



# ENERGY AND COMBUSTION SERVICES (PTY) LTD

## PAIA MANUAL

PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION  
OF ACCESS TO INFORMATION ACT NO. 2 OF 2000

**R26486**

June 2021

***Compiled by Energy and Combustion Services Group for:***

Energy and Combustion Services (Pty) Ltd (Registration Number: 1996/010292/07)

Energy and Combustion Services Technology Solutions Development (Pty) Ltd (Registration Number:  
2005/015535/07)

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**REVISION CONTROL**

Revision	Note	Revision Date	Initiator

## 1 INTRODUCTION

This PAIA Manual has been prepared and made available in accordance with Section 51 of the Promotion of Access to Information Act (Act 2 of 2000) (“The Act”) as amended by the Protection of Personal Information Act, No 4 of 2013.

The purpose of this manual is to make available to potential requesters information regarding the records held, to define the manner and form in which a request for information must be submitted, and to set out the criteria and grounds, derived from the Act, to be applied in granting or refusing a request.

This Manual may be amended from time to time as and when necessary.

## 2 ENERGY AND COMBUSTION SERVICES GROUP

The Energy and Combustion Services Group (“ECS”) consists of Energy and Combustion Services (Pty) Ltd and Energy and Combustion Services Technology Solutions Development (Pty) Ltd. ECS is a Technology and Innovation-Based group of companies delivering High Performance solutions in the context of: Productivity, Energy and Emissions Management Solutions, and Energy Transition Consulting - for customers ranging from commercial companies to large industrial and mining operations. Further, ECS provides analytical inspection services for Measurement and Verification of energy performance, in conformance with the applicable Standards.

## 3 CONTACT DETAILS

Contact Details	Energy and Combustion Services	Energy and Combustion Services Technology Solutions Development
Name of Private Body	Energy and Combustion Services (Pty) Ltd	Energy and Combustion Services Technology Solutions Development (Pty) Ltd
Registration Number	1996/010292/07	2005/015535/07
Information Officer	Rory Sharp	Rory Sharp
Email	rory.sharp@enerserv.co.za	rory.sharp@enerserv.co.za
Postal Address	PO Box 2596, Pinetown 3600	PO Box 2596, Pinetown 3600
Physical Address	Block D, Bellevue Campus, 5 Bellevue Road, Kloof, KwaZulu-Natal, 3610	Block D, Bellevue Campus, 5 Bellevue Road, Kloof, KwaZulu-Natal, 3610
Telephone	031 765 0443	031 765 0443
Mobile	082 809 1511	082 809 1511
Fax	031 7650444	031 7650444
Website	www.enerserv.co.za	www.enerserv.co.za

## 4 THE GUIDE OF THE SA HUMAN RIGHTS COMMISSION

In terms of Section 10 of the PAIA, the SA Human Rights Commission has published a Guide which provides information on PAIA, aims to assist people in making requests for information under PAIA, and provides examples of how PAIA has been used in the past to advance human rights.

See [www.sahrc.org.za](http://www.sahrc.org.za). A copy can be found on ECS’s intranet [here](#).

Should you have any queries regarding the Guide, please direct them to the SA Human Rights Commission:

Postal Private Bag X2700, Houghton, 2041

Physical 33 Hoofd Street, Braampark Forum 3, Braamfontein, Johannesburg

Tel 011 877 3600

Fax 011 403 0668

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

The Information Regulator:

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001  
P.O Box 31533, Braamfontein, Johannesburg, 2017

Complaints:

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

General Enquiries:

[infoereg@justice.co.za](mailto:infoereg@justice.co.za)

Website: [Home | InfoRegSA \(justice.gov.za\)](http://Home | InfoRegSA (justice.gov.za))

## 5 THE ACT

The objective of the Promotion of Access to Information Act No. 2 of 2000 (the “Act”) is to give effect to the constitutional right of access to information held by another and required for the exercise or protection of any right, privacy, commercial confidentiality, and professional privilege.

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, it must be acting in the public interest.

Requests in terms of the Act must be made in accordance with the prescribed procedures, at the rates provided.

## 6 APPLICABLE LEGISLATION

The ECS Group retains records that are available in accordance with any other legislation (Section 51 (1) (d) of The Act) other than that encapsulated in The Act. The other legislation is, but is not limited to, the following:

- Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act, No. 19 of 2006
- Basic Conditions of Employment Act No. 75 of 1997
- Broad-based Black Economic Empowerment Act No. 53 of 2003
- Companies Act No. 71 of 2008 (as amended)
- Compensation for Occupational Injuries and Disease 130 of 1993 and Amendment Act No 61 of 1997
- Competition Act No. 89 of 1998
- Constitution of the Republic of South Africa of 1996 and Amendments
- Consumer Protection Act No. 68 of 2008
- Copyright Act No. 98 of 1978
- Customs and Excise Act No. 91 of 1964
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act No. 55 of 1998
- Financial Intelligence Centre Act No. 38 of 2001
- Income Tax Act 58 of 1962 and Amendments
- Labour Relations Act No. 66 of 1995
- National Credit Act No. 34 of 2005
- National Qualifications Framework Act No. 67 of 2008
- Occupational Health and Safety Act No. 85 of 1993

- Prevention of Organised Crime Act No. 121 of 1998
- Promotion of Access to Information Act No. 2 of 2000 and Amendments
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Protection of Personal Information Act No. 4 of 2013
- Securities Transfer Tax Act No. 26 of 2007
- Skills Development Act 97 of 1998 and Amendments
- Skills Development Levies Act No. 9 of 1999
- Trademarks Act No. 194 of 1993
- Unemployment Insurance Contributions Act No. 4 of 2002
- Value Added Tax Act No. 89 of 1991

The King IV Code of Corporate Governance and such other legislation as may from time to time be applicable.

## 7 SCHEDULE OF RECORDS HELD

ECS holds records in terms of the following categories as specified in terms of section 51(1)(e) of The Act.

<b>Companies Act Records</b>
Memorandum of Incorporation
Minutes Books for Shareholders, Directors and Audit Committee Meetings
Records relating to the appointment of Directors/ Auditors/ Secretary/ Public Officer and other Share Registers and Statutory Registers
Documents of Incorporation
Legal Compliance Records
<b>Financial and Accounting Records</b>
Accounting Records, Books of account, registers and supporting schedules and documents
Management Accounts
Annual Financial Statements
Risk, Security, Legal and Insurance Records
Policies and Procedures
<b>Income Tax Records</b>
Customs and Excise Records
PAYE Records
Income Tax Returns and Documents
Skills Development Levies Records
UIF Records
Workmen's Compensation Records
VAT Records
<b>Personnel Documents and Records</b>
Disciplinary Records
Employee Personal Information
Employment Equity Plan and Reports

Employment Records including Payroll, Employment Contracts and Agreements
Human Resource Policies
Leave Records
Medical Aid Records
Performance Management Records
Personnel Qualification Records
Provident Fund and Risk Benefit Records
Remuneration and Benefit Records including Employment Contracts
SETA Records
Training Records
<b>Customer Information</b>
Customer Contracts, Agreements and Records
Credit applications and terms of sale
Sales and Transaction Records
<b>Information Technology</b>
Infrastructure and Systems
IT Policies
<b>Marketing</b>
Customer Database
Product Sales Records
Proposals and New Business Development Records
Promotional Material Records
Brand Information Management
<b>Intellectual Property</b>
Registered Intellectual Property
Documentation and Agreements pertaining to Intellectual Property
<b>Supplier Information</b>
Supplier Contracts, Agreements and Records
Credit applications and terms of purchase
Procurement Transactional Records and supporting information
<b>Quality Management</b>
ISO 9001:2015 Quality Management System and Records
ISO 17002:2012 and SANS 50010:2018 Management System and Records

## 8 PROCESSING OF PERSONAL INFORMATION IN TERMS OF POPIA

In order to operate its business ECS is required to collect personal information. In terms of POPIA, a person (Responsible Party) has a legal duty to collect, use, transfer and destroy (process) another's (Data Subject) personal information in a lawful, legitimate and responsible manner and in accordance with the provisions and the 8 Processing Conditions set out under the Act.

For Customers, Contractors and Suppliers, information may be collected for purposes relating to agreements, Non-Disclosure Agreements, or business relationships, payment of invoices and other administrative processes.

ECS takes extensive information security measures to ensure the security, confidentiality, and integrity of personal information in its possession. Details of ECS's compliance with POPIA can be found in [R26490 - POPIA Policy Manual and Privacy Policy](#).

## 9 REQUEST PROCEDURE

Information, records, copies, documents or other data forming part of or pertaining to the aforesaid records will be made available to a requester in accordance with the provisions of the Act, and subject to the rules and principles entrenched in the Act in regard to the protection of the commercial and confidential information of Energy and Combustion Services, and taking into account the other grounds for refusal of access as set out in the Act.

To facilitate the processing of a request, the requester must:

- Use the prescribed form as set out in Annexure A
- Address the request to the Information Officer of the company
- Provide sufficient details to enable the company to identify: the record(s) requested, the requester, the form of access required, the postal address of the requester, if the requester wishes to be informed of the decision in any manner in addition to written, and 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 that right
- Pay the prescribed fee

If the request is made on behalf of another person, proof of the capacity in which the requester is making the request is required.

The requester will be informed whether access is granted or denied.

## 10 OTHER INFORMATION REQUIRED BY LEGISLATION

No regulations have been made in this regard.

## 11 AVAILABILITY OF THIS MANUAL

This Manual is available to be viewed on the website: [www.enerserv.co.za](http://www.enerserv.co.za).

**ANNEXURE A: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY**

(Section 53 (1) of the Promotion of Access to Information Act, 2000 (Act 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 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.**

1 Description of record or relevant part of the record:
2 Reference number, if available:



3 Any further particulars of record:
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**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:
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**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:	
<p>Mark the appropriate box with an X.</p> <p><b>Notes:</b></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 to the record, if any, will be determined partly by the form in which access is requested.</p>		
<b>1. If the record is in written or printed form:</b>		
<input type="checkbox"/> copy of record*	<input type="checkbox"/> inspection of record	
<b>2. If record consists of visual images:</b> (including photographs, slides, video recordings, computer-generated images, sketches, etc):		
<input type="checkbox"/> view the images	<input type="checkbox"/> Copy the images*	<input type="checkbox"/> transcription of the images*
<b>3. If record consists of recorded words or information which can be reproduced in sound:</b>		
<input type="checkbox"/> listen to the soundtrack (audio)	<input type="checkbox"/> transcription of soundtrack* (written or printed document)	
<b>4. If record is held on computer or in an electronic or machine-readable form:</b>		
<input type="checkbox"/> printed copy of record*	<input type="checkbox"/> printed copy of information derived from the record*	<input type="checkbox"/> copy in computer readable form* (i.e. electronic copy)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?	YES	NO
<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:
--

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 \_\_\_\_\_ 20 \_\_\_\_\_

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\_\_\_\_\_  
Signature of requester/person on whose behalf request is made