

MANUAL PREPARED IN ACCORDANCE WITH

SECTION 51 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT

Act No. 2 of 2000
("the Act")

FOR

Chapman's Bay Estate Home Owners' Association

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1. Entity overview

The purpose of the Chapman's Bay Estate Home Owners' Association is to enforce the set of rules, policies and procedures, contained in the Constitution, that serves the best interests of the group of members of the Association. In order to do this they have appointed a Board of Trustees to act on their behalf. Their duties include the following:

- (a) Establishing a fund via levies paid by the members for maintenance, management and administration of the common property and payment of taxes, water, electricity, insurance and other necessary services;
- (b) Holding regular meetings to enforce the standard rules and regulations;
- (c) Establishing a budget;
- (d) Authorising expenditure;
- (e) Opening a bank account(s);
- (f) Insuring the common property;
- (g) Informing the Registrar of Deeds and local authorities what the official address of the Master Home Owners Association will be; and
- (h) Maintaining all the instruments and machines that form part of the common property.

2. Part I

Information required under Section 51 (1)(a) of the Act

Name of body: Chapman's Bay Estate Home Owners' Association

Physical address: Ou Kaapse Weg
Noordhoek
7979

Postal address: PO Box 31142
Tokai
7966

Estate Manager: Russ Hawkins

Telephone no: 074 143 0706

Email: estatemanager@chapmansbay.co.za

3. Part II

Information required under Section 51(1)(b) of the Act

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.

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.

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 South African Human Rights Commissioner:

PAIA Unit, The Research and Documentation Department

Postal address: Private Bag X2700
Houghton
2041

Telephone: +27 11 877 3600

Fax: +27 11 403 0625

Website: www.sahrc.org.za

E-mail: dmalesa@sahrc.org.za

4. Part III

Copy of Notice, if any, required under Section 51(1)(c) of the Act

Currently not applicable.

5. Part IV

Information required under Section 51 (1)(d) of the Act

Chapman's Bay Estate Home Owners' Association keeps information/documents in accordance with the following legislation, please note that this is not an exhaustive list:

- Estate Agency Affairs Act 112 of 1976;
- Basic Conditions of Employment Act 75 of 1997;
- Community Schemes Ombud Service Act 9 of 2011;
- Constitution of the Republic of South Africa, 108 of 1996;
- Financial Advisory and Intermediary Services Act 37 of 2002;
- National Credit Act 34 of 2005;
- Protection of Personal Information Act 4 of 2013; and
- The Promotion of Access to Information Act 2 of 2000.

The above records, in so far as they are of a public nature may be available elsewhere without having to request access thereto in terms of the Act.

6. Part V

Information required under Section 51 (1)(e) of the Act

Chapman's Bay Estate Home Owners' Association holds information on the following subjects in respect of which it holds record, please note that this is not an exhaustive list:

- Banking information
- Email addresses
- Biometric information
- Identity information
- Marital statuses
- Nationalities
- Registered names
- Service addresses
- Contact numbers

The categories of records have been set out in Section 4 above. Chapman's Bay Estate Home Owners' Association records that any and all records requested shall only be available to a requestor subject to the provisions of the Act.

None of the information is automatically available without having to request access in terms of and subject to the provisions of the Act. A request for information should be in the prescribed form, addressed to the Head of Chapman's Bay Estate Home Owners' Association and will be provided on payment of the required fee.

7. The request procedure

a. Form of request

- The requester must have the prescribed form being Form C hereto to make the request for access to a record. This must be made to the head. This request must be made to the address or electronic mail address of Chapman's Bay Estate Home Owners' Association .
- The requester must provide sufficient detail on the request form to enable the head to identify the record and the requester. The requester should also indicate which form of access is required and specify a postal address or fax number in the Republic. The requester should also indicate if, in addition to a written reply, any other manner is to be used to inform the requester and state the necessary particulars to be so informed.
- The requester must identify the right that is sought to be exercised or protected and provide an explanation of why the requested record is required for the exercise or protection of the right.
- If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the head.
- Should your request be refused for whatever reason and you wish to take the matter further, you can liaise with the South African Human Rights Commission.

b. Fees

A requester who seeks access to records containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The head must by notice require the requester (other than a personal requester) to pay the prescribed request fee, if any, before further processing the request.
- The fee that the requester must pay is as per the fee schedule as prescribed in the Government Gazette. The requester may lodge an application to the court against the tender or payment of the request fee.
- After the head has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for reproduction and for search and preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

8. Part VI

Other information as may be prescribed under Section 51(1)(f) of the Act

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

9. Part VII

Updating of manual required under Section 51 (2)(e) of the Act

This manual will on a regular basis be updated in terms of Section 51(2) of the Act by the Chapman's Bay Estate Home Owners' Association .

