

Information manual

Reenergen Limited

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Compiled in terms of section 51 of the Promotion of Access to Information Act No. 2 of 2000

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1. OVERVIEW OF MANUAL AND INTRODUCTION

- 1.1. The purpose of the Promotion of Access to Information Act of 2000 (hereinafter referred to as the “**Act**”) is to address Section 32 (2) of the Constitution, which provides that any person has a right to gain access to any information held by a public or private body. If the record is requested from a private body, the requester needs to prove that the record is required for the exercise or protection of a right. One of the main requirements specified in the Act is the compilation of a manual that provides information on the types and categories of records held by the public or private body. This document serves as the Information Manual of Renergen Limited (“**Renergen**”) in terms of the Act, to provide information regarding the records held and the process that needs to be followed to request access to such records.
- 1.2. Renergen is an integrated alternative and renewable energy business that invests in early stage alternative energy projects across Africa and emerging markets.

2. CONTACT DETAILS OF THE HEAD OF RENERGEN

Name: Mr Stefano Marani
Title: Chief Executive Officer
Address: Renergen, First Floor, 1 Bompas Road, Dunkeld West, 2196
Email: Stefano@renergen.co.za
Tel: +2710 045 6000

(“**HOD**”)

3. GUIDE ON HOW TO USE THE ACT

- 3.1. The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.
- 3.2. Requests in terms of the Act shall be made in accordance with the prescribed procedures, together with payment in accordance with the prescribed fees. The forms and tariffs for a request are dealt with in paragraph 7 of this Manual.
- 3.3. Requesters are referred to the Guide in terms of section 10 of the Act, which has been compiled by the South African Human Rights Commission (“SAHRC”), which will contain information for the purposes of exercising constitutional rights. The Guide is available from the SAHRC Website at the links below:
<https://www.sahrc.org.za/index.php/understanding-paia>
<https://www.sahrc.org.za/home/21/files/Section%2010%20guide%202014.pdf>
- 3.4. The contact details of the SAHRC are:
Postal Address: Private Bag 2700, Houghton, 2041
Telephone Number: +27-11-877 3600
Fax Number: +27-11-403 0625
Website: www.sahrc.org.za

4. AUTOMATIC AVAILABILITY OF CERTAIN RECORDS

No notices have been published in terms of section 52(2) of the Act.

5. RECORDS THAT ARE AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

- 5.1. Records are kept in accordance with such other legislation as is applicable to Renergen, which includes but is not limited to the following legislation:
- 5.1.1. Basic Conditions of Employment Act 75 of 1997
 - 5.1.2. Broad Based Black Economic Empowerment Act 53 of 2003
 - 5.1.3. Companies Act 75 of 2008
 - 5.1.4. Compensation for Occupational Injuries and Diseases Act 130 of 1993
 - 5.1.5. Electronic Communications and Transactions Act 25 of 2002
 - 5.1.6. Employment Equity Act 55 of 1998
 - 5.1.7. Income Tax Act 58 of 1962
 - 5.1.8. Insolvency Act 24 of 1936
 - 5.1.9. Labour Relations Act 66 of 1995
 - 5.1.10. Skills Development Act 97 of 1998
 - 5.1.11. Skills Development Levies Act 9 of 1999
 - 5.1.12. Unemployment Insurance Act 63 of 2001
 - 5.1.13. Unemployment Insurance Contributions Act 4 of 2002
 - 5.1.14. Value Added Tax Act 89 of 1991.

6. DESCRIPTION OF SUBJECTS FOR WHICH RECORDS ARE HELD AND THE CATEGORIES THEREOF

The subjects and categories of official and/or confidential information on which Renergen holds records of are as follows:

- 6.1. Financial records, including:
- 6.1.1. statutory books of account;
 - 6.1.2. budget reports;
 - 6.1.3. bank reports;
 - 6.1.4. audited financial statements;
 - 6.1.5. audit reports;
 - 6.1.6. insurance records.
- 6.2. Operational Information, including:
- 6.2.1. budget reports;
 - 6.2.2. monthly reports.
- 6.3. Business Strategy Information, including
- 6.3.1. business plan;
 - 6.3.2. budget reports;
 - 6.3.3. minutes of board meetings;
 - 6.3.4. monthly reports; and
 - 6.3.5. annual reports.
- 6.4. Assets, including:
- 6.4.1. asset register;
 - 6.4.2. bank account reconciliations;
 - 6.4.3. debtors' information; and
 - 6.4.4. share certificates.

