



PAIA MANUAL FOR CEF (SOC) LTD

**Prepared in terms of section 14 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

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1. LIST OF ACRONYMS AND DEFINITIONS

- 1.1 **Access fee** means a fee prescribed for the purposes of the reproduction, the search and preparation (copying and transcribing) and for the time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure.
- 1.2 **CEF** means the Central Energy Fund (SOC) LTD;
- 1.3 **CEO** means Chief Executive Officer;
- 1.4 **Deputy Information Officer** means Deputy Information Officer means any personnel of CEF designated by the CEF CEO as a deputy information officer in terms of section 17 of PAIA;
- 1.5 **Information Officer** means Information Officer means the CEO of CEF or any person acting in that position;
- 1.6 **Minister** means Minister of Justice and Correctional Services;
- 1.7 **PAIA** means Promotion of Access to Information Act No. 2 of 2000 (as Amended);
- 1.8 **PFMA** means Public Finance Management Act No.1 of 1999 as Amended;
- 1.9 **POPIA** means Protection of Personal Information Act No.4 of 2013;
- 1.10 **Regulator** means the Information Regulator of South Africa as established in terms of section 39 of POPIA.

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the nature of the records which may already be available at CEF, without the need for submitting a formal PAIA request;
- 2.2 have an understanding of how to make a request for access to a record of the CEF;
- 2.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 2.4 know all the remedies available from the CEF regarding request for access to the records, before approaching the Regulator or the Courts;
- 2.5 a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 if the body 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 if the CEF 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
- 2.8 know whether the CEF has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF THE CEF

CEF is a Schedule 2 State-Owned Company incorporated in terms of the Companies Act, No 71 of 2008 and reporting to the Department of Mineral Resources and Energy (DMRE).

3.1. Objectives/Mandate

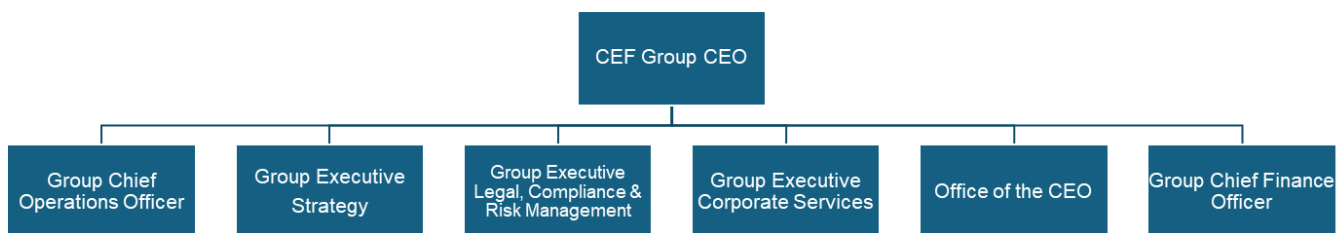
The Mandate of CEF is to contribute to the security of energy supply of South Africa and the Region through exploration, acquisition, development, marketing and strategic partnership. It is derived from the CEF Act (No 38 of 1977) and the Ministerial directives issued thereafter.

4. STRUCTURE OF THE CEF AND FUNCTIONS

4.1. Structure

CEF Group Executive Leadership Level consist of:

- Group Company Secretary;
- Office of the Chief Executive Officer (Group);
- Group Chief Finance;
- Executive Group Corporate Services;
- Executive Group Legal and Compliance; and
- Group Chief of Operation.



4.2 Functions

The functions of the CEF or CEF Group are to:

- 4.2.1 Contribute to security of energy supply. Provide affordable, accessible, diverse use of primary energy resources.

- 4.2.2 Be a strategic partner to the Department of Mineral Resources and Energy: provide insights in support of policy development and regulation and implementation of key projects.
- 4.2.3 Be a financially sustainable company: commercially strong SOE that can be relied upon to support the implementation of policies and programmes of the Department.
- 4.2.4 Reduce the country's overdependence on multinationals. Operate across the entire energy value chain and minimise market failures.
- 4.2.5 Align with government's broad objectives (National Development Plan): act as a vehicle for economic growth, poverty alleviation and economic transformation.
- 4.2.6 Provide thought leadership in energy policy development and other energy initiatives.
- 4.2.7 Contribute to security of energy supply (in liquid fuels and gas) and support the development of new energy technologies in the country.

