

ARNHEM BODY CORPORATE c/o OSRO SECTIONAL TITLE
ADMINISTRATORS & DEVELOPERS

The Company

THIS MANUAL WAS PREPARED IN LINE WITH THE REQUIREMENTS OF SECTION 14 OF
THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 ("PAIA") AND WITH DUE
CONSIDERATION FOR THE REQUIREMENTS OF THE PROTECTION OF PERSONAL
INFORMATION ACT, 2013("POPIA")

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1. INTRODUCTION

The promotion of Access to Information Act, 2000, as amended, (the "Act") gives third parties the right to approach private bodies to request information held by them, which is required in the exercise and/or protection of any rights.

On request, the private body may be obliged to release such information unless the Act expressly states that the records containing such information may or must not be released.

This manual informs requestors of procedural and other requirements which a request must meet as prescribed by the Act, and further incorporates or addresses the requirements of the Protection of Personal Information Act, 2013 ("POPIA")

ARNHEM is a Sectional Title Scheme Body Corporate (Managed by OSRO Sectional Title Administrators & Developers) and conducts business as a:

- Residential Sectional Title Scheme

We are authorized to conduct our business in terms of the

The Sectional Titles Schemes Management Act 8 of 2011 which aims:

- to provide for the establishment of bodies corporate to manage and regulate sections and common property in sectional titles schemes and for that purpose to apply rules applicable to such schemes;

2.COMPANY CONTACT DETAILS

Duly Authorised Information Officer:

Name of Company: ARNHEM Body Corporate c/o OSRO Sectional Title Administrators & Developers

Contact Person: c/o OSRO Sectional Title Administrators & Developers

Physical Address: Durban Road 301, Bellville, 7535

PO Box Address: c/o OSRO Sectional Title Administrators & Developers

Contact Number: +27 21 910 0707 c/o OSRO Sectional Title Administrators & Developers

Email Address: anna-mare@osro.co.za c/o OSRO Sectional Title Administrators & Developers

Fax Number: +27 21 910 4283 c/o OSRO Sectional Title Administrators & Developers

Duly Authorised Deputy Information Officer:

Contact Person: c/o OSRO Sectional Title Administrators & Developers

Physical Address: Durban Road 301, Bellville, 7535

PO Box Address: c/o OSRO Sectional Title Administrators & Developers

Contact Number: +27 21 910 0707 c/o OSRO Sectional Title Administrators & Developers

Email Address: anna-mare@osro.co.za c/o OSRO Sectional Title Administrators & Developers

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3. 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, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.
- 3.3** Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission 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. APPLICABLE LEGISLATION

<u>No</u>	<u>Ref</u>	<u>Act</u>
1	No 61 of 1973	Companies Act
2	No 98 of 1978	Copyright Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 8 of 2011	Sectional Title Schemes Management Act
8	No 37 of 2002	Financial Advisory and Intermediary Services Act
9	No 75 of 1997	Basic Conditions of Employment Act
10	No 25 of 2002	Electronic Communications and Transactions Act
11	No 2 of 2000	Promotion of Access of Information Act
12	No 30 of 1996	Unemployment Insurance Act
13	No 55 of 1999	Rental Housing Act

5. Request of Records

5.1 Records available without a formal request

The following records are available on payment of the prescribed fees for copies without completing the prescribed form in terms of the PAIA Act. All requests must be directed to the Information Officer or the Deputy Information Officers in writing. These records include:

- (a) Newsletters;
- (b) Regulations, Ethical Rules and Guidelines Booklets;
- (c) Forms for lodging complaints; (free of charge);
- (d) General information brochures; (free of charge).

5.2 Access to records & Request Procedure

Records held by private body may be accessed on request only once the requirements for request for access have been met.

A requester in terms of the Act means:

- any person making a request to access the record of that private body;
- or a person acting on behalf of the person.

5.3 Request Procedure:

A requester must comply with all the procedural requirements contained in the Act relating to requests for access to a record. To request information the attached Request Form must be completed and sent to the Information Officer of ARNHEM Body Corporate c/o OSRO Sectional Title Administrators & Developers at their contact details stated above.

The records requested will be furnished on payment of the prescribed fee, in instances where request for information fees is levied. The Request Form must be completed with enough detail to enable the information officer to identify the following information:

- (a) The record(s) requested;
- (b) The requester (and if an agent is lodging the request, proof of capacity);
- (c) The form of access required;
- (d) (i) The postal address or fax number of the requester in the Republic;
(ii) If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;
- (e) 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.

