

CENTURY VIEW PROPERTY OWNERS' ASSOCIATION

Erf no: 5422 Montague Gardens

Administrative office: CRA Tel: 021 939 9874 Email: payroll@cra-cpt.co.za

39 Mentz Crescent, Panorama, Cape Town, 7500

PO Box 15635, Panorama, 7506

CENTURY VIEW PROPERTY OWNERS' ASSOCIATION

INFORMATION MANUAL

**CENTURY VIEW PROPERTY OWNERS' ASSOCIATION manual in terms of
Section 14 of the
Promotion of Access to Information Act**

11th May 2021

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1. INTRODUCTION

This manual is published in accordance with the regulations of Chapter 2, section 14 of the Promotion to Access to Information Act 2000 (Act No. 2 of 2000). It contains the details of the Property Owners Association and the availability of its records as a public POA. The manual is available in English and copies of the manual can be obtained from the Information Officer.

2. THE PROMOTION OF ACCESS TO INFORMATION ACT NO. 2 OF 2000 (The Act)

The objectives of the PAIA are thus:

- to give effect to the constitutional right to access to any information held by the State;
- to set out justifiable limitations on the right of access to information aimed at protecting people's privacy, confidential commercial information and ensuring effective, efficient and good governance;
- to balance the right of access to information with all the other rights in the constitution;
- to promote a culture of human rights and social justice;
- to establish mechanisms and procedures to enable persons to obtain access to records as swiftly, inexpensively and effortlessly as is reasonably possible;
- to promote transparency, accountability and effective governance;
- to empower and educate everyone to:
 - understand their rights in terms of the Act;
 - understand the functions and operation of the public POA's; and
 - effectively scrutinize and participate in decision-making by public bodies that affects their rights
- Section 14 of this Act requires the that all public bodies compile a manual giving information to the public regarding the procedure to be followed in requesting information from the public POA for the purpose of exercising or protecting rights.



FORM TO BE FILLED IN FOR PAIA – INFORMATION MANUAL

DETAILS OF

CENTURY VIEW PROPERTY OWNERS ASSOCIATION

Chairperson : STEVE PETERS _____

Trustees' Names : STEVE PETERS, FRED GRUNEWALD, DUNCAN GROVES, NADINE BUTLER,
RHOLEEN JORDAAN

Registered Address : GROSVENOR SQUARE, PARK LANE, BLOCK B, BG02, CENTURY CITY, 7441

Postal Address : PO Box 789, WEST COAST VILLAGE, 7433

Telephone Number : 021 007 11 44 _____

Fax Number : 086 617 8052 _____

Website : centuryviewpoa.co.za _____

Email Address : julio@propcafe.co.za _____

Registration Number : SD 5185 CC _____

No. of Units : 364 _____

Erf Number : 5422 MONTAGUE GARDENS _____

Tax Ref Number : 9042016221 _____

EMP Tax Ref Number : N/A _____

Vat Number : N/A _____

Financial Year End : 28 FEBRUARY _____

Auditor/Acc Officer : MAZARS _____

Bankers : STANDARD BANK _____

This serves as an instruction for CRA to compile the Information Manual according to PAIA on behalf of the Trustees of the Property Owners Association.

A handwritten signature in black ink, appearing to read 'Julio da Silva', with a long horizontal flourish extending to the right.

JULIO DA SILVA
APPOINTED MANAGING AGENT

DATE: 4 MAY 2021

4. DETAILS OF THE INFORMATION OFFICER

The person responsible for administration of the Act within the Property Owners Association is:

Designated Information Officer:

THERESA COPE OF CRA, (CLINT RIDDIN & ASSOCIATES)

Telephone Number:

021 939 9874

Fax Number:

086 611 8219



Professional Accountants (S.A.)

VAT number. 4190142051

ATC number. 717

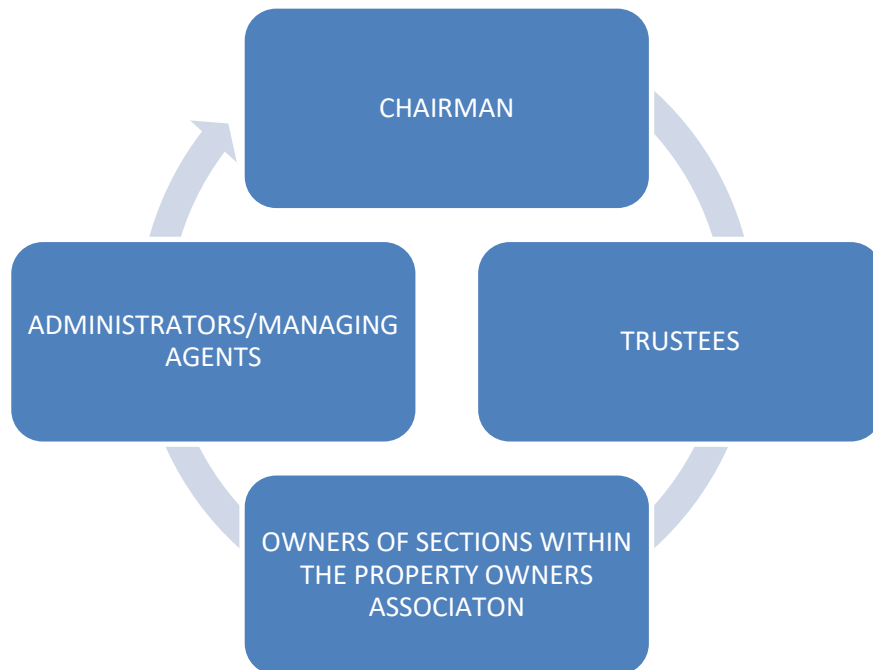
SAIPA membership number. 5885

Tel. 021 939 9874 Fax. 086 612 1140

Suite 2C, Table Bay Building, Tygerberg Office Park, Platteklouf

PO Box 15635, Panorama, 7506

5. STRUCTURE AND RESPONSIBILITIES



FUNCTIONS OF THE PROPERTY OWNERS' ASSOCIATION AND TRUSTEES

39. (1) The functions and powers of the Property Owners Association shall, subject to the provisions of this Act, the rules and any restriction imposed or direction given at a general meeting of the owners of sections, be performed and exercised by the trustees of the Property Owners Association holding office in terms of the rules.

(2) For the purposes of an agreement in respect of the beacons and boundaries of the common property required in terms of the Land Survey Act, 1997 (Act No. 8 of 1997), the trustees shall be deemed to be the owner of the land.

'Trustees' are the managers of a scheme, appointed or elected in terms of the scheme's rules.

The functions and powers of the Property Owners Association must be performed and exercised by the trustees holding office in terms of the rules.

Actions of the trustees are subject to the provisions of the Act, the scheme's rules and any restriction imposed, or direction given at a general meeting of the owners.

Trustees meet more often than the owners and are responsible for ongoing administration. They collect regular contributions, known as 'levies', from owners to meet the scheme's common expenses.

Trustees are the servants of the Property Owners Association, not its masters.

OWNERS OF SECTIONS

The rights and obligations that apply to a person as the owner of a unit and as a member of the Property Owners Association are different to rights and obligations in any other legal relationship.

A person normally purchases a unit from the developer or a subsequent owner in terms of a contract of sale. The Property Owners Association is not usually a party to that contract.

A contract for the sale of a unit will usually provide that the purchaser pays the levy from a specified date and this is often before transfer of the unit is registered in the name of the purchaser.

An owner of a unit cannot rid him or herself of the obligation to pay levies. On sale of a unit he or she can agree that the purchaser of the unit will pay an amount equal to the levy from a specified date. The owner can arrange that the purchaser will pay this amount direct to the Property Owners Association, but if the amount is not paid the owner remains responsible for payment. The person who owns a unit is liable to pay the levy due in respect of that unit to the Property Owners Association.

From the day a person becomes the registered owner of a unit he or she becomes liable to pay a pro rata share of any Property Owners Association levies. From that day he or she is also entitled to participate in the Property Owners Association affairs. The new owner can look to the trustees of the Property Owners Association to ensure that the scheme is properly administered and managed in terms of the Act and the scheme's rules. The trustees must ensure that all owners and occupiers of sections comply with the scheme rules. If an owner is elected to serve as a trustee of the Property Owners Association and becomes involved in management of the scheme, he or she undertakes responsibilities to all other owners.

RECORDS OF ADMINISTRATION (MANAGING AGENT)

48. The managing agent shall keep full records of his or her administration and shall report to the Property Owners Association and to all holders of registered sectional mortgage bonds who have notified the Property Owners Association of their interest in terms of **rule 54(1)(b)** of all matters which in his or her opinion detrimentally affect the value or amenity of the common property and any of the sections.

The rules provide that the managing agent must keep full records of its administration.

The managing agent must notify the Property Owners Association and all holders of registered bonds over units in the scheme who have notified the Property Owners Association of their interest of all matters that in his or her opinion detrimentally affect the value or amenity of the common property and any of the sections. This provision purports to impose an obligation on any managing agent. But, as the rules only bind the Property Owners Association, the owners and occupiers of sections, a managing agent will not be bound unless these obligations are included in its contract with the Property Owners Association or included in an applicable code of conduct.

This provision does not mean that a managing agent is bound regularly to inspect the common property and all the sections to seek out features that might consider to have a detrimental effect. The managing agent is only obliged to report those detrimental matters that come to his or her attention in the course of administrative duties. Such matters are not limited to the physical condition of the common property and sections in the scheme. They extend also to the operation and affairs of the Property Owners Association generally.

If the trustees require the managing agent to perform regular inspections of the common property and the sections, they must include a provision to this effect in the managing agent's contract. The contract should also specify what records the managing agent must keep of its administration of the scheme.

6. PROCEDURE FOR REQUESTING ACCESS TO INFORMATION

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 annexure B hereto. These forms are available from:

SAHRC website (www.sahrc.org.za)

The Department of Justice and Constitutional Development website (www.doj.gov.za)

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

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.

7. FEES

The Act provides for two types of fees, namely:-

- a request fee, which will be a standard fee; and
- an access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- When the request is received by the Information Officer, such officer by notice require the requested, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.
- If the search for the record has been made and the preparation of the record for disclosure, including arrangement to make it available in the requested form, requires more that the hours prescribed in the regulations for this purpose, the Information Officer shall notify the requester to pay as a deposit the prescribed portion of the Access fee which would be payable if the request is granted.
- The Information Officer shall withhold a record until the requester has paid the fees.
- A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the record for disclosure including making arrangements to make it available in the request form.
- If a deposit has been paid in respect of a request for access, which is refused, the Information Officer concerned must repay the deposit to the requester.

SECTION 10

FEES PAYABLE AS PRESCRIBED BY THE ACT

The fee for a copy of the manual as contemplated in regulation 5 (c) of the act is R0,60 for every photocopy of an A4 size of page or part thereof.

The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) of the Act is R35,00

The fees for reproduction referred to in regulation 7(1) of the Act are as follows:

- For every photocopy of an A4-size page or part thereof R0,80
- For a copy in a computer-readable form, on compact disk R40,00
- For a transcription of visual images, for an A4-size page or part thereof R22,00

The access fees payable by a requester referred to in regulation 7(3) of the Act are as follows:

- For every photocopy of an A4-size page or part thereof R0,80
- For a copy in a computer-readable form on a compact disk R40,00
- For a transcription of visual images for an A4-size page or part thereof R22,00
- For a copy of visual images (ST Plans) R60,00
- For any request that would require more than 6 hours to access or to prepare for disclosure, ½ (half) of the access fee is payable as a deposit by the requester.
- The actual postage is payable when a copy of a record must be posted to a requester.

REQUEST FOR ACCESS TO RECORD

(Section 18(1) of the promotion of Access to Information Act, 2000)

(Act No. 2 of 2000)

[Regulation 6]

FOR OFFICE USE

Request received by _____

(State rank, name and surname of information officer/deputy information officer) on (date)

_____ at _____ (place)

Request fee (if any): _____ R _____

Deposit (if any): R _____

Access fee: R _____

SIGNATURE OF INFORMATION OFFICER/
DEPUTY INFORMATION OFFICER

A. Particulars of public POA

The Information Officer/Deputy Information Officer:

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: _____ Email 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.

1. Description of the records 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.

Reasons 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 below, state your disability and indicate in which form the record is required.

Disability: _____ _____ _____	Form in which record is required: _____ _____ _____
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Mark the appropriate box with an X

- NOTES:
- (a) Compliance with your request for access 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 to 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
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2. If records consist 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"/> Transcription of the images
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3. If record is held on computer or in electronic or machine-readable form:

<input type="checkbox"/> Printed Copy of Record*	<input type="checkbox"/> Printed copy of information derived from the record*
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* 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

G. Notice of decision regarding request for access:

YES	NO
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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 on the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 20_____

**SIGNATURE OF REQUESTER/PERSON ON WHOSE
BEHALF REQUEST IS MADE**