5 CONTACTS OF INFORMATION OFFICERS OF THE CEF

5.2 Information Officer

Name: Dr. Ishmael Poolo
Tel: 010 201 4804
Email: ishmaelp@cefgroup.co.za

5.3 Deputy Information Officer

Name: Ms. Brenda Moagi
Tel: 010 201 4711
Email: BrendaM@cefgroup.co.za

5.3 Head Office

Postal Address: P.O Box 786141
Sandton
216
South Africa

Physical Address: Block C, Upper Grayston Office Park
152 Ann Crescent
Strathavon, Sandton
2031
Johannesburg

Telephone: +27 10 201 4700

Email: paia@cefgroup.co.za.

Website: <https://cefgroup.co.za/>

6 DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE CEF

In the event of an act or a failure to act by CEF in respect of a right or duty conferred or imposed by PAIA, any person affected by such act or failure to act may -

- 6.2 lodge an internal appeal with CEF within 60 (sixty) days in accordance with the manner prescribed in section 75 of PAIA. If an internal appeal is lodged after the expiry of the prescribed period CEF will, upon good cause shown, allow the late lodging of the internal appeal.
- 6.3 lodge a complaint with the Information Regulator or any relevant regulatory body; and/or
- 6.4 approach any Court with competent jurisdiction for appropriate relief.

7 HOW TO REQUEST ACCESS TO CEF RECORDS

- 7.2 A request for information can be made by using the prescribed Form 2 which is attached hereto;
- 7.3 Requests can be directed to the information officers by sending a completed Form 2 to paia@cefgroup.co.za.
- 7.4 Once a completed form has been received the information officer of CEF will make a decision as contemplated by section 25 of PAIA within 30 days after the request is received.

8 GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 8.2 The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("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.

- 8.3 The Guide is available in each of the official languages.

- 8.4 The aforesaid Guide contains the description of-

- 8.4.1 the objects of PAIA and POPIA;

- 8.4.2 the postal and street address, phone and fax number and, if available, electronic mail address of-

- 8.4.2.1 the Information Officer of every public body, and

- 8.4.2.2 every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
- 8.4.3 the manner and form of a request for-
 - 8.4.3.1 access to a record of a public body contemplated in section 11³; and
 - 8.4.3.2 access to a record of a private body contemplated in section 50⁴;
- 8.4.4 the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 8.4.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 8.4.6 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-
 - 8.4.6.1 an internal appeal;

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.*

- 8.4.6.2 a complaint to the Regulator; and
 - 8.4.6.3 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 Regulator or a decision of the head of a private body;
 - 8.4.7 the provisions of sections 14⁵ requiring a public body, to compile a manual, and how to obtain access to a manual;
 - 8.4.8 the provisions of sections 15⁶ providing for the voluntary disclosure of categories of records by a public body;
 - 8.4.9 the notices issued in terms of sections 22⁷ regarding fees to be paid in relation to requests for access; and
 - 8.4.10 the regulations made in terms of section 92⁸.
- 8.5 Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours.
- 8.6 The Guide can also be obtained-

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 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

⁷ 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.

⁸ Section 92(1) of PAIA provides that –“The Minister 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.”

- 8.6.1 upon request to the Information Officer or head of the private body, using Form 1 available at <https://info regulator.org.za/paia-forms/>;
- 8.6.2 upon request, to the Information Regulator, by sending Form 1 (a request for a copy of the Guide) to- PAIACompliance@infoRegulator.org.za; and
- 8.6.3 from the website of the Regulator (<https://info regulator.org.za/paia-guidelines/>).

9 DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE CEF

Subjects on which the body holds records	Categories of records held on each subject
Strategic Documents, Plans, Proposals	Annual Reports, Strategic Plan, Annual Performance Plan.
Human Resources	- HR policies and procedures; - Advertised posts; - Employees records; - Learning and development e.g.: skills development and training plans - Employment equity plan and statistics - Organogram - Disciplinary Policies and Procedures - Employment Equity Plan - Women and Youth Development Plan - Learning and Development Programme
Stakeholder and Communication Affairs	- Corporate Social Responsibility, Sponsorship and Event Funding - Stakeholder and Communication Strategy - Branding and Marketing Plans

Subjects on which the body holds records	Categories of records held on each subject
	- Internal Communication Block and New Clip
Finance	- Past and Current Financial Statement - Other information the PFMA requires in year reporting and planning documentation - Approved Finance Policies - Asset Management Operations and Asset Leases - Issued Tenders and RFQ's - Board and Fees Structure
Corporate Initiative and Strategy Records	- Organisational Performance and Business Plans - Shared Service Model - Corporate Strategy - Business Development Plan - Shareholder Compact - Shareholder Directives - Corporate Mandate
Regulatory, Compliance and Legal Services	- Compliance and Legislative Framework - Policies and Procedures - Funding Agreement - Memoranda of Understanding - Partnership and Equity - Shareholder List and Information - Collaboration Agreement - Occupational Health and Safety Plans - High Level Litigation Information and Matters - Directives, Court Order and Settlements - Non-disclosure and Confidentiality Agreements -
Secretarial Services	- Company Secretary - Boarding Management and Governance

10 THE LATEST NOTICE REGARDING CATEGORIES OF RECORDS OF THE CEF WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

In terms of section 15 of PAIA the Information Officer of CEF has to submit to the Information Regulator a description of the categories of records of the CEF which are available without a person having to request access. This notice is available and can be accessed on the website of the South African Department of Mineral Resources and Energy: www.dmr.gov.za

The notice is also available and can be accessed on the CEF website : www.cefgroup.co.za

Records available without formal request:

- Past and Current Annual Reports
- Petrol price monthly press release
- Current and awarded tenderers
- Vacancies

General Information:

- Media Releases
- Executive Management
- Board of Directors
- Public Notices

10. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE CEF AND HOW TO GAIN ACCESS TO THOSE SERVICES

CEF does not directly provide services to the public. However, CEF engages with the public through:

- Public participation for legislative and policy development, through the calling of the public to submit comments on the intended legislative and policy development.

11. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY CEF

CEF does not directly formulate policies or any legislative reform, but may from time to time be required to provide input and feedback on policies or any legislative reform that the government requires. Members of the public can participate in the formulation of policies or any legislative reform through public participation by submitting comments on the intended legislative and policy development through the provided platforms or measures. CEF exercises its powers and performs its duties as mandated by the relevant legislative framework to this end members of the public may submit proposals wherein the government has called for public comments on such underlying legislative framework.

The input and submissions of members of the public will then be considered by CEF and the relevant legislative stakeholder in relation to the particular policy/legislative framework.

12. PROCESSING OF PERSONAL INFORMATION

12.1 Purpose of Processing

The purpose for which CEF processes personal information is for the proper performance of its functions and the execution of its mandate in terms of the Central Energy Fund Act, 38 of 1977 and the Ministerial directives thereafter, this includes processing personal information to enter into agreements, obtaining services, recruitment, access to premises, etc.

12.2 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
Applicants for Employment	Names and surname; contact details (contact number(s), email address); Residential, postal address; criminal history, educational information (qualifications), South African identity number, race, gender, sex, nationality.
Members of the public visiting CEF offices	Names and surname; identification number, name of employer or affiliated company, vehicle registration number, contact details (telephone or cell phone number), laptop serial number (if applicable)
Service provides/contractors	Name of legal entity, registration number; Names of contact persons; physical and postal address; contact details (contact number(s), fax number, email address);
Employees	Gender, pregnancy; marital status; race, age, language, educational information (qualifications); financial information; employment history; ID number; physical and postal address; contact details(contact number(s), fax number, email address); criminal history; their relatives (family members) medical , sex, nationality, ethnic origin, physical or mental health, well-being, disability and religion,
Potential investors/partners	Name of legal entity, registration number; Names of contact persons; physical and postal address; contact details (contact number(s), fax number, email address); financial information, names, surnames and identification numbers, educational information (qualifications).

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

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for criminal checks	State Security Agency/ Managed Integrity Evaluation (MIE)/ any other authorities as required by law
Qualifications, for qualification verifications	South African Qualifications Authority/ Managed Integrity Evaluation (MIE)/ any other authorities as required by law
Credit and payment history, for credit information	Credit Bureaus or any other authorities as required by law
Biometric information (fingerprints)	State Security Agency/Managed Integrity Evaluation (MIE)/ any other authorities as required by law
Employment information	UIF, SARS, provident fund providers, medical schemes, insurance companies, compensation fund and any other authorities as required by law

12.4 Planned transborder flows of personal information

CEF may from time to time enter into engagements or agreements with third parties outside the borders of the Republic of South Africa, which may result in the transfer of personal information to such third parties. CEF shall endeavour to enter into such engagements or agreements with third parties from jurisdictions that have similar or stronger measures for the protection of personal information or enter into agreements with such third parties that have adequate protection measures as envisaged by POPIA.

