

Functional Structures

Welcome to Lucotfo. Our main goal is to always achieve a high level of customer satisfaction with the services and products that we provide. This simple approach has effectively fueled our growth since we opened our doors in 2004.

PAIA Manual

Prepared in terms of section 51 of the Promotion of Access to Information Act 2 of 2000 (as amended)

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Telephone: 087 222 8304
Email: info@lucotfo.co.za
Web: www.lucotfo.co.za



36 Bronkhorstspuit St,
Norkem Park, Kempton Park,
Johannesburg



Better Buildings

Reg. No.: 2004/077516/23
VAT: 4680243609

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1. LIST OF ACRONYMS, ABBREVIATIONS AND INTERPRETATION

This manual forms part of the Companies' internal business processes and procedures. Risk owners and control owners are responsible for overseeing and maintaining control procedures and activities.

- I. **“Company”** Lucotfo Trading CC.
- II. **“IO”** Information Officer. The head of a private body.
- III. **“DIO”** Deputy Information Officer. The person to whom any power or duty conferred or imposed on an Information Officer by POPIA has been delegated.
- IV. **“PAIA”** Promotion of Access to Information Act No. 2 of 2000, as amended from time to time including the regulations promulgated in terms of the Act;
- V. **“Private body”** Lucotfo Trading CC.
- VI. **“Data Subject”** The person to whom personal information relates.
- VII. **“the POPIA Act”** – Protection of Personal Information Act No. 4 of 2013, as amended from time to time including the regulations promulgated in terms of the Act;
- VIII. **“Regulator”** Information Regulator.
- IX. The **“Republic”** Republic of South Africa.
- X. An expression which denotes –
 - a. the singular includes the plural and vice versa;
 - b. any gender includes the other genders;
 - c. a natural person includes an artificial or juristic person and vice versa;
- XI. **“this document”** - this document together with all of its annexures, as amended from time to time;
- XII. This document does not purport to be exhaustive of or comprehensively deal with every procedure provided for in the Act. A requester is advised to familiarise his/her/itself with the provisions of the Act before lodging any request with the company;
- XIII. **“Personal Information”** Information (including special personal information) relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to: information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
 - a. Information relating to the education or the medical, financial, criminal or employment history of the person;
 - b. Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person, the biometric information of the person;



- c. The personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- d. The views or opinions of another individual about the person; and the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

2. INTRODUCTION

- I. Lucotfo Trading cc CPIC Registration: 2004 / 077516 / 23 (Lucotfo) with its partners and suppliers aims to reducing a clients monthly electricity cost and to enable the Clients to become more sustainable by installing renewable energy solution. Our mission is to offer solutions in electrification and green energy management solutions geared toward client satisfaction through:
 - Quality energy efficient products
 - Cost effective energy solutions
 - Involve local resources/participation where we are involved
 - Provide excellent customer service
 - Develop local skills through on the job training
 - Train & develop our employees.
- II. For the purpose of POPI and PAIA, Lucotfo is defined as a private body.
- III. In accordance with Lucotfo's obligations in terms of POPI and PAIA, Lucotfo has produced this Manual which sets out all information required by both sets of legislation.
- IV. Amendments may be made to this Manual from time to time, provided that if Lucotfo does so, it will ensure that such changes are carried out subject to and published in accordance with the requirements of PAIA and POPIA.
- V. Personal information from various parties is collected during the provision of the renewable energy solution and hence Lucotfo is obliged to comply with the Protection of Personal Information Act 4 of 2013 and the Promotion of Access to Information Act 2 of 2000.
- VI. Lucotfo is committed to protecting our stakeholder's privacy and ensuring that their personal information is used appropriately, transparently, securely and in accordance with applicable laws.
- VII. Lucotfo endorses the spirit of PAIA and POPI Acts and believes this manual will assist requesters in exercising their rights.
- VIII. This Manual together with our Privacy Policy is available on the company website <https://www.lucotfo.co.za> and by request from our information officer.



3. PURPOSE OF PAIA MANUAL

This manual is useful to the public and can be used by members of the public to -

- I. establish the nature of the records which may already be available at the Regulator, without the need for submitting a formal PAIA request;
- II. have an understanding of how to make a request for access to a record of the Regulator;
- III. access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- IV. know all the remedies available from the Regulator regarding request for access to the records, before approaching the Courts;
- V. describe the services available to members of the public from the Regulator and how to gain access to those services;
- VI. outline the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- VII. Promotion of Access to Information Manual, as amended June 2021 if the Regulator will process personal information, the purpose of processing of personal information, the description of the categories of data subjects and of the information or categories of information relating thereto;
- VIII. know if the Regulator has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- IX. Know whether the Regulator has appropriate security measures to ensure the confidentiality, integrity and availability of the information, which is to be processed.

4. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION

| Information Officer | Deputy Information Officer | National or Head Office |
|--|---|--|
| Name: Nhlanhla Sibeko | Name: Sherry Sibeko | Physical Address: 36 Bronkhorstspuit Str. |
| Email: nhlanhla@lucotfo.co.za | Email: sherry.sibeko@icloud.com | Norkem Park, Kempton Park, 1618, Gauteng |
| Tel: +27 (0) 87 222 8304 | Tel: +27 (0) 87 222 8304 | Email: info@lucotfo.co.za |
| Fax number: +27 (0) 86 218 7677 Fax to email | Fax number: +27 (0) 86 218 7677 Fax to email | Tel: +27 (0) 87 222 8304 |
| Website: https://www.lucotfo.co.za/ | Website: https://www.lucotfo.co.za/ | Fax number: +27 (0) 86 218 7677 Fax to email |
| | | Website: https://www.lucotfo.co.za/ |



5. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS THE GUIDE

- 5.1. The Information Regulator has, in terms of section 10(1) of PAIA, updated, and made available the revised guide on how to use PAIA (the **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 POPIA.
- 5.2. The Guide is available in each of the official languages and in braille.
- 5.3. The aforesaid Guide contains the description of:
- 5.3.1. the objects of PAIA and POPIA;
 - 5.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of
 - 5.3.2.1. the Information Officer of every public body, and
 - 5.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 5.3.3. the manner and form of a request for:
 - 5.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 5.3.3.2. access to a record of a private body contemplated in section 50⁴;
 - 5.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
 - 5.3.5. the assistance available from the Information Regulator in terms of PAIA and POPIA;
 - 5.3.6. 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 POPIA, including the manner of lodging-
 - 5.3.6.1. an internal appeal;
 - 5.3.6.2. a complaint to the Information Regulator; and
 - 5.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Information Regulator or a decision of the head of a private body;
 - 5.3.7. the provisions of sections 145 and 516 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 5.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 5.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
 - 5.3.10. the regulations made in terms of section 92¹¹.
- 5.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Information Regulator, during normal working hours.



5.5. The Guide can also be obtained-

5.5.1. upon request to the Information Officer;

5.5.2. from the website of the Information Regulator <https://www.justice.gov.za/inforeg/>.

1 Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

2 Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

3 Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

4 Section 50(1) of PAIA- *A requester must be given access to any record of a private body if*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

5 Section 14(1) of PAIA- *The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.*

6 Section 51(1) of PAIA- *The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.*

7 Section 15(1) of PAIA- *The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access*

8 Section 52(1) of PAIA- *The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access*

9 Section 22(1) of PAIA- *The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.*

10 Section 54(1) of PAIA- *The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.*

11 Section 92(1) of PAIA provides that –*“The [Minister of Justice and Correctional Services] may, by notice in the Gazette, make regulations regarding-*

(a) any matter which is required or permitted by this Act to be prescribed;

(b) any matter relating to the fees contemplated in sections 22 and 54;

(c) any notice required by this Act;

(d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and

(e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”



6. CATEGORIES OF RECORDS, WHICH ARE AVAILABLE WITHOUT A PERSONAL HAVING TO REQUEST ACCESS.

| Category of records | Types of the Record | Availability |
|---|--|------------------|
| Product information | Information relating to our products and services, Magazine Articles | Freely available |
| Public facing policies and notices | Privacy Policy, Cookie Policy, Notice, Credit Policy, Copyright, Terms and Conditions, Processing, PAIA Manual, Employee Code of Conduct, Conflict of Interest Management Policy, Permits, Licenses or Authorities | Freely available |
| | | |

7. RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION

Records maintained by Lucotfo in terms of other legislation include but are not limited to:

- Basic Conditions of Employment Act, No. 75 of 1997;
- Companies Act, No. 71 of 2008;
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
- Electronic Communication and Transactions Act, No. 25 of 2002;
- Employment Equity Act, No. 55 of 1998;
- Financial Intelligence Centre Act, No. 38 of 2001;
- Income Tax Act, No. 58 of 1962;
- Intellectual Property Laws Amendment Act No.38 of 1997;
- Labour Relations Act, No. 66 of 1995;
- Occupational Health and Safety Act No. 85 of 1993;
- Promotion of Access to Information Act 2 of 2000;
- Protection of Personal Information Act 4 of 2013;
- Skills Development Levies Act, No. 9 of 1999;
- Unemployment Insurance Act, No. 63 of



8. RECORDS AVAILABLE ONLY ON REQUEST TO ACCESS IN TERMS OF THE ACT

The accessibility of the records may be subject to the grounds of refusal set out in this PAIA Manual. Amongst others, records deemed confidential on the part of a third party, will necessitate permission from the third party concerned, in addition to normal requirements, before Lucotfo will consider access.

This section serves as a reference to the categories of information that Lucotfo holds. The information is classified and grouped according to records relating to the following subjects and categories:

1. Personnel Records
 - a. Personal records provided by personnel.
 - b. Records provided by a third party relating to personnel.
 - c. Conditions of employment and other personnel-related contractual and quasi-legal records.
 - d. Internal evaluation records and other internal records.
 - e. Correspondence relating to personnel.
 - f. Training schedules and material.

Personnel - any person who works for, or provides services to or on behalf of Lucotfo, and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of Lucotfo. This includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff, as well as contract workers.
2. Customer Related Records (any person juristic or natural receiving serviced from Lucotfo.)
 - a) Records provided by a customer to a third party acting for or on behalf of Lucotfo.
 - b) Records provided by a third party.
 - c) Records generated by or within Lucotfo relating to its customers, including transactional records.
3. Private Company Records (include, but are not limited to, the records pertaining to Lucotfo's personal affairs.)
 - a) Financial records
 - b) Operational records
 - c) Databases
 - d) Marketing records and Information Technology
 - e) Internal Correspondence
 - f) Product records
 - g) Internal Policies and Procedures
 - h) Third Party Records
 - i) Personnel, customer or private company records which another party and or company, juxtaposed to the records held by Lucotfo in the main, hold.
 - j) Records held by Lucotfo pertaining to other parties, including without limitation, financial records, correspondence, contractual records, records provided by the other party, and records third parties have provided about the contractors/suppliers.
 - k) Lucotfo may possess records pertaining to other parties, including without limitation contractors, suppliers, joint venture companies, and



providers. Alternatively, such other parties may possess records that can be said to belong to Lucotfo.

9. PROCESSING OF PERSONAL INFORMATION

9.1 Purpose of Processing

The company may process personal information to conduct its business operations these may include and are not limited to:

- Communication to our customers and suppliers;
- Maintaining of customer records;
- Maintaining supplier records and vetting of suppliers;
- Processing of payments to suppliers and employees;
- Recruitment and employment purposes;
- General administration and finance purposes;
- Health and safety measures;
- To assess customer's creditworthiness and to obtain credit information from a registered credit bureau; and/or
- Purposes of entering into a contractual agreement;

Prior to processing any personal information, the company will ensure the data subject is aware of the reason for the collection of information as well as ensure consent has been provided.

9.2 Categories of Data Subjects and their Personal Information

The Company possesses and may possess records relating to its directors and employees, contractors, suppliers, joint-venture partners, customers, clients and aspirant customers and clients:

- Customers (natural persons) – names, addresses, contact details, identity numbers, passport numbers, gender, employment details, banking details, bank account numbers, salary information.
- Clients (legal persons) – names, addresses, contact details, contact details of the company, information of directors, officers and employees, trade references, company numbers, company documents, vat numbers, banking details, bank account numbers, turnover levels.
- Service Providers & Suppliers – names, addresses and contact details of the entity as well as directors, officers and employees, company documentation, BEE certificates, shareholding, confidential trade information;
- Directors, Officers and Employees – gender, marital status, race, age, language, employment record, education information, identity number, bank details and account number, income tax related information, health records, disciplinary records, performance assessments.

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

No information shall be supplied to any party unless required by law or if consent has been obtained from the subject.

Section 23 of the POPIA allows a data subject to request, whether the company holds personal information of that data subject by providing



adequate

proof. An access fee of R50 is payable by the data subject for access to the record or description of the personal information about that data subject that is held by the company.

Please email the information officers for any requests as noted in section 4.

9.4 Planned Transborder Flows of Personal Information.

While the Company's data is generally stored and processed within South Africa, it is possible that parts of data stored in cloud services may be stored across borders. Planned transborder flows of personal information includes but is not limited to those set out in our:

- a) Privacy Policy, which is available at: <https://www.lucotfo.co.za>

9.5 General Description of Information Security Measures.

The Company employs appropriate technology for an entity of its size to ensure the confidentiality, integrity and availability of the personal information that it stores and / or processes. Measures include:

- a) Firewall;
- b) Anti-virus protection software and update protocols;
- c) Secure access controls;
- d) Control by a centralised IT department - Secure setup of hardware and software making up the IT- infrastructure;
- e) Appropriate agreements in place with outsource partners.

The security of data is important to Lucotfo, but no method of transmission over the internet or method of electronic storage is 100% secure. While Lucotfo strive to use commercially acceptable means to protect data, Lucotfo cannot guarantee its absolute security.



10. COMPLAINTS IN TERMS OF POPI ACT

A complaint may be lodged with Lucotfo by contacting the Information Officer and/or the Deputy information officers via email as provided in this manual section 4.

A complaint may also be lodged with the Regulator about and interference with the protection of your personal information when there is a breach of any conditions for lawful processing or for non-compliance to the conditions provided in the POPI Act. The Regulator has the following powers when a complaint is lodged:

- a) Consult with Lucotfo and with the complainant.
- b) Investigate the complaint by gathering information through subpoenas and warrants or search the premises.
- c) Summon people to appear and testify or compel them to provide written evidence.
- d) Conduct private interviews with people.
- e) Conduct any enquiry deemed fit.
- f) Resolve the complaint by means of dispute resolution.
- g) Apply for fines and penalties to be ordered by a competent court.
- h) Refer the matter to an enforcement committee and issue enforcement notices or information notices.
- i) Institute civil action for damages.

11. ACCESSIBILITY AND AVAILABILITY OF THIS MANUAL

11.1 The manual is available in English for viewing between 8:00 and 16:00 Mondays to Fridays (excluding public holidays) at:

- a) The office of the Information Officer, Mr Nhlanhla Sibeko, 36 Bronkhorstspuit Str. Norkem Park, Kempton Park; or
- b) the office of the Deputy Information Officer, Mrs Sherry Sibeko, 36 Bronkhorstspuit Str. Norkem Park, Kempton Park.

11.2 The manual may be accessed online through the web by visiting the following web address: www.lucotfo.co.za

12. UPDATING OF MANUAL

The company will update this manual every 12 months or at such intervals as may be necessary.



ABOUT US

Since opening in 2004, we have become functional in our craft. Our commitment to quality products, exceptional services and incomparable customer care keep our community coming back again and again. We never stop improving, and are continuing to expand our offerings.

We Value:
 Total Customer Centricity
 Absolute Quality
 Sustainable and Functional relationships

CONTACT US



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