



## **PRIVATE BODY MANUAL OF POWER PARTNERS PREPARED IN TERMS OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 ("PAIA")**

### **1. CONTACT DETAILS OF PRIVATE BODIES**

- 1.1 Name of Bodies: Power Partners Group (Proprietary) Limited  
(Company Registration Number: 2019/313103/07)
- Power Partners Consulting (Proprietary) Limited  
(Company Registration Number: 2019/313738/07)
- Power Partners Projects (Proprietary) Limited  
(Company Registration Number: 2019/313695/07)
- 1.2 Physical Address: 17 Fricker Road, Illovo, 2196
- 1.3 Postal Address: PO Box 784573, Sandton, 2146
- 1.4 Telephone: 011 550 5000
- 1.5 Facsimile: 086 538 4299
- 1.6 E-mail: [financial@powerpartners.co.za](mailto:financial@powerpartners.co.za)

### **2. OVERVIEW AND OBJECTIVES OF THE MANUAL**

- 2.1 PAIA gives effect to section 32 of the Constitution, which provides that everyone has the right to access information held by the State, as well as information held by another person (or private body) when such privately held information is required for the exercise and protection of rights.
- 2.2 More broadly, PAIA aims to underline the importance of access to information in a democratic society by fostering a culture of transparency and accountability. PAIA does this by requiring public (government) and private (non-government) bodies to create both a manual describing the type of records they hold, and procedures for others to access that information.
- 2.3 PAIA also sets limits on the types of information that can be accessed.
- 2.4 This manual is compiled in accordance with Section 14 of PAIA and offers an outline of information held by Power Partners, which is accessible to the public.

### 3. INTRODUCTION TO POWER PARTNERS

Power Partners Group was established in 2019 and is a wholly-owned subsidiary of One Capital. Power Partners provides safe and profitable engineering and renewable energy solutions through its dynamic approach whilst building and maintaining strategic relationships with its clients. The Power Partners team has over two decades of combined experience in building and renewable energy services.

Power Partners provides high quality engineering services in the building environment which include electrical engineering, electronic engineering and renewable energy solutions.

Power Partners also owns and operates long-term commercial solar photovoltaic ("PV") installations with direct electricity off-take agreements. Installations include roof and ground mounted structures.

### 4. INFORMATION OFFICER

4.1 Cobus Human is in terms of PAIA and the Protection of Personal Information Act, 4 of 2013 ("**POPIA**"), Power Partners' Information Officer. However, it is recommended that the designated Information Officer be used as a contact person for purposes of this Manual.

4.2 Accordingly, Patrick Bate has been duly designated by Power Partners' Information Officer, to act as the Information Officer and the person to whom requests for access to information must be made in terms of PAIA.

4.3 The Information Officer can be contacted at:

Postal Address: PO Box 784573, Sandton, 2146

Physical address: 17 Fricker Road, Illovo, 2196

Telephone: 011 550 5025

Facsimile: 086 538 4299

E-mail: [patrick@onecapital.co.za](mailto:patrick@onecapital.co.za)

### 5. SECTION 10 GUIDE

5.1 In terms of section 10 of PAIA as amended by POPIA, the South African Human Rights Commission ("**SAHRC**") has published a guide containing information relating to:

5.1.1 obtaining access to a record of a private body and the assistance that is available from the SAHRC and as of 1 July 2021, the Information Regulator;

5.1.2 lodging a court application against a decision by the head of a private body;

5.1.3 the fees that are payable for accessing a record; and

5.1.4 the voluntary disclosure of information by private bodies.

5.2 The contact details of the South African Human Rights Commission are as follows:

PAIA Unit

The Research and Documentation Department

Postal Address: Private Bag 2700, Houghton, 2041

Telephone: +27 11 484 8300

Facsimile: +27 11 484 0582

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [paia@sahrc.org.za](mailto:paia@sahrc.org.za)

Effective 1 July 2021, the Guide, as updated by the Information Regulator, will be available at the offices of the Information Regulator and on its website as prescribed by Section 10 of PAIA, and in accordance with POPIA. Please direct any queries regarding the Guide to:

5.3 The contact details of the Information Regulator are as follows:

Information Regulator

The Research and Documentation Department

Postal Address: P.O. Box 31533, Braamfontein,  
Johannesburg, 2017

Telephone: +27 10 023 5200

Website: [justice.gov.za](http://justice.gov.za)

E-mail (complaints): [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)

E-mail (general enquiries): [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

## 6. RECORDS THAT ARE AVAILABLE IN TERMS OF OTHER LEGISLATION

6.1 Where applicable and insofar as the requester complies with the requirements set out in PAIA and this manual, the requester may request information which is available in terms of the following legislation, as amended:

6.1.1 Basic Conditions of Employment Act 75 of 1997

6.1.2 Broad Based Black Economic Empowerment Act 53 of 2003

6.1.3 Companies Act 61 of 1973, 75 of 2008

6.1.4 Compensation for Occupational Injuries and Diseases Act 130 of 1993

6.1.5 Competition Act 89 of 1998

6.1.6 Copyright Act 98 of 1978

6.1.7 Electronic Communications and Transactions Act 25 of 2002

- 6.1.8 Employment Equity Act 55 of 1998
- 6.1.9 Income Tax Act 58 of 1962
- 6.1.10 Insolvency Act 24 of 1936
- 6.1.11 Labour Relations Act 66 of 1995
- 6.1.12 Medical Schemes Act 131 of 1998
- 6.1.13 Mineral and Petroleum Resources Development Act 28 of 2002
- 6.1.14 Occupational Health and Safety Act 85 of 1993
- 6.1.15 Patents Act 57 of 1987
- 6.1.16 Pension Funds Act 24 of 1956
- 6.1.17 Petroleum Products Act 120 of 1997
- 6.1.18 Protection of Personal Information Act 4 of 2013
- 6.1.19 Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- 6.1.20 Regional Services Councils Act 109 of 1985
- 6.1.21 SA Securities Act 36 of 2004
- 6.1.22 Trade Marks Act No 194 of 1993
- 6.1.23 Unemployment Insurance Act 63 of 2001
- 6.1.24 Unemployment Insurance Contributions Act 4 of 2002
- 6.1.25 Value Added Tax Act 89 of 1991

## **7. SUBJECTS AND CATEGORIES OF INFORMATION HELD**

- 7.1 This section of the manual sets out the subject and categories of records held by Power Partners. The inclusion of any subject or category of records should not be taken as an indication that records falling within those subjects and/or categories will be made available under the Act. In particular, certain grounds of refusal as set out in the Act may be applicable to a request for such records. The following information should be formally requested as set out in clause 8 below:
- 7.2 Constitution of Power Partners
  - 7.2.1 Constitutional documents (including incorporation documents and the memorandum of incorporation);
  - 7.2.2 Internal resolutions; and
  - 7.2.3 Details concerning the identity of the director.

- 7.3 Financial records, including:
  - 7.3.1 management accounts;
  - 7.3.2 budget reports;
  - 7.3.3 bank reports;
  - 7.3.4 audited financial statements;
  - 7.3.5 tax records (Company and Employees);
  - 7.3.6 audit reports; and
  - 7.3.7 insurance records.

- 7.4 Operational Information, including:
  - 7.4.1 budget reports; and
  - 7.4.2 monthly reports.

- 7.5 Business Strategy Information, including:
  - 7.5.1 business plan;
  - 7.5.2 budget reports;
  - 7.5.3 monthly reports; and
  - 7.5.4 annual reports.

- 7.6 Assets, including:
  - 7.6.1 asset register;
  - 7.6.2 bank account reconciliations;
  - 7.6.3 debtors' information; and
  - 7.6.4 share certificates.

- 7.7 Liabilities, including:
  - 7.7.1 general ledger; and
  - 7.7.2 loan agreements.

- 7.8 Marketing, including:
  - 7.8.1 business plan; and
  - 7.8.2 communication plans.

- 7.9 Information Technology, including:

- 7.9.1 asset register;
- 7.9.2 IT usage register;
- 7.9.3 software licenses;
- 7.9.4 repair and maintenance records;
- 7.9.5 software programmes; and
- 7.9.6 software records.
  
- 7.10 Human Resources, including:
  - 7.10.1 HR policies and procedures;
  - 7.10.2 employment equity reports;
  - 7.10.3 contracts of employment;
  - 7.10.4 payroll data; and
  - 7.10.5 employee records.
  
- 7.11 Management, including:
  - 7.11.1 records of management meetings.
  
- 7.12 Client care, including:
  - 7.12.1 client contracts;
  - 7.12.2 status reports; and
  - 7.12.3 call reports.
  
- 7.13 Contractual relationships, including:
  - 7.13.1 contracts with clients;
  - 7.13.2 contracts with suppliers;
  - 7.13.3 leases; and
  - 7.13.4 shareholder's agreements.
  
- 7.14 Company organisational structure, including:
  - 7.14.1 organogram; and
  - 7.14.2 shareholder's agreements.
  
- 7.15 Company secretarial, including:
  - 7.15.1 statutory documents;
  - 7.15.2 board resolutions;
  - 7.15.3 share certificates;

- 7.15.4 minute book;
- 7.15.5 company registers; and
- 7.15.6 audited results.
  
- 7.16 Intellectual Property
  - 7.16.1 Trademarks, patents, copyrights, designs held by Power Partners;
  - 7.16.2 Licences relating to intellectual property rights; and
  - 7.16.3 Other agreements relating to intellectual property rights.
  
- 7.17 Permits
  - 7.17.1 Licences, material permits, consents, approvals, authorisations and certificates;
  - 7.17.2 Applications for permits and licenses; and
  - 7.17.3 Registrations and declarations of permits.
  
- 7.18 Specific agreements relating to our business activities, including:
  - 7.18.1 Indemnity, confidentiality and non-disclosure agreements;
  - 7.18.2 Regulatory agreements;
  - 7.18.3 Agreements relating to transactions;
  - 7.18.4 Presentations to clients; and
  - 7.18.5 Research information.
  
- 7.19 Policy documents
  
- 7.20 Miscellaneous agreements, including:
  - 7.20.1 Loans from third parties (including banks);
  - 7.20.2 Loans to third parties;
  - 7.20.3 Suretyship agreements;
  - 7.20.4 Agreements restricting the trading activities of people related to Power Partners;
  - 7.20.5 Agency, management and distribution agreements;
  - 7.20.6 Agreements in terms of which Power Partners is a member of a joint venture, consortium, partnership, incorporated or unincorporated association, and shareholders' agreements of another entity which Power Partners is a party to; and
  - 7.20.7 Any other agreements.
  
- 7.21 Information relating to legal proceedings, including:
  - 7.21.1 Records relating to legal proceedings involving Power Partners.

## **8. THE REQUEST PROCEDURE**

### **8.1 Forms and fees**

8.1.1 A request for information must be made in the prescribed form, a copy of which is annexed hereto as Appendix 1, must be addressed to the head of Power Partners and must be submitted with the prescribed fee (if any).

8.1.2 The prescribed request form and details regarding the prescribed fees are available from the Power Partners Information Officer, the Information Regulator's website and from the South African Human Commission's offices and website, whose contact details are set out above.

### **8.2 Form of request**

8.2.1 The requester must use the prescribed form to make the request for access to a record. This must be made to the head of Power Partners. This request must be made to the address, facsimile number or electronic mail address of Power Partners.

8.2.2 The requester must provide sufficient detail on the request form to enable the head of Power Partners to identify the record and the requester. The requester should also indicate which form of access is required. The requester should indicate if it requires notice of the decision of the head of the private body in any manner, other than in writing.

8.2.3 The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right.

8.2.4 If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body.

### **8.3 Fees**

8.3.1 A requester who seeks access to a record containing personal information must pay the required request fee, if any.

8.3.2 The head of Power Partners must by notice, require the requester to pay the prescribed fee, if any, before further processing the request.

8.3.3 The requester may lodge an application to the high court relating to the payment of the request fee.

8.3.4 After the head of Power Partners has made a decision on the request, the requester must be notified in the required form.

8.3.5 If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time, in excess of the prescribed hours, required to search and prepare for the record disclosure.

8.3.6 The prescribed fees are available from the head of Power Partners and from the SAHRC (if the request is before 1 July 2021) or the Information Regulator (if the request is after 1 July 2021), whose contact details are set out above.



## PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

We process personal information that is necessary to enable us to provide our various services. Below are the various categories of personal information we collect and who we share personal information with.

Subject	Category
Data subject categories and their personal information	<ul style="list-style-type: none"><li>• Customers: records of customer life cycle</li><li>• Employees: record of employee life cycle</li><li>• General public: general enquiries and viewing the company website; name, e-mail address</li><li>• Industry bodies: membership records</li><li>• Media: records of media interactions</li><li>• Service providers: record of service provider life cycle</li></ul>
Recipients of personal information	<ul style="list-style-type: none"><li>• Industry bodies</li><li>• Law enforcement</li><li>• Medical aid schemes</li><li>• Purchasers on the sale or other substantial transfer of all of the business of Power Partners or its subsidiaries</li><li>• Regulators</li><li>• Operators (service providers)</li><li>• Statutory authorities</li></ul>
Security measures to protect personal information	<p>We use reasonable security methods to protect data that is provided to us and resides on our servers. Our security measures include:</p> <ul style="list-style-type: none"><li>• Physical security measures</li><li>• Access control measures</li><li>• Internal security measures</li><li>• Cyber security measures</li><li>• Anti-virus measures</li><li>• Installing security firewalls</li><li>• Password control</li><li>• Training programmes on information security</li><li>• Information security audits</li><li>• IT-related company policies</li></ul>

For more information on how we process personal information, please see our privacy policy available at [www.powerpartners.co.za](http://www.powerpartners.co.za).

### 9. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS AS STIPULATED IN SECTION 63 TO 69 OF PAIA AND POPIA:

9.1 Power Partners may deny access to certain records on the basis of the grounds set out in PAIA. These include:

9.1.1 mandatory protection of the privacy of a third party who is a natural person, including a deceased individual;

- 9.1.2 mandatory protection of commercial information of a third party;
- 9.1.3 mandatory protection of certain confidential information, special personal information and confidential information of a third party;
- 9.1.4 mandatory protection of the safety of individuals and protection of property;
- 9.1.5 mandatory protection of records privileged from production in legal proceedings;  
or
- 9.1.6 mandatory protection of research information of a third party.
- 9.2 Power Partners may deny access to commercial information if the record:
  - 9.2.1 contains trade secrets of a third party;
  - 9.2.2 contains financial, commercial, scientific or technical information, the disclosure of which would be likely to harm the commercial or financial interests of a third party's company; or
  - 9.2.3 contains information, the disclosure of which would reasonably be expected to put a third party's company at a disadvantage in contractual or other negotiations, or to prejudice the company in commercial competition.
- 9.3 Power Partners must refuse a request for access to a record if its disclosure would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.

## **10. OTHER INFORMATION REQUIRED BY LEGISLATION**

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

## **11. AVAILABILITY OF THE MANUAL**

- 11.1 This manual is available for inspection at Power Partners' physical address as stated above and website [available at: <https://www.powerpartners.co.za/>], free of charge.
- 11.2 A copy of this manual can be obtained from the South African Human Rights Commission, until 30 June 2021.
- 11.3 The request forms and fee structure can be obtained via the Information Regulator's website and the South African Human Rights Commission's website, details of which are set out above. Request forms are also available on the Department of Justice and Constitutional Development's website which website can be accessed using the universal resource locator: [www.doj.gov.za](http://www.doj.gov.za).

## APPENDIX 1

### FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY

Section 53(1) of the Promotion of Access to Information Act 2 of 2000

#### A. PARTICULARS OF PRIVATE BODY

**Name of Private Body:** Power Partners [Group/Consulting/Projects] (Proprietary) Limited  
Registration No \_\_\_\_\_

**The Head:** [•]

**Physical Address:** [•]

**Postal Address:** [•]

**Telephone:** [•]

**Telefacsimile:** [•]

**E-Mail:** [•]

#### B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- (a) *The full particulars of the person who requests access to the record must be given below.*
- (b) *The address and/or fax number in the Republic to which the information is to be sent must be given.*
- (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

**Full names and surname:** \_\_\_\_\_

**Identity Number:** \_\_\_\_\_

**Postal Address:** \_\_\_\_\_

**Fax Number:** \_\_\_\_\_ **Telephone Number:** \_\_\_\_\_

**E-Mail address:** \_\_\_\_\_

**Capacity in which request is made, when made on behalf of another person:** \_\_\_\_\_

#### C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

*This section must be completed ONLY if a request for information is made on behalf of another*

person.

Full names and surname: \_\_\_\_\_

Identity Number: \_\_\_\_\_

#### D. PARTICULARS OF RECORD

- (a) 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.
- (b) 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.**

Description of record or relevant part of the record: \_\_\_\_\_

Reference number, if available: \_\_\_\_\_

Any further particulars of record: \_\_\_\_\_

#### E. FEES

- (a) 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.
- (b) You will be notified of the amount required to be paid as the request fee.
- (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 for exemption from payment of fees:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**F. FORM OF ACCESS TO RECORD**

*If you are prevented by an impediment or 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: <hr/> <hr/> <hr/>		Form in which record is required: <hr/> <hr/> <hr/>	
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Mark the appropriate box with an "X":

**NOTES:**

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

<b>1. If the record is in written or printed form:</b>			
	Copy of record*		Inspection of record
<b>2. If record consists of visual images</b> (this includes photographs, slides video recordings, computer-generated images, sketches, etc.):			
	View the images		Copy of the images*
			Transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>			
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack (written or printed document)*
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>			
	Printed copy of record*		Printed copy of information derived from the record*
			Copy in computer readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?			<b>YES</b>
			<b>NO</b>
<b>Postage is payable.</b>			

**G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**

*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.*

**1. Indicate which right is to be exercised or protected:**

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**2. Explain why the record requested is required for the exercise or protection of the aforementioned right:**

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**H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS**

*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?**

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Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

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SIGNATURE OF REQUESTER/PERSON ON  
WHOSE BEHALF REQUEST IS MADE