

COPY

MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT NO 2 OF 2000
("the Act")

FOR

ATLANTIC BEACH HOME OWNERS ASSOCIATION NPC
(Reg no: 1999/000213/08)

Company Overview

The purpose of Atlantic Beach HOA NPC is to carry out the functions as defined in the Companies Act 71 of 2008, the Articles of Association and the applicable rules of the Association.

Part I

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

Name of body: Atlantic Beach HOA NPC
Physical address: Ground Floor
Mandela Rhodes Place
Cnr Wale & Burg Streets
CAPE TOWN
8001
Postal address: PO Box 2398
CAPE TOWN
8000
Head of body: The Chairperson
Telephone no: 021 426 4440
Fax no: 021 426 0777
Email: mrp@pamgolding.co.za

Part II

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

A guide on how to use the Act is to be compiled by the Human Rights Commission in terms of Section 10 of the Act by no later than August 2003. Any queries should be directed to:

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



Part III

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

Currently not applicable.

Part IV

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

For the purposes of this manual and the Act, the records held by Atlantic Beach HOA NPC are categorized by the nature of the content thereof as follows:

- 4.1 Records kept in accordance with other statutory legislation, including but not limited to:
- 4.1.1 Companies Act Number 61 of 1973;
 - 4.1.2 Income Tax Act 58 of 1962;
 - 4.1.3 Value Added Tax Act 89 of 1991;
 - 4.1.4 Regional Services Councils Act 109 of 1985;
 - 4.1.5 Unemployment Insurance Act 63 of 2001;
 - 4.1.6 Labour Relations Act 66 of 1995;
 - 4.1.7 Basic Conditions of Employment Act 75 of 1997;
 - 4.1.8 Employment Equity Act 55 of 1998;
 - 4.1.9 Skills Development Levies Act 9 of 1999;
 - 4.1.10 Pension Funds Act 24 of 1956;
 - 4.1.11 Medical Schemes Act 131 of 1998;
 - 4.1.12 Copyright Act 98 of 1978.

The above records which are of a public nature are available automatically without a person having to request access thereto in terms of the Act, as envisaged in Section 52.

- 4.2 Records relating to the commercial, financial and professional interests of Atlantic Beach HOA NPC including but not limited to its owners data base, fee structures, commercial contracts with third parties and its business plans, systems and procedures;
- 4.3 Records of personal information of present, past and prospective employees and Directors of Atlantic Beach HOA NPC;
- 4.4 Records of owners of Atlantic Beach HOA NPC containing personal information, commercial and financial information, information pertaining to contemplated, existing and past litigation, information on agreements, proposals and intellectual and other property of such owners.
- 4.5 The website address of Atlantic Beach HOA NPC is www.atlanticbeachgolfestate.co.za and is accessible to anyone who has access to the Internet. The Website contains information in various categories relating to the Association, its contact particulars and other related information.

A. The Request Procedure

i. 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, fax number or electronic mail address of Atlantic Beach HOA NPC.
- 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: David Malesa 011 877 3678 or Schalk van Rensburg 011 877 3642.

ii. Fees

A requester who seeks access to a 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.

Part V

(Other information as may be prescribed under Section 51(1)(f)).

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

Part VI

(Availability of manual under Section 51(3))

An unabridged version of this manual is available for inspection by the general public upon request, during office hours and free of charge at the office of Atlantic Beach HOA NPC. Copies may also be requested from the South African Human Rights Commission and the Law Society of the Northern Provinces.

Part VII

(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.



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. 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 _____

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

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*

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)

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)

If you requested a copy or transcription of a record (above), do you wish the copy or YES NO transcription to be posted to you? Postage is payable.

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 _____ 20 _____

SIGNATURE OF REQUESTER/PERSON
ON WHOSE BEHALF REQUEST IS MADE