

South African Photovoltaic Industry Association

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PVGreenCard

Powered by  **SAPVIA**
South African Photovoltaic Industry Association

South African PV GreenCard Terms and Conditions

As at May 2017

These non-prescribed voluntary **Terms and Conditions** aims to promote best practice measures and activities for **Solar Photovoltaic (PV) installations**. These Terms and Conditions are for Solar PV installers that want to demonstrate the commitment they have to promoting responsible activity and development in the Solar PV sector. It is important to note that the Terms and Conditions will not replace existing legislation, policy or regulations, but will support the increased accountability within the Solar PV industry.

The **PV GreenCard Programme** has been developed mainly to address issues arising during the installation of small-scale Solar PV to residential and small business consumers, it should be understood that the Terms and Conditions outlined here applies to any Solar PV installation company that registers to be part of the **PV GreenCard Installation Company Database** as well as system owners who use installation companies of this database.

Terminology

PV Installation Company: A PV GreenCard endorsed PV installation company adheres to the terms and conditions as specified under the PV GreenCard programme. Most importantly, this company commits to employ Approved Installers who are skilled to safely install rooftop PV systems while ensuring high quality. PV GreenCard endorsed PV installation companies are listed on the PV Green Card website (www.pvgreencard.co.za)

PV Installer: A PV GreenCard PV Installer is an individual who proved his or her competence in installing rooftop PV systems through successfully passing the SAPVIA PV Assessment. Endorsed PV Installation Companies add individual PV installers to their portfolio by using the PV GreenCard installation company portal, they are then referred to as Approved Installers (www.pvgreencard.co.za).

Customer: A PV GreenCard customer is a private or commercial entity willing to employ an endorsed a PV GreenCard Installation Company to procure a PV GreenCard quality assured PV system installation. The PV GreenCard customer is the final authority to approve the new-built PV installation by accepting the PV GreenCard.

Solar PV Installer Code of Conduct

1. The PV GreenCard Programme deals with matters relating to the installation of Solar PV systems to maintain a standard that will benefit both consumers and the industry.
2. The PV GreenCard Programme has been developed to improve the relationship between consumers and PV installers and to ensure the industry is suitably regulated.
3. The PV GreenCard Programme is an industry-regulated initiative designed to provide system owners with confidence that Solar PV installers will act in compliance with (and where appropriate, go beyond) national policies, regulations and standards to conduct business in a professional and ethical manner.
4. The Installation Company Database connects the responsibility of the installation company with the obligations of registered installers, to ensure that installation companies are fully accountable for the actions of any subcontracted parties.
5. The PV GreenCard will ensure that the consumer is provided with the required documentation after the Solar PV system is installed by the installer.
6. The PV GreenCard aims to address issues that may impact on the reputation of the Solar PV industry which include but are not limited to;
 - a. Misleading claims given to system owners regarding the performance of their Solar PV system and future electricity bills
 - b. Misleading advertising regarding the size and suitability of the Solar PV system being installed
 - c. The installation company not taking responsibility for the whole of the Solar PV system including component warranties and workmanship.
 - d. Low quality and unsafe installation work
 - e. The installation company not taking responsibility for subcontracted parties

Registration for Solar PV Installers

The South African Photovoltaic Industry Association (SAPVIA) manages a Solar PV installation company database to register the installation companies and associated installers of Solar PV systems which is not linked to membership with SAPVIA. Under the PV GreenCard Programme, registration is two-fold;

1. Installation Companies duly registered in terms of the laws of the Republic of South Africa and which comply with the minimum criteria will be eligible to register.
2. The PV installer registration has an electrical/technical focus on quality and safety installation of PV systems, therefore individuals need to be registered. Registration on the PV GreenCard Website is done by the installation company and includes acceptance of the PV GreenCard General Terms and Conditions by associated PV installers
The minimum criteria are the following:
 - a. SAPVIA Solar PV Assessment passed;
 - b. Department of Labour COID Registration – Valid LOGS to be presented and uploaded;
 - c. Compliance with the SAPVIA installation Guidelines, relevant SABS Standards and all other relevant regulations when installing Solar PV systems.
3. Installation companies are required to register annually to confirm their compliance with the PV GreenCard Programme, which also serves to reaffirm the installer’s ongoing commitment to implementing safe and quality Solar PV installations.