<u>Records</u>	<u>Subject</u>	<u>Availability</u>
Public Affairs	<ul style="list-style-type: none"> • Public Product Information • Public Corporate Records • Media Releases 	Freely available on web site to be inserted
Financial	<ul style="list-style-type: none"> • Financial Statements • Financial and Tax Records (Company & Employees) • Asset Register • Management Accounts 	Request in terms of PAIA. Request in terms of PAIA. Request in terms of PAIA. Request in terms of PAIA.
Marketing	<ul style="list-style-type: none"> • Market Information • Public Customer Information: <ul style="list-style-type: none"> ○ Product Brochures ○ Owner Manuals • Field Records • Performance Records • Product Sales Records • Marketing Strategies • Customer Database • Dealer Franchise Documents 	Limited Information available on web site. (See above) Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA Request in terms of PAIA

The requester will be informed in writing whether access has been granted or denied. ARNHEM Body Corporate c/o OSRO Sectional Title Administrators & Developers shall, within 30 days of receipt of a request, decide whether to grant or decline a request and provide detailed feedback in this regard

6. PRESCRIBED FEES

The following applies to requests (other than personal requests). The Act provides for two types of fees:

- a request fee, which will be a standard fee, and an
- access fee, which must be calculated by considering reproduction costs, search and preparation time and cost, as well as postal costs where applicable.

6.1 A requestor is required to pay the prescribed fees before a request will be processed;

6.2 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);

6.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;

6.4 The Information Officer or his/her Deputy shall withhold a record until the requester has paid the fee or fees as indicated.

6.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

FEES FOR RECORDS OF PUBLIC BODY

1. The “request fee” payable by every requester, other than a personal requester referred to in section 22(1) of the Act, is R35. The “access fees” referred to in section 22(7) of the Act (unless the requester is exempted under section 22(8)) and “fees for reproduction” referred to in section 15(3) of the Act, are as follows:

- (a) for every photocopy of an A4-size page or part thereof R0.60
- (b) for every printed copy of an A4-size page or part thereof R0.40
- (c) held on a computer or in electronic or machine readable form for a copy in a computer-readable form on -
 - (i) stiffy disc R5
 - (ii) compact disc R40
- (d) (i) for transcription of visual images, for an A4-size of part thereof R22
 - (ii) for a copy of visual images R60
- (e) (i) for a transcription of an audio record, for an A4-size page or part thereof R12
 - (ii) for a copy of an audio record R17

The actual postal fee is payable when a copy of a record must be posted to a requester.

REQUEST FOR RECORDS OF PRIVATE BODY

Form of request

A request for access to a record, made in terms of section 53(1) of the Act, must be made in the form of “Form C”. The “Form C” is available upon request from the Deputy Information Officer of the Department (or from any Information Officer or Deputy Information Officer of a Public or Private Body) or from the Department’s website (www.justice.gov.za).

FEES FOR RECORDS OF PRIVATE BODY

1. The “request fee” payable by a requester, other than a personal requester, referred to in section 54(1) of the Act, is R50

2. The “fees for reproduction” referred to in section 52(3) and “access fees” payable by a requester referred to in section 54(7), unless exempted under section 54(8) of the Act, are as follows:

- (a) for every photocopy of an A4-size page or part thereof R1 - R10
- (b) for every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R0 - R75
- (c) for a copy in a computer-readable form on:
 - (i) stiffy disc R7 - R50
 - (ii) compact disc R70

- (d) (i) for a transcription of visual images, for an A4-size page or part thereof R40
 - (ii) for a copy of visual images R60
- (e) (i) for transcription of an audio record, for an A4-size page or part thereof R20
 - (ii) for a copy of an audio record R30
- (f) To search for the record for disclosure, R30 for each hour or part of an hour reasonably required for such search.

The actual postal fee is payable when a copy of a record must be posted to a requester. Exemptions from paying “access fees”

Person or persons exempted from paying access fees:-

- (i) A single person whose annual income does not exceed R14,712.00; or
- (ii) Married persons or a person and his/her life partner whose annual income does not exceed R27,192.00

NOTES: Please take note of the following differences when making an application for access to information to a Public Body and a Private Body

	PUBLIC BODY	PRIVATE BODY
Application form to use	“Form A”	“Form C”
Request fee payable	R35.00	R50.00
Remedy available (when not satisfied with the decision (including “deemed refusal”) of the Information Officer or Deputy Information Officer)	Internal Appeal to the Relevant Authority (e.g. Minister, MEC or Mayor) <ul style="list-style-type: none"> • use “Form B” • no fee payable 	Application to Magistrates’ Court (there is no Internal Appeal)
Remedy available (only when not satisfied with the outcome of the Internal Appeal)	Application to Magistrates’ Court	

7. Remedies for the refusal of information

Internal procedures:

- ARNHEM Body Corporate c/o OSRO Sectional Title Administrators & Developers does not make provision for any internal procedures to remedy the situation.
- The decision made by the Information Officer or Deputy is final, and requestors shall have the right to refer their complaint externally.

External Remedies

- A requestor may within 180 days of notification of the decision, apply to a court for relief.

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- *Submission to the SAHRC is free and the SAHRC does not charge any fees for advise or administration however all cost to lodge manuals is at the relevant private entities own cost e.g. registered mail etc.*
- *Manuals are subject to review and comment with the possibility of manuals being rejected on the basis of not meeting the minimum requirements and the SAHRC is not liable for the amendment costs if any and resubmission if any of any manuals.*