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PAIA MANUAL

for

BODY CORPORATE

SS /

**Manual prepared in terms of
Section 51 of the Promotion of Access to Information Act,
Act No. 2 of 2000. ("PAIA")**

Date Compiled:

Attlee Agency (Pty) Ltd – PAIA Manual 2026

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1. PURPOSE OF THIS MANUAL

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (hereafter referred to as “the Act” or PAIA). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person or entity, where such information is required by someone to protect his/her rights.

The purpose of this Manual is to assist people wishing to access information in terms of the PAIA from (the Scheme) and/or the Managing Agent.

2. THE NATURE OF BODY CORPORATE

Body Corporate (the Scheme) is a legal entity established in terms of the Sectional Titles Act, No. 95 of 1986 (“STA”) and amended by the Sectional Titles Schemes Management Act No. 8 of 2011 (“STSMA”), whereby the Trustees act in a position of trust and manage the affairs of the scheme. The Trustees have appointed a Managing Agent, in terms of the Act, to assist them in the performance of their duties.

3. AVAILABILITY OF THIS MANUAL

A copy of this manual is available from:

- a. The office of the Managing Agent. (see section 10)
- b. On request from the Information Officer (see section 9)
- c. From the South African Human Rights Commission (SAHRC) at the addresses and/or telephone numbers as published by the Commission.

4. THE PURPOSE OF POPI AND PAIA

The Protection of Personal Information (“POPI”) Act emanates from Section 14 of the Constitution of the Republic of South Africa, which section provides that everyone has the right to privacy and it includes a right to protection against the unlawful collection, retention, dissemination and use of personal information.

POPI regulates the processing of personal information by public and private bodies in a manner that gives effect to the right to privacy subject to justifiable limitations that are aimed at protecting other rights and important interests.

The Promotion of Access to Information Act (“PAIA”) has as its purpose to promote the right of access to information and to foster a culture of transparency and accountability in South Africa and is aimed at encouraging an open democracy.

The purpose of this manual is to explain what records are held and how a member of the public can obtain access to records if needed by them in order to exercise or protect their rights (this does not apply to members of the Body Corporate or service providers of the Body Corporate)

5. PURPOSE FOR COLLECTING PERSONAL INFORMATION

The purpose for collecting personal information is for the managing of the affairs of the Body Corporate in terms of the STSMA. This includes direct communication with owners and tenants, as well as the managing of financial records and levies, such as the accurate allocating and collection of monies for the specific unit that an owner owns.

It is also used to assist in the security of the Scheme. This information is not shared by anyone in the Scheme or Managing Agent without the full consent of the owner of that specific unit.

6. THE TYPE OF PERSONAL INFORMATION COLLECTED IN TERMS OF THE STSMA (SECTION 27 (1))

6.1 The following information is collected for the Body Corporate in terms of Section 27 (1) of the STSMA

Full names;

- *Identity numbers or, in the case of non-South African citizens, their passport numbers;*
- And*
- *Section addresses and mailing addresses, if different;*
- *Telephone numbers; and*
- *Email or their electronic addresses, if any;*

6.2 In addition, in terms of 27 (2) (c)(iii), the Scheme keeps record of:

Registered bondholders with their names and addresses.

7. RECORDS

7.1 RECORDS AVAILABLE AND HELD IN TERMS OF OTHER LEGISLATION (SECTION 51(1)(d))

Where applicable to operations, records and documents are retained in terms of the legislation listed below. Records that are required to be made available in terms of these Acts shall be made available for inspection by interested parties in terms of the requirements and conditions of the applicable Act. A request to access must be done in accordance with the prescriptions of the Act.

Applicable Legislation comprises

- 7.1.1 Basic Conditions of Employment Act no 75 of 1997
- 7.1.2 Community Schemes Ombud Service Act, No. 9 of 2011
- 7.1.3 Companies Act, No. 71 of 2008
- 7.1.4 Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- 7.1.5 Debt Collectors Act No. 114 of 1998
- 7.1.6 Electronic Communications and Transactions Act, No. 25 of 2002
- 7.1.7 Employment Equity Act No. 55 of 1998
- 7.1.8 Estate Agency Affairs Act No. 112 of 1976
- 7.1.9 Financial Intelligence Centre Act, No. 38 of 2001
- 7.1.10 Income Tax Act No 58 of 1962
- 7.1.11 Insurance Act No. 27 of 1943
- 7.1.12 Labour Relations Act No. 66 of 1995
- 7.1.13 Occupational Health & Safety Act No. 85 of 1993
- 7.1.14 Promotion of Access to Information Act No. 2 of 2000

- 7.1.15 Property Practitioners Act No. 22 of 2019
- 7.1.16 Protection of Personal Information Act No. 4 of 2013
- 7.1.17 Sectional Titles Act, No. 95 of 1986
- 7.1.18 Sectional Titles Schemes Management Act, No. 8 of 2011
- 7.1.19 Skills Development Act No. 97 of 1999
- 7.1.20 Skills Development Levy Act No. 9 of 1999
- 7.1.21 The Constitution of the Republic of South Africa, 1996
- 7.1.22 Unemployment Contributions Act No. 4 of 2002
- 7.1.23 Unemployment Insurance Act No. 63 of 2001
- 7.1.24 Value-added Tax Act No. 89 of 1991

7.2 RECORDS AVAILABLE WITHOUT REQUIRING A REQUEST IN TERMS OF THE PROCEDURES OF THIS MANUAL (SECTION 51(1)(c))

- 7.2.1 Records of a public nature which are in the public domain such as displayed on a website, may be accessed without the need to submit a formal application.
- 7.2.2 Other non-confidential records, such as statutory records maintained at CIPC, or the Sectional Title Register and Plans, may also be accessed without the need to submit a formal application.

7.3 RECORDS AVAILABLE ONLY ON REQUEST TO ACCESS THEM - SECTION 51 (1)(e)

- 7.3.1 The main categories of records which the Body Corporate holds are as follows:
 - 7.3.1.1 Agreements with Service Providers and Contractors
 - 7.3.1.2 Bank Statements
 - 7.3.1.3 Client Levy Statements
 - 7.3.1.4 Correspondence
 - 7.3.1.5 Financial Records
 - 7.3.1.6 Insurance Policy Claims
 - 7.3.1.7 Management and Conduct Rules
 - 7.3.1.8 Minutes of Meetings
 - 7.3.1.9 Owner/Member Database Records
 - 7.3.1.10 Personnel Records
 - 7.3.1.11 Rental and Marketing Information
 - 7.3.1.12 Resolutions Taken
 - 7.3.1.13 Statutory Records
- 7.3.2 Note that the accessibility to these records may be subject to the grounds of refusal as set out in this PAIA Manual.

8. WHO TO CONTACT

- 8.1 In terms of general queries with regards to POPIA, please contact the Information Officer - details in section 9.
- 8.2 Queries or even questions regarding this privacy notice and any compliance efforts can be directed to the Information Officer for the Scheme.
- 8.3 An Owner in the Scheme can contact the dedicated Community Asset Manager for the Scheme
- 8.4 To access records see section 11.

9. CONTACT DETAILS OF THE INFORMATION OFFICER (SECTION 51 (1)(a))

- 9.1 The responsibility for the administration of and compliance with the Act, has been delegated by the Trustees of the Body Corporate, to the appointed administrative Information Officer at the Managing Agent, who serves as the Scheme's registered Information Officer. The authorization of Information Officer is attached hereto as **Annexure "A"**. The contact details of the Information Officer are provided in **Annexure "B"**.
- 9.2 The acceptance by the Information Officer of the position as delegated is subject to the continued appointment of the Managing Agent and should such appointment be terminated, the appointment and acceptance of the Information Officer role will similarly terminate.

The Information Officer is appointed by the Trustees of the Scheme to be the administrator.

Name: **Mr. Austen E Gibbs**
Designation: **Principal/Director**
Contact Phone: **031-561-1371**
Email: **austen@attlee.co.za**

10. SCHEME CONTACT DETAILS

Scheme Name: **Body Corporate**
Address of Scheme:

11. ACCESS TO RECORDS

11.1 RIGHT OF ACCESS

The Act entitles persons to have access to the records, **provided that:**

- 11.1.1 Access is required to exercise or protect any of personal rights, and
- 11.1.2 Persons apply for access according to the procedures set out in this manual, and
- 11.1.3 The Scheme has no reasonable grounds to refuse the requested records.
- 11.2 A private body is entitled to refuse a request for information. The main grounds to refuse a request for information are where:
- 11.2.1 The record would unreasonably disclose personal information of a third party who is a natural or juristic person, including a deceased individual (Section 63).
- 11.2.2 All requests for information will be assessed on their own merits and in accordance with the applicable legal principals and legislations.

11.2.3 The record contains:

11.2.3.1 Commercial information of a third party (Section 64) comprising:

- a. Trade secrets, or
- b. Financial, commercial, scientific or technical information, or
- c. Information about research by a third party which could put that third party at a disadvantage in a negotiation or prejudice it in competition or otherwise put it at a disadvantage.

11.2.3.2 Confidential information of third parties protected in terms of any agreement (Section 65).

11.2.4 Where publication of the record could endanger the safety of individuals or the protection of property (Section 66).

11.2.5 Where the record is privileged from being produced as evidence in legal proceedings (Section 67).

11.2.6 Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable allocation of resources shall be refused.

11.2.7 If a requested record cannot be found or if a record does not exist, the Information Officer shall by way of affirmation, notify the applicant that it is not possible to give access to the requested record. If the record should later be found, the applicant will be given access to the record in the manner as stipulated by applicant in the prescribed form, unless the Information Officer refuses access to such record.

12. NOTICE IN TERMS OF SECTION 52 OF THE ACT

No notice has been published in terms of Section 52 of the Act, which means that, except for those items listed in 4.1 and 4.2 above, access will only be granted access to the Scheme's records in terms of this manual.

13. SOUTH AFRICA HUMAN RIGHTS COMMISSION - SECTION 10 GUIDE

The South African Human Rights Commission has published a guide (under Section 10 of the Act) explaining the Act and how it works. For further details, contact the SAHRC directly through their website www.sahrc.org.za.

14. HOW TO APPLY FOR ACCESS

Requests for access to records held by **Body Corporate** and Attlee Agency (Pty) Ltd (Managing Agent) must be made on the request forms that are available from the office of Attlee Agency (Pty) Ltd, or attached at the end of this document, or from the SAHRC website (www.sahrc.org.za).

14.1 FILL IN A REQUEST FORM

To obtain access to any of the records listed in this manual, the applicant is required to complete the application form contained in Section 7 of this manual.

14.2 SUBMIT THE FORM AND THE REQUEST FEE.

- 14.2.1 To apply the applicant must hand in the completed application form along with payment of the non-refundable request fee as per the fee schedule, attached hereto as **Annexure "C"** at the office of the Managing Agent and addressed to the Information Officer. Details of the Information Officer are attached under **Annexure "B"**.
- 14.2.2 If the applicant cannot visit the Managing Agent's office in person, they can email the form and transfer the fee electronically, or they can make alternative arrangements that are agreeable to both parties.
- 14.2.3 If the applicant is an employee or ex-employee requesting access to their personnel records, then they do not have to pay the request fee.

14.3 DECISION

- 14.3.1 The Information Officer will consider the request and inform the applicant of their decision, in writing, not more than 30 days after they receive the request.
- 14.3.2 The response will may be one of the following:
- a. The application does not contain enough information to enable a search for the record requested or clearly explain the right the applicant wishes to exercise or protect. Please provide additional details.
 - b. It is going to take more than six hours to search through the relevant records, and before such a search is made, payment of a deposit as set out in **Annexure "C"** must be made.
 - c. The record that is request has been found the applicant may have access to it, on payment of:
 - i. an access fee as set out in **Annexure "C"** per hour for the time that it took to find the record (less deposit already paid), and
 - ii. a reproduction fee for making photocopies or printouts or copying the record onto a memory stick - the fees are set out in **Annexure "C"**.

Note: There is no charge of fees to an employee or ex-employee requesting access to his/her personnel record.

- d. The applicant may not have access to the record requested, for reasons which will stated in a formal reply. If a deposit has been paid, it will refund (but not the request fee).
- e. A search for the record has been carried out, and it cannot be located. An affirmation explaining what steps were taken to try and find the record. Should the missing record later come to light, the applicant shall be notified.

15. THE FEES PAYABLE TO REQUEST AND ACCESS INFORMATION

The fees payable to request and access information are set out in **Annexure “C”**.

16. FORMS TO REQUEST INFORMATION

Applicants should complete the application form **Annexure “D”** in this manual and submit it to the Information Officer indicated in section 9.

ANNEXURE A

AUTHORISATION OF INFORMATION OFFICER

(In terms of the Promotion of Access of Information Act, 2000)

We, the undersigned,

Trustees

Hereby authorize **Mr. Austen E Gibbs** of **Attlee Agency (Pty) Ltd** as an Information Officer for Body Corporate (SS /) and authorize him to exercise any of the powers, duties and responsibilities conferred or imposed on by the Protection of Personal Information Act, 2013 (POPIA) and the Promotion of Access to Information Act, 2000 (PAIA).

Please be advised that I reserve my right to exercise any powers, duties and responsibilities conferred herein, as well as the right to amend and/or withdraw any of those powers, duties and responsibilities.

(Signature of Trustee)

(Signature of Trustee)

(Signature of Trustee)

(Signature of Trustee)

By my signature below, I hereby accept the authorization as an Information Officer.

I, **Austen E Gibbs**, do accept the authorization given as an Information Officer for

_____ (Scheme Name) signed on the ____ day of _____ 2026.

Attlee Agency (Pty) Ltd
Principal/Director

(Signature)

ANNEXURE B

As the Head of the Body Corporate has elected to delegate the responsibility to the below nominated Information Officer, any requests should be directed to him/her:

Name of Body Corporate: Body Corporate

Contact Person: **Mr. Austen E Gibbs**

Designation of Contact Person: **Principal/Director**

Physical Address: **3 Loerie Crescent
Umhlanga Rocks
4319**

Office Phone Number: **031-561-1371**

Email: austen@attlee.co.za

ANNEXURE C

Payment of fees is regulated in terms of Section 54 of the Promotion of Access Information Act

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1.10 for every photocopy of A4-size page thereof.
2. The fees for the reproduction referred to in regulation 11(1) or payable by a requested referred to in regulation 11(3) are as follows:

Reproduction	Fee/Copy
For every photocopy of an A4-size page or part thereof	R1.10
For every printed copy of an A4-size or part thereof held on a computer or in electronic or machine-readable form	R0.75
For computer-readable form	R70.00
For a transcription of visual images, for an A4-size part or part thereof	R40.00
For a copy of visual images	R60.00
For the transcription of an audio record, for an A4-size part or part thereof	R20.00
For a copy of an audio record	R30.00

3. The request fee payable by a requestor, other than a personal requestor, referred to in regulation 11(2) is R50.00.
4. To search for and prepare the record for disclosure, R30.00 for each hour or part of an hour reasonable required for such search and preparation.
5. The following applies:
 - 5.1 Six hours as the hours to be exceeded before a deposit is payable; and
 - 5.2 One third of the access fee is payable as a deposit by the requester
6. The actual postage is payable when a copy of a record must be posted to a requester.

ANNEXURE D

APPLICATION FORM

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY – SECTION 53(1) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT NO. 2 OF 2000)

REGULATION 10

A. PARTICULARS OF BODY CORPORATE INFORMATION OFFICER AS PER ANNEXURE B

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 email in the republic to which the information is to be sent must be given.
- c) Proof of capacity in which the request is made, if applicable must be attached.

Full Names and Surname: _____

Identity Number: _____

Postal Address: _____

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. Proof is required for authority in the form of a letter of authorization from the person on whose behalf the request is made and a certificated copy of the identification of the requester and the person on whose behalf the request is made is required.

Full Names and Surname: _____

Identity Number: _____

D. PARTICULARS OF RECORD

- a) Provide full particulars of the record to which access is requested, including a reference number if that is known to you, to enable the record to be located.
- b) If the provided space is inadequate, please continue on a separate folio and attach it (b) to this form. The requested must sign all the additional folios.

1. Description of record or relevant part of the record:

2. Reference number, if applicable:

3. Any further particulars of record:

E. FEES

- a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- b) You must simultaneously pay the amount required to be paid as the request fee, as set out in **Annexure "C"**.
- c) The fee payable for access to a 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 any fee, please state the reason for exemption.

Reason for exemption:

F. FORM OF ACCESS TO RECORD

If you have a disability which prevents you from reading, viewing, or listening to the record in any of the forms of access listed in sections 1 to 4 hereunder, please state your disability and indicate the form in which you require the record:

Disability:

Form in which record is required

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, which case you will be informed if access will be granted in another form
- (c) The fee payable for access to the record will partly be determined by the form in which access is requested.

Mark the appropriate box with an X as to the form that you want to receive the information:

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

☐ copy of the record ☐ inspection of the record

2. If the record consists of visual images (including photographs, slides, video recordings, computer-generated images, sketches etc):

☐ view the images ☐ copy of the images

☐ transcription of the images

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

☐ listen to soundtrack ☐ transcription of soundtrack (written or printed)

4. If the record is held on a computer, or in electronic or machine-readable form:

☐ printed copy of record ☐ printed copy of information derived from the record

☐ copy in machine-readable form (flash drive)

If you have requested the record in any of the forms marked, do you want it to be posted to you?

☐ YES ☐ NO
If YES, postage will be payable.

G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, 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 record requested is required for the exercise 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/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

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

SIGNED AT _____ THIS _____ DAY OF _____ 2026

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF THE REQUEST IS MADE