Application Process

Registration of installation companies as well as associated qualifying PV installer’s information will be uploaded electronically by using the www.pvgreencard.co.za website.

1. Once the Applicant’s information has been uploaded, SAPVIA will examine the proposal and information uploaded and, if satisfied, would activate the registration. Notice of activation of registration will be given by SMS/email. Should an application be declined the reasons for this decision will be issued to the Applicant.
2. The Applicant would pay the requisite fees for registration through the online portal. The fees would be charged online in accordance with the guideline published from time to time on the PV GreenCard Website.
3. Once the application is approved the Applicant will be added to the PV GreenCard Installation Company database. The applicant would from then onwards be referred to as an “Approved Installation Company”.
4. Login data to access the PV GreenCard online system will be generated and communicated.
5. Changes and additions to the visible company profile can be made after registration. This include information regarding the location of the business and additions or removals of PV Installers associated with the company.
6. Only Approved Installation Companies will be allowed to use the PV GreenCard web/mobile application. These transactions would be subject to General Terms and Conditions that will be reasonably prescribed by SAPVIA from time to time.

7. Endorsed Installation Companies are responsible of adding one or more PV installers to their portfolio. When adding installers, supporting documents have to be submitted which are subject of approval by SAPVIA.
8. Installation companies with one or more PV Installers will be entitled to offer the PV GreenCard to customers. The Approved Installation Company and its particulars as well as data relating to plants that have been installed in terms of the PV GreenCard system will be loaded on the PV GreenCard database. A limited amount of information about the Approved Installation Company and its registered plants would be available to the public and owners of plants that are registered as PV GreenCard systems.
9. The Approved Installer's entry on the Installer database would consist of:
 - Company name;
 - Address;
 - E-mail;
 - Website;
 - Phone;
 - Officials / Directors;
 - Logo

Publication of the Approved Installation Company's information on the database will be subject to the applicable laws regarding the disclosure of such information as well as to the SAPVIA privacy policy and permissions of publication.

General Terms and Conditions

1. By accepting these General Terms and Conditions the Approved Installation Company agrees to be subject to and to honor the SAPVIA constitution and code of conduct (copies available on request).
2. The Approved Installation Company agrees to abide to any reasonable disciplinary adjudication processes, specifically the RedCard process, to become and remain an Approved Installation Company.
3. The Approved Installation Company agrees to abide by all current regulations and to keep itself updated with such regulations through continuous education and research.
4. These General Terms and Conditions are applicable to all purchases and issuing of PV GreenCards between SAPVIA and Approved Installation Companies.
5. These General Terms and Conditions are the only conditions and terms upon which the PV GreenCards are issued. Amendment hereof is only possible through publication by SAPVIA on the PV GreenCard website of revised General Terms and Conditions.