10. Part VIII

Availability of manual under Section 51(3) of the Act

This manual will be made available to the Human Rights Commission of South Africa. This manual will be made available on the web site of the Chapman's Bay Estate Home Owners' Association, if applicable. This manual is available, upon request, at the address set out in Section 2 above, free of charge for inspection. Copies of the manual may be obtained at the address set out in Section 2 above, subject to the prescribed fees.

11. Part IX

Prescribed form and fee structure in respect of private bodies

The forms and fee structure prescribed under the Act are available at the website of the Department of Justice and Constitutional Development (www.doj.gov.za) under the "regulations" section.

Submitted on behalf of Chapman's Bay Home Owners' Association by Percipient Property Management.

Signed at Cape Town on this 8th day of June 2021.



Claudine Baxter

Name:

**Request for access to a record of
Chapman's Bay Estate Home Owners' Association**

Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

Regulation 10

A. Particulars of private body:

Name: _____

Street Address: _____

Postal Address: _____

Tel: _____

Email: _____

The head of information: Russ Hawkins

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 / 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 / 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 space provided 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:

E. Fees

- a. A request for access to the record, other than a record containing personal information about yourself, will only be processed 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 the 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 the prescribed fee, please state the reason for exemption.*

Reason for exemption from payment of fees:

F. Particulars of 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 _____

Mark the appropriate option with an "X".

Notes:

- a. Compliance with your request in the specified form may depend on the form in which the record is available.
- 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.
- c. The fee payable for access to the record, if any, will partly be determined by the form in which access is requested.

1. If the record is in written or printed form:

copy of record	inspection of record
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2. If record consists of visual Images:

this includes photographs, slides, video recordings, computer generated images, sketches, etc.

view the images	copy the images	transcription of the images
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3. If record consists of recorded words or information which can be reproduced in sound:

listen to the soundtrack (audio cassette)	transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

printed copy of record	printed copy of information derived from the record	copy in computer readable form (stiffy or compact disk)
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If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable: YES or NO

G. Particulars of right to be exercised or protected

If the space provided is inadequate to complete this section, 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 requested record is required for the exercising 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. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How will you be informed of the decision regarding your request for access to the record?

Signed at, _____ on this _____ day of _____

SIGNATURE OF REQUESTER/PERSON
ON WHOSE BEHALF REQUEST IS MADE

Fees in respect of Private Bodies

(Extract from Government Gazette No. 24167 of 13 December 2002).

PART A: Fees payable for the disclosure of voluntarily available information

- | | |
|---|--------|
| 1. For every photocopy of an A4-size page or part thereof | R1.10 |
| 2. For every printed copy of an A-4 size page or part thereof held on a computer or in electronic or machine-readable form. | R0.75 |
| 3. For a copy in a computer-readable form on: | |
| a. stiffer disk | R7.50 |
| b. compact disk | R70.00 |
| 4. For a transcription of visual images, | |
| a. for an A4-size page or part thereof | R40.00 |
| b. for a copy of visual images | R60.00 |
| 5. For a transcription of an audio record, | |
| a. for an A4-size page or part thereof | R20.00 |
| b. for a copy of an audio record | R30.00 |

PART B: Request and access fees for information requested (other than voluntarily available information)

- | | |
|---|--------|
| 1. The request fee payable by requester, other than personal | |
| a. requester | R50.00 |
| 2. Access fee for the cost of making a copy, the time required to search and prepare record (unless exempted) | |
| a. for every photocopy of an A4-size page or part thereof | R1.10 |
| b. for every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | R0.75 |
| c. for a copy in a computer-readable form on- | |
| i. stiffer disk | R7.50 |
| ii. compact disk | R70.00 |
| d. for a transcription of visual images, | |
| i. for an A4-size page or part thereof | R40.00 |

- ii. for a copy of visual images R60.00
- e. for a transcription of an audio record,
 - i. for an A4-size page or part thereof R20.00
 - ii. for a copy of an audio record R30.00
- f. To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour reasonably required for such search and preparation.

3. The postal fee payable when a copy of a record must be posted:

Actual postal fee to the requester.

4. Fee payable when the preparation for the record exceeds 6 hours.

1/3 of access is payable as deposit by the requester.