

HOME OWNERS ASSOCIATION OF BIBBY'S FARM
(Common Law Association)

ACCESS TO INFORMATION MANUAL
(PRIVATE BODY)

**PREPARED IN TERMS OF SECTION 51 OF THE PROMOTION OF
ACCESS TO INFORMATION ACT 2 OF 2000 ("PAIA")**

Introduction

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("the Act"). The Act gives effect to the provisions of Section 32 of the



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Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and / or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

1 HOME OWNERS ASSOCIATION OF BIBBY'S FARM

HOME OWNERS ASSOCIATION of BIBBY'S FARM is a management body that plays a central role in a legal and administrative arrangement frequently applied in the provision of housing in South Africa. It is an organisation which represents a body of owners in communal living with the main object being the promotion and advancement of communal interests of members of the association being persons who are registered owners of erven in the scheme. This requires the provision and maintenance of essential and community services, amenities and activities within the scheme.

HOME OWNERS ASSOCIATION OF BIBBY'S FARM supports the constitutional right of access to information and is committed to provide access to their records in accordance with the provisions of the Act, the confidentiality owed to third parties and the principles of South African law.

Physical Address of HOME OWNERS ASSOCIATION

The scheme is physically situated at Cnr 11th Avenue and Short Road, Walmer, Port Elizabeth

The registered (domicilium) and postal address of HOME OWNERS ASSOCIATION:

Bellbuoy (Pty) Ltd t/a The Bellbuoy Group

1st Floor KPMG House, 200 Norvic Drive, Greenacres, Port Elizabeth, 6001

P O Box 7660, Newton Park 6055

2 AVAILABILITY OF THIS MANUAL

A copy of this Manual is available on the website of the managing agents, The Bellbuoy Group, www.bellbuoy.co.za or by sending a request for a copy to the Information Officer by email, refer point 4 below for contact details. The Manual may also be obtained from the South African Human Rights Commission ("SAHRC") at the addresses set out below or from the Government Printers. This Manual will be updated from time to time, as and when required.

3 HOW TO REQUEST ACCESS TO RECORDS

Requests for access to records held by the managing agent must be made on the request forms that are available from, the SAHRC website www.sahrc.org.za or the Department of Justice and Constitutional Development www.doj.gov.za (under "regulations") or the Bellbuoy website www.bellbuoy.co.za

A non-refundable request fee of R50 plus VAT is payable. Payment of the prescribed fees must be made before the request will be processed.

Requests for access to records must be made to the Information Officer at the address, fax number or electronic mail address provided for below.



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The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required and indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.

The requester must identify the right that he or she is seeking to exercise or protect and provide an explanation of why the requested record is required for the exercise or protection of that right.

If a request is made on behalf of a person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer of HOME OWNERS ASSOCIATION of BIBBY'S FARM.

The standard form that must be used for the making of requests can be accessed on the websites listed under point 3 above. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

Kindly note that all requests to HOME OWNERS ASSOCIATION of BIBBY'S FARM will be evaluated and considered in accordance with the Act. Publication of this manual and describing the categories and subject matter of information held by HOME OWNERS ASSOCIATION of BIBBY'S FARM does not give rise to any rights (in contract or otherwise) to access such information or records except in terms of the Act.

4 CONTACT DETAILS

Name of Private Body	Home Owners Association of BIBBY'S FARM
Designated Information Officer	William Pinnock
Email address of Information Officer	william@bellbuoy.co.za
Postal address	P O BOX 7660, Newton Park, 6055
Street address	KPMG House, 200 Norvic Drive, Greenacres, Port Elizabeth, 6001
Phone number	+27 (0) 41 374 4444
Fax number	+27 (0) 41 374 2444

5 HOW TO ACCESS THE GUIDE AS DESCRIBED IN SECTION 10 OF THE ACT

The Guide described in Section 10 of the Act will be available from the South African Human Rights Commission. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484-8300

Fax: +27 11 484-0582

Website: www.sahrc.org.za

E-mail: paia@sahrc.org.za



6 VOLUNTARY DISCLOSURE

HOME OWNERS ASSOCIATION OF BIBBY’S FARM has not published a notice in terms of Section 52 of the Act.

7 INFORMATION / RECORDS AVAILABLE IN TERMS OF ANY OTHER LEGISLATION

Information is available, where applicable, in terms of the following legislation to the persons or entities specified in such legislation:

- The Rules and/or Constitution of the Home Owner’s Association
- Documents that are available to the members of the Home Owner’s Association in accordance with the Constitution of the Home Owner’s Association
- Labour Relations Act 66 of 1995 (All documents which are available in terms of this Act)
- Basic Conditions of Employment Act 75 of 1997 (All documents which are available in terms of this Act)
- Employment Equity Act 55 of 1998 (All documents which are available in terms of this Act)
- Skills Development Act 97 of 1998 (All documents which are available in terms of this Act)
- Skills Development Levies Act 9 of 1999 (All documents which are available in terms of this Act)
- Estate Agency Affairs Act 1976
- Debt Collection Act No of 1998
- Electronic Communications and Transactions Act 25 of 2002
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- Basic Conditions of Employment Act 75 of 1997
- Employment Equity Act 55 of 1998
- Unemployment Insurance Act 63 of 2001
- Skills Development Act 97 of 1998
- Skills Development Levies Act 9 of 1999
- Occupational Health and Safety Act No.85 of 1993.
- Compensation for Occupational Injuries and Health Diseases Act No. 30 of 1993.
- Unemployment Contributions Act No.4 of 2002.

8 RECORDS HELD

HOME OWNERS ASSOCIATION OF BIBBY’S FARM maintains records on the following categories and subject matters. However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured. All requests for access will be evaluated on a case by case basis in accordance with the provisions of the Act.

The table below provides an indication of the categories of information held:

Administration	<ul style="list-style-type: none"> • General Meeting Minutes • Minutes of Governing Body Meetings
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Financial	<ul style="list-style-type: none"> • Resolution Lists • General Correspondence • Owner Information • Trustee/Excom/Director Registers • Plans • Rules Governing the Scheme
Employee	<ul style="list-style-type: none"> • Audited Financial Statements • Tax Records • Management Accounts
Insurance	<ul style="list-style-type: none"> • Employee Records
Transfers	<ul style="list-style-type: none"> • Insurance Policy Documents • Insurance Claims
	<ul style="list-style-type: none"> • Property Transfer Records

9 SCHEDULE OF FEES

As per Government Gazette 23119 dated 15 February 2002.

1.

A photo copy of this manual	R1-10 per page
Request fee (non-refundable)	
Payable on submission of the application form	R50-00
Access fee	
For searching our records	R30-00 (per hour or part thereof)

2. *Note:* if the search is likely to take longer than six hours (which would cost more than R180-00), then a deposit of one third (i.e. R60-00) is payable in advance.

3. Reproduction fee:

Photocopy (A4 page or part thereof)	R01-10
Printout from a computer or in other electronic or machine-readable form (A4 or part thereof)	R00-75
Computer-readable copy on stiffer disk	R07-50
Computer-readable copy of CD	R70-00
Transcription of visual image (A4 or part thereof)	R40-00
Copy of visual image	R60-00
Transcription of an audio record (A4 or part thereof)	R20-00
Copy of an audio record	R30-00

VAT must be added to request, access and reproduction fees.

4. Postage

If the copy of the record is to be sent by post, then postage must be paid in addition to the request, access and reproduction fees.

Submitted by the duly appointed Managing Agents:



Date: **26.11.18**