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

12.5.1 CEF secures the integrity and confidentiality of information in records in its possession through appropriate and reasonable technical and organisational measures by taking appropriate, reasonable technical and organisational measures to prevent:

12.5.1.1 loss of, damage to or unauthorised destruction of personal information; and

12.5.1.2 unlawful access to or processing of personal information.

12.5.2 CEF has also taken reasonable measures to:

12.5.2.1 identify all reasonably foreseeable internal and external risks to personal information in its possession or under its control;

12.5.2.2 establish and maintain appropriate safeguards against the risks identified;

12.5.2.3 regularly verify that the safeguards are effectively implemented; and

12.5.2.4 ensure that the safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards.

12.5.3 Measures taken by CEF to ensure the safeguard of information include:

12.5.3.1 Access Control;

12.5.3.2 Data Encryption;

12.5.3.3 Robust Monitoring, Auditing and Reporting capabilities;

12.5.3.4 Data Backups;

12.5.3.5 Anti-virus and Anti-malware Solutions;

12.5.3.6 Awareness and Vigilance; and

12.5.3.7 Agreements are concluded with Operators to implement security controls.

13. AVAILABILITY OF THE MANUAL

13.1 This Manual is made available in the following three official languages-

13.1.1 English;

13.1.2 IsiZulu

13.1.3 Sipeedi

13.2 A copy of this Manual or the updated version thereof, is also available as follows-

13.2.1 on www.cefgroup.co.za if any, of the public body;

13.2.2 at the head office of the public body for public inspection upon reasonable prior notice and during normal business hours;

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

13.2.4 to the Information Regulator upon request.

13.3 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.

14. PRESCRIBED FEES

In terms of section 22 of PAIA, CEF must require a requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing the request for access to information.

These fees are as follows:

Request fee – if the request is to access a record containing personal information about the requester, he/she will not pay the request fee. Any other request must be accompanied by the required request fee, which is currently R100.00;

Access fee – if the request is granted then an access fee must be paid for the reproduction of records and for time in excess of one hour to research and prepare the records for disclosure. Where the time to prepare the records for disclosure is likely to exceed six hours, a deposit of one third of the anticipated access fee may be required;

15. UPDATING OF THE MANUAL

The CEF will, if necessary, update and publish this Manual annually.

Approval

Ayanda Noah

CEF Group Chairperson

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. *Proof of identity must be attached by the requester.*
2. *If requests made on behalf of another person, proof of such authorisation, must be attached to this form.*

TO: The Information Officer

(Address)

E-mail address:

--

Fax number:

--

Mark with an "X"

☐

Request is made in my own name person.

☐

Request is made on behalf of another

PERSONAL INFORMATION				
Full Names				
Identity Number				
Capacity in which request is made <i>(when made on behalf of another person)</i>				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B):		Facsimile:	
	Cellular:			

Full names of person on whose behalf request is made (if applicable):				
Identity Number				
Postal Address				
Street Address				
E-mail Address				
Contact Numbers	Tel. (B)		Facsimile	
	Cellular			
PARTICULARS OF RECORD REQUESTED				
<i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>				
Description of record or relevant part of the record:				
Reference number, if available				
Any further particulars of record				

TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>	
Record is in written or printed form	
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Record consists of recorded words or information which can be reproduced in sound	
Record is held on a computer or in an electronic, or machine-readable form	
FORM OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Printed copy of record <i>(including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)</i>	
Written or printed transcription of virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>	
Transcription of soundtrack <i>(written or printed document)</i>	
Copy of record on flash drive <i>(including virtual images and soundtracks)</i>	
Copy of record on compact disc drive <i>(including virtual images and soundtracks)</i>	
Copy of record saved on cloud storage server	

MANNER OF ACCESS <i>(Mark the applicable box with an "X")</i>	
Personal inspection of record at registered address of public/private body <i>(including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)</i>	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format <i>(including transcriptions)</i>	
E-mail of information <i>(including soundtracks if possible)</i>	
Cloud share/file transfer	

Preferred language (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)		
PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED		
<i>If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.</i>		
Indicate which right is to be exercised or protected		
Explain why the record requested is required for the exercise or protection of the aforementioned right:		
FEES		
a) A request fee must be paid before the request will be considered. b) You will be notified of the amount of the access fee to be paid. 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		

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication (Please specify)

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: (State Rank, Name And Surname of Information Officer)	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer