

THE BODY CORPORATE OF TOKAI APARTMENTS

(Sectional Title Registration number SS No: 175/2022)

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 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 THE BODY CORPORATE OF TOKAI APARTMENTS

The Body Corporate of Pendennis Court is a sectional title development (referred to as a 'scheme'), and provides for individual ownership rights relating to parts of the land and building. The scheme falls under the control of the Sectional Titles Schemes Management Act 8 of 2011 (as amended), Community Schemes Ombud Service Act 9 of 2011 (as amended) and the Sectional Titles Act 95 of 1986 (as amended).

THE BODY CORPORATE OF TOKAI APARTMENTS 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 the Body Corporate

The scheme is physically situated at Wessel Swart Drive Pinelands Gqeberha.

The registered (domicilium) and postal address of the Body Corporate:

Bellbuoy (Pty) Ltd t/a The Bellbuoy Group

200 Norvic Drive, Greenacres, Gqeberha, 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 [Documents | InfoRegSA \(justice.gov.za\)](http://Documents | InfoRegSA (justice.gov.za) | www.bellbuoy.co.za) 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.

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 the Body Corporate of Pendennis Court.

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 the Body Corporate of Pendennis Court 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 the Body Corporate of Pendennis Court 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	Body Corporate of Tokai Apartments
Designated Information Officer	Hennie Marais
Email address of Information Officer	Hmarais@bellbuoy.co.za
Postal address	P.O. Box 7660, Newton Park, Port Elizabeth, 6055
Street address	200 Norvic Drive, Greenacres, Gqeberha, 6055
Phone number	041 374 4444
Fax number	N/A

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

THE BODY CORPORATE OF TOKAI APARTMENTS has not published a notice in terms of Section 52 of the Act.

7 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:

Sectional Titles Act 95 of 1986

Sectional Titles Schemes Management Act 8 of 2011

Community Schemes Ombud Service Act 9 of 2011

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

THE BODY CORPORATE OF PENDENNIS COURT 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 Trustees' Meetings• Resolution Lists• General Correspondence• Owner Information• Trustee Information• Plans• Participation Quota Schedule/s• Rules Governing the Scheme
Financial	<ul style="list-style-type: none">• Audited Financial Statements• Tax Records• Management Accounts
Employee	

Insurance	<ul style="list-style-type: none"> • Employee Records
Transfers	<ul style="list-style-type: none"> • Insurance Policy Documents • Insurance Claims • 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 stiffy 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.

10 POPI

This manual evinces compliance with the Promotion of Access to Information Act 2000 (Act No. 2 of 2000). Kindly note, however, that in dealing with requests formulated in accordance with the provisions of the Promotion of Access to Information Act (Act No. 2 of 2000) regard will also be given to the provisions of the Protection of Personal Information Act and any requests for information will be processed in accordance with the Promotion of Access to Information Act read with the Protection of Personal

Information Act. The scheme is thus compliant with the provisions of the Promotion of Access to Information Act and provisions of the Protection of Personal Information Act.

Submitted by the duly appointed Information Officer who consents to the display of their information within this manual.

Signature Information Officer:



Date: **06 MARCH 2023**