guide contains the following:
    - 4.3.1. The objects of PAIA as well as POPI;
    - 4.3.2. How to access the postal address, telephone number and email address of every registered IO and DIO (for both public and private bodies);
    - 4.3.3. The manner and form of request for:
      - 1.1.1.1. access to a record of a public body contemplated in section 11 of PAIA; and
      - 1.1.1.2. access to a record of a private body contemplated in section 50 of PAIA.
    - 4.3.4. the assistance available from the IO of a body in terms of PAIA and POPI;
    - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPI;
    - 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPI, including the manner of lodging –
      - 1.1.1.3. an internal appeal;
      - 1.1.1.4. a complaint to the Regulator; and
      - 1.1.1.5. an application with a court against a decision by the IO of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
    - 4.3.7. the provisions of sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;



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- 4.3.8. the provisions of sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
  - 4.3.9. the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
  - 4.3.10. the Regulations.
  - 4.4. Anyone can inspect or make copies of the PAIA Guide from SSESAs offices as well as, the office of the Regulator, during normal working hours.
  - 4.5. The PAIA Guide can also be obtained -
    - 4.5.1. upon request to SSESAs IO;
    - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/inforeg/>).
  - 4.6. A copy of the PAIA Guide is also available in the following two official languages, for public inspection during normal office hours-
    - 4.6.1. English; and
    - 4.6.2. Afrikaans.
- 5. CONTACT DETAILS FOR ACCESS TO INFORMATION**
- 5.1. INFORMATION OFFICER**
- Name: Genevieve Starke  
Telephone: 021 203 9904  
Email: [gen@ssesa.co.za](mailto:gen@ssesa.co.za)
- 5.2. GENERAL CONTACT:**
- Email: [info@ssesa.co.za](mailto:info@ssesa.co.za)
- 5.3. SSESAs HEAD OFFICE**
- Physical Address: Unit 41&42 Freeway Park, Uppercamp Rd, Ndabeni, 7405  
Postal Address: PO BOX 1703, Hermanus, Western Cape, 7200  
Telephone number: 021 203 9904  
Website: <https://ssesa.co.za/>
- 6. PROCEDURE TO REQUEST ACCESS TO INFORMATION**
- 6.1. A request for access to information for a record held by SSESAs must be made on a form which corresponds substantially to that of Form 2 of the Regulations (attached hereto as Annexure A) along with proof of payment of the prescribed fee to SSESAs IO at the details listed above.
  - 6.2. When completing Form 2 or a form substantially similar, a requester must provide clear and accurate information and clearly state the right which the requestor seeks to

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exercise or protect, the record which they are seeking to access and an explanation as to how such record will assist them to exercise or protect their rights.

- 6.3. SSESAs has 30 (thirty) days within which to respond to any request received. Once a decision has been made, SSESAs IO will inform a requester of their decision whether to grant or refuse a request and any fees payable on a form that corresponds substantially to that of Form 3 of the Regulations.
- 6.4. SSESAs may refuse a request for access to a record on any of the grounds listed in Chapter 4 of PAIA (which are listed in the PAIA Guide).
- 6.5. A requestor is required to pay the request fee before a request will be processed. The request fee is listed in Annexure B to the Regulations. The current request fee payable is **R140.00 (one hundred and forty Rand) per request**.
- 6.6. The request fee must be paid into SSESAs's nominated bank account, details of which are available from our IO on request.

## 7. REMEDIES

- 7.1. If a requestor is unhappy with a decision made by SSESAs, they may submit a complaint to the Regulator.
- 7.2. A complaint to the Regulator must be made on a form which corresponds substantially to that of Form 5 of the Regulations, which is attached hereto as Annexure B. A complaint to the Regulator must be lodged within 180 (one hundred and eighty) days of receipt of the decision from SSESAs.
- 7.3. The complaint will then follow the dispute resolution process described in the Regulations as well as the PAIA Guide.

## 8. RECORDS WHICH ARE AVAILABLE WITHOUT REQUEST

- 8.1. The following records are made freely available and do not require any request to access:

Category of records	Types of the Record	Where Available
SSESAs Terms	Terms and Conditions of Use	On Website
SSESAs Policies	Privacy Policy	On Website

## 9. RECORDS WHICH ARE AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

- 9.1. The following records are freely available to the public in accordance with legislation –

Category of Records	Applicable Legislation
Memorandum of Incorporation	Companies Act 71 of 2008

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PAIA Manual	Promotion of Access to Information Act 2 of 2000
Privacy Policy	Protection of Personal Information Act 4 of 2013

10. **SUBJECTS AND CATEGORIES OF RECORDS HELD**

10.1. SSESa holds records on the following subjects:

Subject of Records	Categories of Records
Company Secretarial	Memorandum of Incorporation; share certificates, resolutions, director registrations, minutes of meetings, share register
Human Resources	HR policies and procedures; available employment opportunities; employee records
Finance	Banking/bank account records; contractual agreements, accounting records, financial statements and reports, invoices
Insurance	Insurance policy documents
Intellectual Property	Trademarks, copyright, knowhow, and contractual agreements; original designs
Tax	Income tax records, contractual agreements
Commercial Agreements	Service level agreements; employee agreements, contractor agreements
Property	Lease agreements
Information Technology	Software licenses, data protection measures, data retention formulae, breach recovery processes

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## 11. PROCESSING OF PERSONAL INFORMATION

### 11.1. Purpose of Processing

11.1.1. SSESAs processes personal information for legitimate business purposes and as a necessary function of a client's engagement with its services and with such client's express consent. SSESAs therefore processes personal information in the following circumstances:

- 1.1.1.6. to provide our services to a client;
- 1.1.1.7. for internal record keeping;
- 1.1.1.8. to contact a client regarding current or new SSESAs services or any other product offered by us;
- 1.1.1.9. to receive and accept services from independent contractors;
- 1.1.1.10. to provide it to service providers who need personal information to provide services to SSESAs;
- 1.1.1.11. to provide it to mandated government authorities when instructed to do so for legal compliance only (such as the Income Tax Act, FICA);
- 1.1.1.12. to improve SSESAs's product selection and user experiences on SSESAs's website through analytical data.

### 11.2. Data Subjects and Information Processed

As a responsible party, SSESAs processes the following information from the following list of data subjects –

Data Subjects	Personal Information that may be processed
Clients	Personal/company information; contact details; bank and payment details; geolocation information; social media data; and technical data.
Service Providers	Company information such as name, registration number, VAT information, registered address, information obtained from service level agreements such as trade secrets, confidential information and banking information.
Employees / Possible Employees / Directors / Shareholders	Full name, identify documentation, address, contact information, educational qualifications (including curriculum vitae), gender, race, banking information, tax information and medical information.



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Data Subjects	Personal Information that may be processed
Independent Contractors / Sub-Contractors	Company information such as name, registration number, VAT information, registered address, and/or personal information such as full name, address, identity number, contact information, and information obtained from contractual agreements such as confidential information, banking information and/or tax information.

### 11.3. Third Party Recipients to whom SSESAs Shares Personal Information

In accordance with our operational requirements, SSESAs share personal information with the following third parties –

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity, Contact, Social Media, Communication, Financial, Transactional, Contractual, Technical and Usage information.	Marketing, Outsourced IT service providers, Municipalities, Employees, General Suppliers, Business Bankers, Company Accountants.
Identity, Contact, Social Media, Communication, Financial, Transactional, Contractual, Technical and Usage information.	Marketing, Outsourced IT service providers, Municipalities, Employees, General Suppliers, Business Bankers, Company Accountants.

### 11.4. International Transfers

11.4.1. SSESAs may transfer personal information outside of South Africa in the following circumstances:

1.1.1.13. Personal information which is stored using secure cloud servers hosted outside of South Africa; and

1.1.1.14. When using the services of a software service provider based outside of South Africa.

11.4.2. Whenever SSESAs transfer any personal information outside of South Africa, we always ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards are implemented:

1.1.1.15. there are contracts in place with all such third parties, providing warranties that they will process the personal information at standards equal to or better than those applied by SSESAs; and



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- 1.1.1.16. SSESAs will only transfer personal information to countries that have been deemed to provide an adequate level of protection for personal information by the Regulator.

#### **11.5. Data Security**

- 11.5.1. To prevent the personal information SSESAs processes from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed by ensuring all data is encrypted using One Drive and all files and devices are password protected. All information processed is also restricted to only those individuals who need access based on role and level.

#### **12. AVAILABILITY OF PAIA MANUAL**

- 12.1. A copy of this PAIA Manual is available-
- 12.1.1. on our website, at <https://ssesa.co.za/>;
  - 12.1.2. at our offices during ordinary business hours;
  - 12.1.3. to any person upon request and upon the payment of a reasonable prescribed fee; and
  - 12.1.4. to the Information Regulator upon request.
- 12.2. The fee for a copy of this PAIA Manual, as contemplated in Annexure B of the Regulations, shall be payable per each A4-size photocopy made.

#### **13. UPDATE TO THIS PAIA MANUAL**

- 13.1. This PAIA Manual will be regularly updated by SSESAs's IO.
- 13.2. This PAIA Manual was last updated on 15 September 2023.

Thank you for your interest and if you have any questions, please direct them to SSESAs's IO.



**Genevieve Starke**

Information Officer



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## **ANNEXURE A**

[PAIA - Form 2.pdf](#)

## **ANNEXURE B**

[PAIA - Form 5.pdf](#)