

BUILDING NO 975

MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF PROMOTION OF ACCESS TO INFORMATION ACT (No 2 OF 2000)

The entity is a private body, formed in terms of the Sectional Title Act (95 of 1986) for the purpose of administering the affairs of the owners of individual units within the scheme.

1. **CONTACT DETAILS (Section 51(1)(a))**

Name of Homeowners Association	Hilltop Private Estate Homeowners Association
Reg Number	2006/007469/08
Public Officer	
Postal Address	c/o Wakefields Property Management (Pty) Limited Private Box X11 Musgrave Road 4062
Street Address	c/o Wakefields Property Management (Pty) Limited 103 San Hall Office Park 1 Kirsty Close Ballito 4420
Telephone No	032 - 9460021
Facsimile No	032 - 946 1540
Email Address	Prabashni.Singh@wakeprop.co.za

2. **THE SECTION 10 GUIDE ON HOW TO USE THE ACT (Section 51(1)(6))**

In terms of Section 10 of the Act, the Human Rights Commission is required to compile, in each official language, a guide to the Act to assist people to exercise their rights under the Act. Please direct any queries to -

The South African Human Rights Commission

PAIA Unit

The Research and Documentation Department

Postal Address: Braampark Forum 3 Telephone : +27 11 8773600
33 Hoofd Street Fax : +27 11 4030668
Braamfontein Website : www.sahrc.org.za
2001 Email : info@sahrc.org.za

3. **RECORDS AVAILABLE IN TERMS OF LEGISLATION**

The body keeps records in terms of the following legislation, all of which are available, subject to the legislation and the Act –

- Sectional Titles Act 95 of 1986
- Basic Conditions of Employment Act 75 of 1997
- Compensation for Occupational Injuries and Health Diseases Act 130 of 1993
- Income Tax Act 58 of 1962
- Labour Relations Act 66 of 1995
- Occupational Health and Safety Act 85 of 1993
- Skills Development Levies Act 9 of 1999
- Unemployment Insurance Act 63 of 2001
- Unemployment Contributions Act 4 of 2002
- Value Added Tax Act 89 of 1991

4. **ACCESS TO THE RECORDS HELD**

- i. There are no records available other than those accessible in terms of the request procedures laid down by the Act.
- ii. The following records and documents are maintained. Please note that a requester is not automatically allowed access to these records and that access to them may be refused in accordance with Section 62 to 69 of the Act.

GENERAL RECORDS	STATUTORY PAYMENT RECORDS
<ul style="list-style-type: none"> ○ Minutes of Meetings ○ Register of Owner and bondholders ○ Sectional Title Plans ○ Management Rules / Conduct Rules ○ Insurance Policies and claim records ○ Correspondence files 	<ul style="list-style-type: none"> ○ Income Tax Returns ○ Workman’s Compensation Returns ○ Unemployment Insurance Fund Returns
FINANCIAL RECORDS	CONTRACTS
<ul style="list-style-type: none"> ○ Annual Financial Statements ○ Levy receipts ○ Disbursements to suppliers of goods and services, including supporting vouchers 	<ul style="list-style-type: none"> ○ Managing Agent Contract ○ Contracts relating to security and maintenance

EMPLOYMENT RECORDS	
<ul style="list-style-type: none"> ○ Employment Contracts ○ Payrolls and pay slips ○ Records of deductions and payments to 3rd parties ○ Statutory payments including UIF and PAYE, SITE 	
<ul style="list-style-type: none"> ○ Provident Fund membership, contributions and claims 	

iii) **The Request Procedure**

- The requester must use the prescribed form to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned (Section 53(1)).
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed (Section 53(2)(a),(b) and (c)).
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right (Section 53(2)(d)).
- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body (Section 53(2)(f)).

Fees

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee –

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request (Section 54(3)(b)).
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee (Section 54(3)(b)).
- After the head of the private body has made a decision on the request, the requester must be notified on the required form.
- If the request is granted, then a further fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure (Section 54(6)).

Note: The prescribed request form and fee structure may be accessed via the SAHRSC's website (www.sahrc.org.za) or the website of the Department of Justice and Constitutional Development (www.doj.gov.za) under "regulations".

5. **OTHER INFORMATION AS MAY BE PRESCRIBED (Section 51(1)(f))**

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

6. **AVAILABILITY OF THE MANUAL**

This Manual is available for inspection at the registered offices of the body free of charge and from the South African Human Rights Commission in accordance with paragraph 9(1) of the Regulations of the Act.