6. The purchase by an Approved Installation Company , of a PV GreenCard for a specific installation is a binding offer that will be accepted through a confirmation from SAPVIA for the issuance of a PV GreenCard.
7. The PV GreenCard covers important technical requirements and qualification criteria regarding solar PV and related installations without confirming the installations to be complete.
8. Approved Installation Companies are referred to and are legally obliged to comply with the applicable statutory installation and quality standards and guidelines (even when not alerted to these by SAPVIA) and will be committed to and remain liable for the quality and safety of their installations as outlined in the Occupational Health and Safety Act.
9. The accuracy and correctness of the PV GreenCard is no guaranteed attribute of SAPVIA's service but is issued according to the information presented to SAPVIA by the Approved Installation Company.
10. SAPVIA will from time to time carry out audits on certain installations to ensure compliance but will not inspect each and every PV GreenCard installation.
11. A PV GreenCard is no replacement for legal applicable standards, safety measures and product guarantees.
12. Approved Installation Companies are responsible to maintain the correct information contained on the PV GreenCard data base.
13. The PV GreenCard is only valid and active if it contains a valid unique PV GreenCard Number and the watermark "Draft" is not visible on the document.
14. An Approved Installation Company may not represent itself to be an Approved Installation Company or use the PV GreenCard's logo or attempt to issue PV GreenCards unless it is at the time of such representation or issuing indeed current and up to date with its registration and payments in all respects. A false representation in this regard would constitute fraud and will be prosecuted by law.
15. SAPVIA is reliant on the information provided by the Approved Installation Company to be correct in all respects.
16. The Approved Installation Company accordingly indemnifies SAPVIA, its officials, members and associated entities from any liability whatsoever regarding the correctness of information provided by the Approved Installer.
17. The Approved Installation Company shall be liable for the compliant and safe installation and execution of any projects to which the PV GreenCard applies and SAPVIA, its officials, members and associated entities from any liability whatsoever save for gross direct negligence directly attributable to SAPVIA.

18. The parties agree that the law of the Republic of South Africa would apply to these General Terms and Conditions.
19. Approved Installation Companies confirm that they would act in accordance and respect the content of the Consumer Protection Act 68 of 2008 (“CPA”) and the regulations issued in terms thereof.
20. Approved Installation Companies are also informed to ensure that upon quoting and design, proper communication exists between it and its clients to ensure that once systems are operational the client’s full expectations are met (with specific regard to system ability, yield, purpose of use) and that warranties will be honoured.
21. An Approved Installation Company may only issue a PV GreenCard for installations in which it had an active part during the design, construction and commissioning of the plant.
22. Solar PV systems that were operational at the time that the PV GreenCard system was introduced, may be issued with PV GreenCards but only by the Approved Installation Company who attended to the installation of the system in the first instance.
23. It follows that Approved Installation Companies cannot sign off or issue PV GreenCards for systems installed by any other person or entity.
24. An Approved Installation Company should ensure that it always has the necessary skills and competencies within its workforce necessary to be eligible as an Approved Installation Company for PV GreenCard.
25. Each installation has to be issued with its own PV GreenCard. Additions to existing installation should also be issued with its own PV GreenCard as a separate installation.
26. Any modifications to an existing installation must be noted and should the modification be of an extent warranting consideration, a new PV GreenCard should be issued for same.
27. All PV GreenCard systems must be fully compliant and duly registered with the applicable utilities (municipalities, Eskom, etc.), any by-laws or regulations in this regard must be complied with which will include the licensing of systems (if applicable) in strict accordance with the Electricity Regulation Act 4 of 2006 as amended from time to time.
28. The PV GreenCard programme has a focus on the installation process and therefore does not address nor takes any responsibility for the reliability and guarantee of the components and products used for the PV installations (cells, modules, inverters, strings). Terms & conditions of the relevant manufacturers apply.

Documentation

The following documentation must be provided to the system owner in either electronic format or hard copy. Where appropriate, specified details of where this information can be found (for example, a web link) is acceptable. However, hard copies must be provided upon request by the system owner.

1. List of equipment
2. Warranty information
3. Equipment manual
4. Equipment handbook
5. Array frame engineering certificate
6. Shut down and isolation procedure
7. System performance estimate
8. Maintenance
9. Earth fault alarm actions
10. System connection diagram
11. Site inspection checklist
12. Testing/commissioning Report
13. Certificate of Compliance
14. The PDF PV GreenCard Form

Installation companies are accountable for the work of their sub-contractors. In addition to the document requirements set out above, installers must be aware of any other documentation required by electricity distributors and regulators in their regions of operation.

PV GreenCard Fees

1. The costs of registration as an Approved Installation Company as well as the purchasing of PV GreenCards for specific plants would be issued from time to time by SAPVIA on a published price list and an invoice will be issued for each purchase in accordance with the prices of the price list applicable at such time.
2. All amounts due for either registration as an Approved Installation Company or the purchasing of a PV GreenCard for a specific plant must be paid before the registration will be approved or a respective PV GreenCard will be issued. SAPVIA will not allow any credit and set-off would not apply.
3. All fees stated are subject to and exclusive of VAT.
4. All fees are published on the PV GreenCard website at www.pvgreencard.co.za
5. SAPVIA reserves the right to vary the fees from time to time. Notice of fee variations will be given to Approved Installers in due course prior to variation.

6. A non-refundable annual registration fee will be charged as part of the online registration process.
7. Approved Installation Companies are required to pay a PV GreenCard issuing fee. The PV GreenCard issuing fee is a fixed amount per PV GreenCard issued and is also available through an online payment process.

System Owner Disputes

SAPVIA will investigate all reported breaches of the Terms and Conditions but will not resolve a dispute between the Approved Installation Company and the system owner itself. System Owners who wish to make a complaint against an Approved Installation Company should first contact the installation company directly.

1. Upon completion of the installation, the system owner is required to accept the submitted PV GreenCard issued by the Approved Installer.
2. If the system owner is not satisfied with the Solar PV installation done by the Approved Installer, the system owner has the ability to RedCard to installation - SAPVIA being informed of a complaint from a client who is in possession of a PV GreenCard, it will request written details of the complaint from the client.
3. SAPVIA would then do a preliminary assessment to understand the basis on non-acceptance.
4. Should there indeed be an issue with the installation, SAPVIA will request a response from an Approved Inspection Authority (AIA) registered with the Department of Labour to gauge compliance to the applicable statutory standards, regulations and guidelines.
5. Should it be found that the PV GreenCard for the system should not have been issued for the system, it is expected that the Approved Installer will do all things necessary including the replacement or addition of equipment to comply with the client's expectations as may be prescribed and found by the AIA report. The Approved Installer will bear the cost of the AIA investigation and report.
6. SAPVIA will however in each instance of a complaint that does not warrant a RedCard, report thereon to the client that the system was found to indeed be compliant and that the PV GreenCard was duly issued. The system owner will then bear the cost of the AIA investigation and report.
7. Should an Approved Installer at any time have had three RedCards issued to systems for which it is responsible within a period of 12 months and has not corrected the installation as per the AIA instruction, the registration of the Installer will be withdrawn and the

General Terms and Conditions of the PV GreenCard agreement between the formerly Approved Installer and SAPVIA will be terminated.

8. SAPVIA could also keep a list on its database accessible on its public website of former Approved Installers and of the occurrences of Red Cards that are linked to such list.

Deregistration or termination of registration:

SAPVIA may in its own discretion deregister the Approved Installer for appropriate reasons. These reasons may include but will not be limited to fraudulent use of the PV GreenCard system, issuing of certificates or amendment to certificates, false statements contained on PV GreenCard applications and due complaints by client which has the possibility to put the PV GreenCard system into disrepute.

Copyrights:

1. SAPVIA grants Approved Installers the right to use and issue PV GreenCards. This permission is limited to the area of the Republic of South Africa and expires immediately upon deregistration or termination of registration of the Approved Installer. Approved Installers are only allowed to use the PV GreenCard under these General Terms and Conditions. Resale, copying or reissue of PV GreenCards are prohibited.
2. PV GreenCard may only be used to document a quality and state of the art installation of a solar PV system and are only valid when issued with a unique number.
3. Approved Installers are required to use the PV GreenCard Logo in accordance with the relevant guidelines. The logo remains the intellectual property of SAPVIA and legal action may be taken in regard to its misuse.

I hereby accept the Terms and Conditions in its entirety.

Name and Surname
Title: _____
Company: _____

Signature
Date: _____