

Club Mykonos Langebaan Home Owners Association

ACCESS TO INFORMATION MANUAL

As required by Section 51 of the Promotion to Access of Information Act No 2 of 2000



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1. Introduction

The Promotion of Access to Information Act No.2 of 2000, (“the Act”) came into operation on 23 November 2001. Section 51 of this Act requires all private bodies to compile a manual containing various information and the procedure to be followed in requesting information from us for the purpose of exercising or protecting rights.

2. Details of group entities to which this manual applies

Full Name	Registration Number
Club Mykonos Langebaan Home Owners Association NPC	1991/001085/08
Club Mykonos Management (Pty) Ltd	2010/001316/07
Club Mykonos Rental Services Company (Pty) Ltd	2008/003531/07

3. Company details

Registered Address : Leentjiesklip Road
Langebaan
7357

Postal Address : Private Bag X2
Langebaan
7357

Telephone Number : +27 22 707 7000

Fax Number : +27 22 772 1549

E-mail Address of Information Officer : tkritzinger@clubmykonos.co.za

Website Address : www.clubmykonos.co.za

4. The official guide

In terms of section 10 of the Act the South African Human Rights Commission (“SAHRC”) is required to compile a guide, in each official language, containing information for any person who wishes to exercise any right contemplated in the Act. Should you wish to obtain access to the abovementioned guide, the SAHRC can be contacted as follows :

Post : South African Human Rights Commission
 Private Bag X2700
 Houghton
 2041

Telephone : +27 11 877 3600

Fax : +27 11 403 0625

Website : www.sahrc.org.za

E-mail : paia@sahrc.org.za

5. Information automatically available

The following categories of records are automatically available for inspection, purchase or photocopying. In other words you do not need to request this information in terms of the Promotion of Access to Information Act.

Request forms for these categories of information are also available from our information officer.

- a. Newsletters
- b. Booklets
- c. Pamphlets / Brochures
- d. Posters
- e. Other literature intended for public viewing

6. Information available in terms of other legislation

Where applicable to our operations, information is also available in terms of certain provisions of the following statutes :

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Skills Development Levies Act No. 9 of 1999
- Skills Development Act No. 97 of 1998

Where applicable to our operations, we also retain records and documents in terms of the following statutes :

- Basic Conditions of Employment Act No. 75 of 1997
- Companies Act No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- Employment Equity Act No. 55 of 1998
- Income Tax Act No. 58 of 1962
- Labour Relations Act No. 66 of 1995
- Occupational Health and Safety Act No. 85 of 1993
- Value Added Tax Act No. 89 of 1991

7. Information available in terms of the Act

Statutory company information

- Documents of incorporation
- Memorandum and Articles of Association
- Minutes of Board of Directors Meetings
- Records relating to the appointment of directors/auditor/secretary/public officer and other officers
- Share Register and other statutory registers

Financial records

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Banking Records
 - Bank Statements
 - Paid Cheques
 - Electronic Banking Records
- Asset Register
- Rental Agreements
- Invoices

Income tax records

- PAYE Records
- Documents issued to employees for income tax purposes
- Records of payments made to SARS on behalf of employees
- All other statutory compliances :
 - a. VAT
 - b. Skills Development Levies
 - c. UIF
 - d. Workmen's Compensation

Personnel documents and records

- Employment Contracts
- Employment Equity Plan
- Medical Aid Records
- Pension Fund Records
- Disciplinary Records
- Salary Records
- SETA Records
- Disciplinary Code
- Leave Records
- Training Records
- Training Manuals

Insurance

- Insurance Policies
- Claim Records
- Details of insurance coverages, limits and insurers

Information Technology

- Hardware
- Operating Systems
- Telephone Exchange Equipment
- Telephone Lines, Leased Lines and Data Lines
- LAN Installations
- Software Packages
- Disaster Recovery
- Internal Systems Support and Programming / Development
- Capacity and Utilization of Current Systems
- Agreements
- Licenses

8. Request for access to record of private body

If you wish to request access to any of the above categories of information, you are required to complete a request form as set out in Form C below.

There is a prescribed fee (payable in advance) for requesting and accessing information in terms of the Act. Details of these fees are also contained in this manual.

You may also be called upon to pay the additional fees prescribed by regulation for searching for and compiling the information which you have requested, including copying charges.

It is important to note that access to any information is not automatic – you must identify the right you are seeking to exercise or protect and explain why the information you request is required for the exercise or protection of that right. You will be notified in the manner indicated by you on the request form whether your request has been approved.

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:

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:

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:	
<p>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</p> <p>(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.</p> <p>(c) The fee payable for access for the record, if any, will be determined partly by the form in which access is requested.</p>	

1. If the record is in written or printed form:			
	copy of record*		inspection of record
2. If record consists of visual images			
this includes photographs, slides, video recordings, computer-generated images, sketches, etc)			
	view the images		transcription of the images*
			copy of the images"
3. If record consists of recorded words or information which can be reproduced in sound:			
	listen to the soundtrack		transcription of soundtrack*
	audio cassette		written or printed document
4. If record is held on computer or in an electronic or machine-readable form:			
	printed copy of record*		copy in computer readable form* (stiffy or compact disc)
			printed copy of information derived from the record"
'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

9. Fees in respect of private bodies

- 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 page or part thereof.

- The fees for reproduction referred to in regulation 11 (1) are as follows :

1. For every photocopy of an A4 page or part thereof	R1,10
2. For every printed copy of an A4 page or part thereof held on a computer or in electronic or machine-readable form	R0,75
3. For a copy in a computer-readable form on –	
(i) Stiffy disc	R7,50
(ii) Compact disc	R70,00
4. (i) For a transcription of visual images, for an A4 page or part thereof	R40,00
5. (ii) For a copy of visual images	R60,00
6. (i) For a transcription of an audio record, for an A4 page or part thereof	R20,00
(ii) For a copy of an audio record	R30,00

- The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is R50,00
- The access fees payable by a requester referred to in regulation 11 (3) are as follows :

1. For every photocopy of an A4 page or part thereof	R1,10
2. For every printed copy of an A4 page or part thereof held on a computer or in electronic or machine-readable form	R0,75
3. For a copy in a computer-readable form on –	
(i) Stiffy disc	R7,50
(ii) Compact disc	R70,00

4. (i) For a transcription of visual images, for an A4 page or part thereof R40,00
5. (ii) For a copy of visual images R60,00
6. (i) For a transcription of an audio record, for an A4 page or part thereof R20,00
- (ii) For a copy of an audio record R30,00
7. 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.
8. For purposes of section 54 (2) of the Act, the following applies :
 - a. Six hours as the hours to be expected before a deposit is payable;
and
 - b. One third of the access fee is payable as a deposit by the requester.
9. The actual postage is payable when a copy of a record must be posted to a requester.