

SIMBITHI ECO-ESTATE HOMEOWNERS ASSOCIATION

Registration number 2004/009153/08

To provide, advance and protect the communal interest of property owners of Simbithi Eco-Estate and to provide and maintain essential community services, amenities and activities within the estate

Section 51 Manual

in compliance with the Promotion of Access to Information Act.

INFORMATION REQUIRED UNDER SECTION 51(1) (a) OF THE ACT

Postal Address of the head of Simbithi Eco-Estate Homeowners Association: PO Box 1001, Simbithi Eco-Estate, 4390

Physical Address of head of Simbithi Eco-Estate Homeowners Association: 42 Cussonia Way, Simbithi Eco-Estate, 4390

Telephone Number of head of Simbithi Eco-Estate Homeowners Association: 032 946 8360

Fax Number of head of Simbithi Eco-Estate Homeowners Association: 032 946 8377

E-mail of head of Simbithi Eco-Estate Homeowners Association: steve@simbithi.com

Persons designated/duly authorised persons:

Mr Steve Van Greunen – General Manager

DESCRIPTION OF GUIDE REFERRED TO IN SECTION 10: SECTION 51 (1) (b)

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages. The Guide is available for inspection, inter alia, at the office of the offices of the South African Human Rights Commission at Braampark Forum 3, 33 Hoofd Street, Braamfontein and on its website at www.sahrc.org.za.

THE LATEST NOTICE IN TERMS OF SECTION 52(2) (IF ANY):

At this stage no notice(s) has/have been published on the categories of records that are automatically available without a person having to request access in terms of PAIA.

RECORDS AVAILABLE IN TERMS OF OTHER LEGISLATION: SECTION 51(1)(d)

- Basic Conditions of Employment No.75 of 1997
- Companies Act No. 61 of 1973
- Compensation For Occupational Injuries And Health Diseases Act No. 130
- Income Tax Act No. 95 of 1967
- Occupational Health and Safety Act No. 85 of 1993
- Promotion of Access To Information Act 2 of 2000
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001
- Value Added Tax Act No. 89 of 1991

SUBJECTS AND CATEGORIES OF RECORDS HELD BY SIMBITHI ECO-ESTATE HOMEOWNERS ASSOCIATION: SECTION 51(1)(e)

COMPANIES ACT RECORDS

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors meetings
- Records relating to the appointment of directors/auditor/secretary/accounting officers
- Members register and other statutory registers (Please note that addresses, including e mail addresses will not be supplied to any party other than to statutory authorities)

FINANCIAL RECORDS

- Annual Financial Statements
- Tax returns
- Accounting Records
- Bank Statements
- Paid cheques
- Asset Register
- Rental Agreements
- Invoices

INCOME TAX RECORDS

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- VAT
- Skills Development Levies
- UIF
- Workmen's Compensation

PERSONAL DOCUMENTS AND RECORDS

- Employment contracts
- Disciplinary records
- Salary records
- Disciplinary code
- Leave records

HOW TO MAKE A REQUEST FOR ACCESS (SECTION 51(e))

- The requester must complete Form C and submit this form together with a request fee, to the head of the private body.
- The form must be submitted to the head of the private body at his/her address, fax number, or electronic mail address.
- The form must:
 - provide sufficient particulars to enable the head of the private body to identify the record/s requested and to identify the requester,
 - indicate which form of access is required,
 - specify a postal address or fax number of the requester in the Republic,
 - identify the right that the requester is seeking to exercise or protect,
 - and provide an explanation of why the requested record is required for the exercise or protect of that right,
 - if in addition to a written reply, the requester wishes to be informed of the decision on the request in any other manner, to state that manner and the necessary particulars to be informed in the other manner, if the request is made on behalf of another person, to submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of the head of the private body.

PRESCRIBED FEES (SECTION 54)

- A requestor is required to pay the prescribed fees (R50.00) before a request will be processed
- 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)
- A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit
- Records may be withheld until the fees have been paid
- The fee structure is available on the website of the South African Human Rights Commission at www.sahrc.org.za, or the website of The Department of Justice and Constitutional Development (under regulations) at <http://www.doj.gov.za/>

Duly authorised by Head of Organisation