- 6.5. Liabilities, including:
 - 6.5.1. general ledger; and
 - 6.5.2. loan agreements.
- 6.6. Marketing, including:
 - 6.6.1. business plan; and
 - 6.6.2. communication plans.
- 6.7. Information Technology, including:
 - 6.7.1. asset register;
 - 6.7.2. IT usage register;
 - 6.7.3. software licenses;
 - 6.7.4. repair and maintenance records;
 - 6.7.5. software programmes; and
 - 6.7.6. software records.
- 6.8. Human Resources, including:
 - 6.8.1. HR policies and procedures;
 - 6.8.2. employment equity reports;
 - 6.8.3. skills development reports;
 - 6.8.4. contracts of employment;
 - 6.8.5. payroll data; and
 - 6.8.6. employee records.
- 6.9. Contractual relationships, including:
 - 6.9.1. contracts;
 - 6.9.2. leases; and
 - 6.9.3. HP agreements.
- 6.10. Company organisational structure, including:
 - 6.10.1. Organogram.
- 6.11. Company secretarial, including:
 - 6.11.1. statutory documents;
 - 6.11.2. board resolutions;
 - 6.11.3. minute book;
 - 6.11.4. company/share registers; and
 - 6.11.5. audited results.
- 6.12. Investor Relations, including:
 - 6.12.1. general investor relations communications;
 - 6.12.2. announcements on SENS;
 - 6.12.3. presentations to analysts.
- 6.13. Nothing in paragraphs 5 and 6 must be construed as Renergen consenting to the disclosure of the records listed therein. All requests for access to records will be considered by the HOD in accordance with paragraph 7 below and the Act.

7. **FORM OF REQUEST AND FEES**

- 7.1. A request for information must be made in the prescribed form, a copy of which is annexed hereto as annexure "A", must be addressed to the HOD and must be submitted with the prescribed fee.

- 7.2. The request must provide sufficient details to enable Renergen to identify:
- 7.2.1. the record(s) requested;
 - 7.2.2. The requester (and if an agent is lodging the request, proof of capacity);
 - 7.2.3. The form of access required;
 - 7.2.4. The postal address or fax number of the requester in the Republic;
 - 7.2.5. If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
 - 7.2.6. The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

7.3. Prescribed Fee

- 7.3.1. The following applies to requests (other than personal requests):
- 7.3.1.1. A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
 - 7.3.1.2. If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
 - 7.3.1.3. A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
 - 7.3.1.4. Records may be withheld until the fees have been paid.
- 7.3.2. The prescribed fee can be paid into the bank account specified by the HOD from time to time.
- 7.3.3. The prescribed fees can be obtained from annexure "A" to the Regulations Regarding the Promotion of Access to Information published under government notice R187 in Government Gazette 23119 of 15 February 2002 as amended, or on the website of the SAHRC.

7.4. Decision on Request

- 7.4.1. Except where the record requested contains the information of third parties, or the HOD has requested an extension in accordance with paragraph 7.4.2, the HOD will as soon as reasonably possible, but in any event within 30 days after the request has been received:
- 7.4.1.1. Decide in accordance with the Act, whether to grant the request; and
 - 7.4.1.2. Notify the requester of the decision.
- 7.4.2. The HOD may extend the period of 30 days referred to in paragraph 7.4.1 above, once for a further period of not more than 30 days if:
- 7.4.2.1. the request is for a large number of records or requires a search through a large number of records and compliance with the original period would unreasonably interfere with the activities of Renergen;
 - 7.4.2.2. the request requires a search for records in, or collection thereof from, an office of Renergen, not situated in the

same town or city as the office of the HOD that cannot reasonably be completed within the original period;

- 7.4.2.3. consultation among divisions of Renegen or with another private body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;
- 7.4.2.4. more than one of the circumstances contemplated in paragraphs 7.4.2.1, 7.4.2.2 and 7.4.2.3 exist in respect of the request making compliance with the original period not reasonably possible; or
- 7.4.2.5. the requester consents in writing to such extension.

7.5. Third Party Information:

- 7.5.1. If access is requested to a record that contains information about a third party, Renegen is obliged to attempt to contact this third party to inform them of the request. This enables the third party the opportunity of responding by either consenting to the access or by providing reasons why the access should be denied.
- 7.5.2. In the event of the third-party furnishing reasons for the support or denial of access, the HOD will consider these reasons in determining whether access should be granted, or not.

7.6. Grounds for refusal

Renegen may legitimately refuse to grant access to a requested record that falls within a certain category. Grounds on which Renegen may refuse access include:

- 7.6.1. Disclosure of the record (containing trade secrets, financial, commercial, scientific, technical or any other confidential information) would harm the commercial or financial interests of Renegen;
- 7.6.2. The record is privileged from production in legal proceedings, unless the legal privilege has been waived;
- 7.6.3. Protecting personal information that Renegen holds about a third person (who is a natural person), including a deceased person, from unreasonable disclosure;
- 7.6.4. Protecting commercial information that Renegen holds about a third party or Renegen (for example trade secrets: financial, commercial, scientific or technical information that may harm the commercial or financial interests of the organisation or the third party);

- 7.6.5. If disclosure of the record would result in a breach of a duty of confidence owed to a third party in terms of an agreement;
 - 7.6.6. If disclosure of the record would endanger the life or physical safety of an individual;
 - 7.6.7. If disclosure of the record would prejudice or impair the security of property or means of transport;
 - 7.6.8. If disclosure of the records would prejudice or impair the protection of a person in accordance with a witness protection scheme;
 - 7.6.9. If disclosure of the record would prejudice or impair the protection of the safety of the public;
 - 7.6.10. Disclosure of the record would put Renegen at a disadvantage in contractual or other negotiations or prejudice it in commercial competition;
 - 7.6.11. The record is a computer programme;
 - 7.6.12. The record contains information about research being carried out or about to be carried out on behalf of a third party or Renegen;
 - 7.6.13. The disclosure would result in the breach of any law applicable to Renegen; and
 - 7.6.14. Any other grounds for refusal stated in the Act.
- 7.7. Records that cannot be found or do not exist

If Renegen has searched for a record and it is believed that the record either does not exist or cannot be found, the requester will be notified by way of an affidavit or affirmation. This will include the steps that were taken to try to locate the record.

ANNEXURE "A"

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:

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:

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 <i>ONLY</i> 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. |

1 Description of record or relevant part of the record:

2 Reference number, if available:

3 Any further particulars of record:

E. Fees

- | | |
|-----|--|
| (a) | A request for access to a record, other <i>than</i> a record containing personal information about yourself, will be processed only after a request fee has been paid. |
| (b) | You will be <i>notified</i> of the amount required to be paid as the request fee. |
| (c) | The fee payable for access to a record depends <i>on</i> the form <i>in which</i> access is required and the reasonable time <i>required</i> to search for and prepare a record. |
| (d) | If you qualify for exemption <i>of</i> the payment <i>of</i> 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 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required
Form in which record is required:	
Mark the appropriate box with an X.	
<p>NOTES:</p> <p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:					
<input type="checkbox"/>	copy of record*	<input type="checkbox"/>	inspection of record		
2. If record consists of visual images this includes photographs, slides, video recordings, computer-generated images, sketches, etc)					
<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images"		
<input type="checkbox"/>		<input type="checkbox"/>	transcription of the images*		
3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack audio cassette	<input type="checkbox"/>	transcription of soundtrack* written or printed document		
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record"		
<input type="checkbox"/>		<input type="checkbox"/>	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.			<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO
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 of20

SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE