

Company Registration No: 98/019006/08

WESTLAKE COUNTRY & SAFARI HOMEOWNERS ASSOCIATION (NPC)

MANUAL

in terms of

Section 51 of

The Promotion of Access to Information Act 2/2000

(the "Act")

DATE OF COMPILATION: 02/11/2015

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1. INTRODUCTION

WESTLAKE COUNTRY & SAFARI HOMEOWNERS ASSOCIATION (NPC)

Westlake Country & Safari Estate is a registered Homeowners Association and a self-managed community services provider in South Africa ("Community Services"). The services being the general maintaining and upkeep of common property and the provision of services to the residents in the Estate including electricity, water, garbage collection and the processing of sewerage.

2. COMPANY CONTACT DETAILS (Section 51 (1) (a))

Persons designated/duly authorised persons

| | |
|-----------------------------|--|
| Directors: | Mr EM Coetzee (Adv) – Chairperson Mrs E Faber-Hollick Mr MAH Miller Mr JC Britz Mr IK Siewierski |
| General Manager/CEO: | Mr A F Ellis |
| Information Officer: | Mr AF Ellis Contact details – (012) 207 1226 E-mail – estatemanager@westlake.co.za |
| Deputy Information Officer: | Mrs LL Frederik Contact details – (012) 207 1226 E-mail – admin@westlake.co.za |



Postal Address: P O Box 86, SKEERPOORT, 0232

Street Address: Mountain View Drive No1,
Westlake Country & Safari Estate – R512
SKEERPOORT, 0232

Telephone Number: (012) 207 1226

Fax Number: (012) 207 1341

E-mail: estatemanager@westlake.co.za

3. THE ACT (Section 51 (1) (b))

- 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 (Section 51 (1) (c))

| <u>No</u> | <u>Ref</u> | <u>Act</u> |
|-----------|----------------|---|
| 1 | No 71 of 2008 | Companies Act |
| 2 | No 55 of 1998 | Employment Equity Act |
| 3 | No 95 of 1967 | Income Tax Act |
| 4 | No 66 of 1995 | Labour Relations Act |
| 5 | No 75 of 1997 | Basic Conditions of Employment Act |
| 6 | No 2 of 2000 | Promotion of Access of Information Act |
| 7 | No 4 of 2013 | Protection of Personal Information Act |
| 8 | No 30 of 1996 | Unemployment Insurance Act |
| 9 | No 85 of 1993 | Occupational Health & Safety Act |
| 10 | No 130 of 1993 | Compensation for Occupational Injuries & Diseases Act |
| 11 | No 101 of 1998 | National Veld & Forest Fire Act |



5. SCHEDULE OF RECORDS (Section 51 (1) (d))

| <u>RECORD</u> | <u>SUBJECT</u> | <u>AVAILABILITY</u> |
|------------------------------|---|--|
| <u>Public Affairs</u> | <ol style="list-style-type: none"> 1. Newsletters. 2. Communiqués. 3. Service provider contact details. 4. Company CIPRO documents. 5. Annual AGM/SGM - Minutes, Chairpersons' Reports/Pack. 6. Company Resolutions. 7. Management Rules. 8. Memorandum of Incorporation. | All freely available on web site www.westlake.co.za or at Management Offices. |
| <u>Financial</u> | <ol style="list-style-type: none"> 1. Annual Audited Company Financial Statements. 2. Annual Summary Budget Performance statements. 3. Annual Company Budget. 4. Company accounting records, bank statements, creditor and debtor accounts, up and to trial balance. 5. Auditors' files. 6. SARS files. 7. Staff remuneration records and budget details. 8. Levy roll. 9. Company Insurance Policy. 10. Company Directors & Officers Insurance Policy. | <ol style="list-style-type: none"> 1. Freely available at Management offices & AGM pack. 2. Freely available at Management offices & AGM pack. 3. Freely available at Management offices & AGM pack. 4. Request in terms of PAIA. 5. Request in terms of PAIA. 6. Request in terms of PAIA. 7. Request in terms of PAIA. 8. Request in terms of PAIA. 9. Request in terms of PAIA. 10. Request in terms of PAIA. |
| <u>Members</u> | <ol style="list-style-type: none"> 1. Title Deeds. 2. House plans. 3. Utility account details. 4. Levy account details. 5. Personal registration details. 6. Click-on access & egress movement details. 7. Registration of contractors & domestic workers. 8. Ownership details and votes. 9. Litigation between owner and | <ol style="list-style-type: none"> 1. Request in terms of PAIA. 2. Request in terms of PAIA. 3. Request in terms of PAIA. 4. Request in terms of PAIA. 5. Request in terms of PAIA. 6. Request in terms of PAIA. 7. Request in terms of PAIA. 8. Request in terms of PAIA. |

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| | <p>WHOA details & debt collection.</p> <p>10. Biometric registration details.</p> <p>11. Biometric access & egress movement details.</p> <p>12. Vehicle, watercraft & motorcycle registration details.</p> <p>13. Tenant information & personal details.</p> <p>14. Members' files.</p> <p>15. Property sales, clearance information and transfer documents.</p> | <p>9. Request in terms of PAIA.</p> <p>10. Request in terms of PAIA.</p> <p>11. Request in terms of PAIA.</p> <p>12. Request in terms of PAIA.</p> <p>13. Request in terms of PAIA.</p> <p>14. Request in terms of PAIA.</p> <p>15. Request in terms of PAIA.</p> |
| <u>Human Resources</u> | <p>1. Employment Equity Plan & reports.</p> <p>2. Personal details.</p> <p>3. Personal files.</p> <p>4. Employment records.</p> <p>5. Employment Contracts.</p> <p>6. Leave records.</p> <p>7. Training records.</p> <p>8. Appraisal records.</p> <p>9. Special benefits records.</p> <p>10. Protective clothing records.</p> <p>11. Provident Fund records.</p> <p>12. Medical Aid records.</p> <p>13. Workman's Compensation Records.</p> <p>14. Interview & appointment Records.</p> <p>15. Disciplinary records.</p> <p>16. CCMA & Litigation records.</p> <p>17. Biometric registration records.</p> <p>18. Click-on registration records.</p> <p>19. Company Directors personal details/information.</p> <p>20. MAKROSAFE reports on OSH with staff details.</p> <p>21. Compound residents' contracts.</p> | <p>1. Request in terms of PAIA.</p> <p>2. Request in terms of PAIA.</p> <p>3. Request in terms of PAIA.</p> <p>4. Request in terms of PAIA.</p> <p>5. Request in terms of PAIA.</p> <p>6. Request in terms of PAIA.</p> <p>7. Request in terms of PAIA.</p> <p>8. Request in terms of PAIA.</p> <p>9. Request in terms of PAIA.</p> <p>10. Request in terms of PAIA.</p> <p>11. Request in terms of PAIA.</p> <p>12. Request in terms of PAIA.</p> <p>13. Request in terms of PAIA.</p> <p>14. Request in terms of PAIA.</p> <p>15. Request in terms of PAIA.</p> <p>16. Request in terms of PAIA.</p> <p>17. Request in terms of PAIA.</p> <p>18. Request in terms of PAIA.</p> <p>19. Request in terms of PAIA.</p> <p>20. Request in terms of PAIA.</p> <p>21. Request in terms of PAIA.</p> |
| <u>Security</u> | <p>1. Company Registration status.</p> <p>2. Biometrics registration, access & egress details.</p> <p>3. CCTV footage.</p> | <p>1. Request in terms of PAIA.</p> <p>2. Request in terms of PAIA.</p> <p>3. Request in terms of PAIA.</p> |

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| | | |
|-------------------|--|--|
| | 4. Employment information. 5. Standard Operating Procedures. | 4. Request in terms of PAIA. 5. Request in terms of PAIA. |
| Management | 1. Directors' meetings minutes & Resolutions. 2. Management meetings minutes. 3. Staff meetings minutes. 4. Official correspondence with members & residents. 5. Official correspondence with debtors & creditors. 6. Official correspondence with service providers. 7. Official correspondence with Company Auditors, Company Attorneys and Financial Institutions. 8. Litigation cases between the WHOA and second parties. 9. OSH Act File & Reports/findings. 10. Official correspondence with Employers Organisation. 11. Maintenance meetings minutes. 12. Maintenance schedules and checklists. 13. Service contracts with service providers. 14. Registration detail and contracts with Estate Agents. 15. Developer agreements and contracts. 16. Service agreement and related documents/correspondence with Boat Locker Company. 17. Health & Safety Registers. 18. Fleet registration & Licensing documents. 19. Utility records including, Sewerage Plant reports, Electrical reticulation boxes, water testing reports, water/electricity usage & readings. | 1. Request in terms of PAIA. 2. Request in terms of PAIA. 3. Request in terms of PAIA. 4. Request in terms of PAIA. 5. Request in terms of PAIA. 6. Request in terms of PAIA. 7. Request in terms of PAIA. 8. Request in terms of PAIA. 9. Request in terms of PAIA. 10. Request in terms of PAIA. 11. Request in terms of PAIA. 12. Request in terms of PAIA. 13. Request in terms of PAIA. 14. Request in terms of PAIA. 15. Request in terms of PAIA. 16. Request in terms of PAIA. 17. Request in terms of PAIA. 18. Request in terms of PAIA. 19. Request in terms of PAIA. |

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| | | |
|----------------|---|-------------------------------|
| | 20. Correspondence with Government Departments. | 20. Request in terms of PAIA. |
| Archive | All archive documents relating to the entire above schedule excluding the Section – Public Affairs. | Request in terms of PAIA. |

6. **FORM OF REQUEST (Section 51 (1) (e))**

To facilitate the processing of a request the requester must kindly;

8.1 Complete the prescribed form – FORM C: REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY - available at the Estate Management Offices or on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.

8.2 The form must be submitted to;

The Estate General Manager

P O Box 86

SKEERPOORT, 0232.

Or;

Fax to (012) 207 1341

Or;

Scan & e-mail to estatemanager@westlake.co.za

8.3 Sufficient details must be provided to enable the COMPANY to identify:

(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.

9. PRESCRIBED FEES (Section 51 (1) (f))

- 9.1 A requester is required to pay the prescribed fees before a request will be processed (See attached Annex).
- 9.2 If the preparation of the record requested requires more than the prescribed hours (6), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted).
- 9.3 A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit.
- 9.4 Records may be withheld until the fees have been paid.
- 9.5 The following fee structure is applicable and can be verified with the South African Human Rights Commission at www.sahrc.org.za.



ANNEX - 1

Section 51(1)(f)

7. FEES IN RESPECT OF REQUESTS FOR INFORMATION FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2) (c) is R1.10 for every photocopy of an A4-size paper or part thereof.
2. The fees for reproduction referred to in regulation 11(1) are as follows:
 - (a) For every photocopy of an A4-size page or part thereof R 1,10
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form R 0,75
 - (c) For a copy in a computer-readable form on;
 - (i) Stiffy disc - R 7,50
 - (ii) Compact disc - R70,00
 - (d)
 - (i) For a transcription of visual images, for an A4-size page or part thereof - R40,00
 - (ii) For a copy of visual images - R60,00
 - (e)
 - (i) For a transcription of an audio record, for an A4-sized page or part thereof - R20,00
 - (ii) For a copy of an audio record - R30,00
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:
 - (1)
 - (a) For every photocopy of an A4-sized page or part thereof - R 1,10
 - (b) For every printed copy of an A4-sized page or part thereof held on a computer or in electronic or machine-readable form - R 0,75
 - (c) For a copy in a computer-readable form on;
 - (i) stiffy disc - R 7,50
 - (ii) compact disc - R70,00



- (d) (i) For a transcription of visual images, for an A4-sized page or part thereof - R40,00
- (ii) For a copy of visual images - R60,00
- (e) (i) For a transcription of an audio record, for an A4-sized 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.

- (2) For purposes of section 54(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

A handwritten signature or set of initials, possibly 'E.H.', located in the bottom right corner of the page.

FORM C

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 private body

The Head:

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 and 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:

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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 and 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 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 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 a record, other *than* a record containing personal information about yourself, will be processed only 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 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 from payment of fees:

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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 box 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 for the record, if any, will be determined partly by the form in which access is requested. | |

| | | | |
|---|--------------------------|--------------------------|--|
| 1. If the record is in written or printed form: | | | |
| <input type="checkbox"/> | copy of record* | <input type="checkbox"/> | inspection of record |
| 2. If record consists of visual images | | | |
| this includes photographs, slides, video recordings, computer-generated images, sketches, etc) | | | |
| <input type="checkbox"/> | view the images | <input type="checkbox"/> | copy of the images" |
| <input type="checkbox"/> | | <input type="checkbox"/> | transcription of the images* |
| 3. If record consists of recorded words or information which can be reproduced in sound: | | | |
| <input type="checkbox"/> | listen to the soundtrack | <input type="checkbox"/> | transcription of soundtrack* |
| <input type="checkbox"/> | audio cassette | <input type="checkbox"/> | written or printed document |
| 4. If record is held on computer or in an electronic or machine-readable form: | | | |
| <input type="checkbox"/> | printed copy of record* | <input type="checkbox"/> | printed copy of information derived from the record" |
| <input type="checkbox"/> | | <input type="checkbox"/> | copy in computer readable form* (stiffy or compact disc) |
| *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 NO |

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.

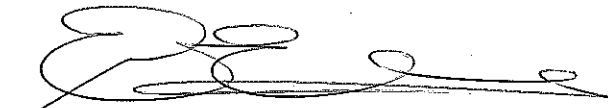
How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at..... This..... day of20


SIGNATURE OF REQUESTER / PERSON ON
WHOSE BEHALF REQUEST IS MADE



Signed at Westlake on this 2nd day of November 2015.

A handwritten signature in black ink, appearing to read 'A F Ellis', written over a horizontal line.

Information Officer : Mr A F Ellis

A handwritten signature in black ink, appearing to read 'LL Frederik', written over a horizontal line.

Deputy Information Officer : Mrs LL Frederik