



PAIA & POPIA MANUAL

Azari Wind (Pty) Ltd

Company Registration number: 2011/002624/07
 (including all divisions, subsidiaries and affiliates, as set out below)
 (hereinafter referred to as “Azari”)

Entity name	Registration number	Country of incorporation
Azari Kenya Ltd	CPR/2015/187519	Kenya
Azari South Africa (Pty) Ltd	2016/231706/07	South Africa
Azari Wind B.V.	69017980	The Netherlands
Azari Investments (Pty) Ltd	2004/010866/07	South Africa
Azari Wind Europe Kft	01-09-384841	Hungary
Azari Wind Finland Oy	2425412-8	Finland
Sustainable Technology Partners (Pty) Ltd	2020/892059/07	South Africa
Ventus Academy (Pty) Ltd	2021/672225/07	South Africa

Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended) and to address the requirements of the Protection of Personal Information Act, 2013.

DATE OF COMPILATION: 18/10/2021
DATE OF REVISION: 18/10/2021

A copy of this manual is available for inspection at Azari’s Head Office situated at 11 De Beers Avenue, Paardevlei, Somerset West 7130, South Africa; and at Azari’s website: www.azarigroup.com

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1. LIST OF ACRONYMS AND DEFINITIONS

- 1.1 **“IO”** Information Officer;
- 1.2 **“PAIA”** Promotion of Access to Information Act No. 2 of 2000 (as amended);
- 1.3 **“POPIA”** Protection of Personal Information Act No. 4 of 2013;
- 1.4 **“Regulator”** Information Regulator; and
- 1.5 **“Republic”** Republic of South Africa

2. INTRODUCTION TO THE AZARI GROUP

Azari was founded in 2013 to service the up-and-coming South African wind energy sector, and has installed 700+ wind turbines over a period of 9 years. Our scope has included Project Management and the execution of Port and Transport works, as well as site Crane and Installation services. Azari now executes projects globally for all leading wind turbine manufacturers.

3. PURPOSE OF THIS MANUAL

This Manual is useful for the public to-

- 2.1 check the categories of records held by Azari which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of Azari, by providing a description of the subjects on which Azari holds records and the categories of records held on each subject;
- 2.3 know the description of the records of Azari which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if Azari will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if Azari has planned to transfer or process personal information outside the Republic and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether Azari has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE AZARI GROUP

4.1. Chief Information Officer

Name: Mercle Vermaak
 Tel: +27 (0)21 8521114
 Email: mercle@azarigroup.com

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- Fax number: +27 (0)86 2604313
- 3.3 Access to information general contacts:
- Email: info@azarigroup.com
- 3.4 **National or Head Office**
- Postal Address: Postnet Suite 825, Private Bag X15, Somerset West 7129
- Physical Address: 11 De Beers Avenue, Paardevlei, Somerset West 7130
- Telephone: +27 (0)21 8521114
- Email: info@azarigroup.com
- Website: www.azarigroup.com

5. HUMAN RIGHTS COMMISSION GUIDE

- 5.1. The South African Human Rights Commission (SAHRC) has been tasked with administration of PAIA. Section 10(1) of PAIA, as amended, requires SAHRC to publish a guide which is intended to assist users in the interpretation of PAIA, and how to access records of private and public bodies, as well as the remedies available in law regarding a breach of any of the provisions of PAIA (the “Guide”).
- 5.2. The Guide contains the following-
- 5.2.1. the objects of PAIA and POPIA;
 - 5.2.2. particulars of the information officer of every public body;
 - 5.2.3. particulars of every private body as are practicable;
 - 5.2.4. the manner and form of a request for access to a record of public and private bodies;
 - 5.2.5. assistance available from the information officers of public bodies, the SAHRC, and the Regulator;
 - 5.2.6. all remedies in law regarding acts, omissions, rights and duties, including how to lodge an internal appeal, a complaint with the Regulator, and a court application;
 - 5.2.7. schedules of fees to be paid in relation to requests for access to information; and
 - 5.2.8. regulations made in terms of PAIA.
- 5.3. Copies of the Guide are available from SAHRC and from the Regulator – please find relevant contact details below. Enquiries regarding the Guide and relating to the person’s rights and in particular their right to access information from a private or public body can be addressed to the SAHRC.
- 5.4. **SAHRC**
- Physical address 27 Stiemens Street, Braamfontein, Johannesburg
- Telephone +27 (0)11 8773600
- Fax +27 (0)11 4030684
- Email info@sahrc.org.za | PAIAComplaints.IR@justice.gov.za
- Website www.sahrc.org.za
- 5.5. **Regulator**
- Physical address 27 Stiemens Street, Braamfontein, Johannesburg
- Postal address P O Box 31533 Braamfontein 2017
- Email infoereg@justice.gov.za | POPIAComplaints.IR@justice.gov.za
- Website www.justice.gov.za/infoereg

6. LEGISLATION IN TERMS OF WHICH AZARI KEEPS RECORDS

- 6.1. Basic Conditions of Employment Act, 1997
- 6.2. Broad Based Black Economic Empowerment Act, 2003

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- 6.3. Companies Act, 2008
- 6.4. Compensation for Occupational Injuries and Diseases Act, 1993
- 6.5. Competition Act, 1998
- 6.6. Constitution of the Republic of South Africa, 1996
- 6.7. Consumer Protection Act, 2008
- 6.8. Currency and Exchange Act, 1933
- 6.9. Debt Collector Act, 1998
- 6.10. Electronic Communications and Transactions Act, 2002
- 6.11. Employment Equity Act, 1998
- 6.12. Financial Intelligence Centre Act, 2001
- 6.13. Financial Markets Act, 2012
- 6.14. Immigration Act, 2002
- 6.15. Income Tax Act, 1962
- 6.16. Labour Relations Act, 1995
- 6.17. National Credit Act, 2005
- 6.18. National Energy Regulator Act, 2004
- 6.19. National Road Traffic Act, 1996
- 6.20. Occupational Health and Safety Act, 1993
- 6.21. Prescribed Rate of Interest Act, 1975
- 6.22. Prescriptions Act, 1969
- 6.23. Prevention and Combatting of Corrupt Activities Act, 2004
- 6.24. Prevention of Organised Crime Act, 1998
- 6.25. Promotion of Access to Information Act, 2000
- 6.26. Promotion of Equality and Prevention of Unfair Discrimination Act, 2000
- 6.27. Protected Disclosure Act, 2000
- 6.28. Regulation of Interception of Communications and Provision of Communication Related
- 6.29. Information Act, 2002
- 6.30. Skills Development Act, 1998
- 6.31. Skills Development Levies Act, 1999
- 6.32. Unemployment Insurance Act, 2001
- 6.33. Unemployment Insurance Contributions Act, 2002
- 6.34. Value Added Tax Act, 1991

7. RECORDS HELD BY AZARI WHICH ARE SUBJECT TO REQUEST FOR ACCESS

Subjects in respect of which Azari holds records	Categories of records
Company records	Documents of incorporation Memoranda of Incorporation Directors' resolutions Minutes of meetings Records relating to the appointment of directors/ auditor/ secretary/ public officer and other officers Share certificates and statutory registers

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Subjects in respect of which Azari holds records	Categories of records
Financial records	Annual Financial Statements Tax Returns Accounting Records Banking Records Bank Statements Paid Cheques Electronic banking records Fixed Asset Register Lease Agreements Invoices
Tax records	PAYE records Documents issued to employees for income tax purposes Records of payments made to SARS on behalf of employees VAT records Skills Development Levy records UIF records Workmen’s Compensation records
Human Resources records	Employment contracts Employment Equity Plan and reports Disciplinary records Salary records SETA records Leave records HR Policies and Procedures Curriculum Vitae Job descriptions
Integrated Management System records	Manuals Policies Processes Procedures Plans Agreements Forms Lists Registers Reports Templates Appointments
Health, Safety, Quality and Environment	Safety management systems, data and audits Permits, licenses, approvals and registration for operation of sites Emergency response plans Environmental management programmes and systems Incident registers Quality management programmes and systems Waste disposal Standard Safe Operating Procedures Risk Assessments and Method Statements Medical reports of employees

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Subjects in respect of which Azari holds records	Categories of records
	Site appointments Toolbox Talk registers
Agreements and Contracts	Non-Disclosure Agreements Settlement Agreements Project Agreements Subcontractor Agreements
Legal	Litigation documents
Project records	Delay notices and claims Notes for Record Project Variation Notices Tools and equipment
Client records	Terms and conditions Codes of Conduct
Supplier records	Credit applications Terms and Conditions Supply and sale agreements
Insurance	Insurance policies Claims
Training & Development	Attendance registers Certificates Manuals Statistics Agreements

8. PROCESSING OF PERSONAL INFORMATION

POLICY REGARDING CONFIDENTIALITY AND ACCESS TO INFORMATION

Azari will protect the confidentiality of information provided to it, subject to its obligations to disclose information in terms of any applicable law or regulation or court order requiring disclosure of information. If access is requested to a record that contains information about a third party, Azari is obligated to attempt to contact such third party to inform him/her of the request.

Azari will give the third party an opportunity of responding by either consenting to the access or by providing reasons why the access should be denied. In the event of the third party furnishing reasons for the support or denial of access, the IO will consider these reasons in determining whether access should be granted to the requestor or not.

8.1 Purposes of Processing Personal Information

Purposes include, but are not limited to:

- 8.1.1 Providing services requested, and notifications regarding changes to these services;
- 8.1.2 Managing accounts or relationships and complying with instructions or requests;
- 8.1.3 Detecting and preventing fraud and money laundering and/or in the interest of security and crime prevention;
- 8.1.4 Assessing and dealing with complaints and requests;

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- 8.1.5 Operational, marketing, auditing, legal and record keeping requirements;
- 8.1.6 Verifying identities;
- 8.1.7 Complying with Applicable Laws, including lawful requests for information received from local or foreign law enforcement, government and tax collection agencies;
- 8.1.8 Recording and/or monitoring telephone calls and Electronic Correspondence to/with Azari in order to accurately carry out instructions and requests, to use as evidence and in the interests of crime prevention;
- 8.1.9 Disclosing Personal Information and/or Special Personal Information to third parties for reasons set out in this Manual or where it is not unlawful to do so;
- 8.1.10 Monitoring, keeping record of and having access to all forms of correspondence or communications received by or sent from Azari or any of its Employees, agents or contractors, including monitoring, recording and using as evidence all telephone communications with Azari;
- 8.1.11 Improving or evaluating the effectiveness of Azari’s business or services; and
- 8.1.12 Prevention and control of any disease.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Clients	name, physical address, email address, registration number, unique identifiers, bank details, tax numbers, financial history, personal opinions, views or preferences, views or opinions of another individual, correspondence of a private of confidential nature
Service Providers	name, physical address, email address, registration number, vat number, trade secrets, bank details, financial history, personal opinions, views or preferences, views or opinions of another individual, correspondence of a private of confidential nature
Employees, consultants, independent contractors	Name, identity number, passport number, physical address, email address, postal address, qualifications, gender, race, age, telephone number, birth, pregnancy, wellbeing, education, marital status, disability, colour, nationality, origin, unique identifier, ethnicity, conscience, ethnic or social origin, physical or mental health, medical history, criminal history, financial history, employment history, location information, biometric information, personal opinions, views or preferences, views or opinions of another individual, correspondence of a private of confidential nature

8.3 The recipients or categories of recipients to whom the personal information may be supplied

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Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names	South African Police Services Clients, for site access purposes South African Revenue Services Unemployment Insurance Fund Workmen’s Compensation Commissioner Department of Labour
Race, gender, disability, ethnicity, nationality	Department of Labour
Financial history	South African Police Services South African Revenue Services
Training and Qualifications	South African Qualifications Authority Clients, as per contractual requirements and to evidence competence Sector Education and Training Authorities
Medical history, medical examination results, drug test results	Client, as per contractual requirements Workmen’s Compensation Commissioner
Credit and payment history, for credit information	Credit Bureaus

8.4 Planned transborder flows of personal information

Azari may need to transfer personal information to service providers in countries outside South Africa, in which case it will fully comply with applicable South African data protection legislation comprising POPIA and PAIA.

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

Azari ensures that the following security safeguards are implemented to ensure the confidentiality and integrity of the personal information being held by Azari:

- Firewalls
- Virus protection software and update protocols
- Logical and physical access control
- Secure setup of hardware and software making up the IT infrastructure

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9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available-

9.1.1 On Azari's website;

9.1.2 At Azari's head office for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 from the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The IO will update this manual on a regular basis.

11. HOW TO REQUEST ACCESS TO INFORMATION HELD BY AZARI

Please use the attached Form C to communicate your request, and please email the duly completed form to the Information Officer at the email address specified in this Manual.

Issued by:

Andrew Taylor

Chief Operating Officer

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REPUBLIC OF SOUTH AFRICA

FORM C
REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 10]

A. Particulars of private body

The Head:

Dotted lines for text entry

B. Particulars of person requesting access to the record

- (a) The 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: [grid]
Postal address:
Telephone number: (.....) Fax 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: [grid]

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.

1. Description of record or relevant part of the record:

.....
.....
.....
.....

2. Reference number, if available:

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.....
.....
.....

3. 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 a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
Mark the appropriate box with an X .	
NOTES:	
(a) Compliance with your request for access 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 a 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.	

1. If the record is in written or printed form:					
	copy of record*		inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images		copy of the images*		transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
	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? Postage is payable.				YES	NO

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:

.....

.....

.....

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

.....

.....

.....

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?

.....

Signed at this day of year

.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE