



Summervale Lifestyle Estate Owners' Association "Summervale"

PAIA MANUAL

Prepared in terms of section 51 of the, Promotion of Access to Information Act 2 of 2000 (as amended)

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1. LIST OF ACRONYMS AND ABBREVIATIONS

NB: please insert relevant applicable acronyms and abbreviations

- 1.1 "CP" Chairperson Trustee
- 1.2 "VCP" Vice Chairperson Trustee
- 1.3 "T" Trustee
- 1.2 "DIO" Deputy Information Officer;
- 1.3 "IO" Information Officer;
- 1.4 "Minister" Minister of Justice and Correctional Services;
- 1.5 "PAIA" Promotion of Access to Information Act No. 2 of 2000(as Amended);
- 1.6 "POPIA" Protection of Personal Information Act No.4 of 2013;
- 1.7 "Regulator" Information Regulator; and
- 1.8 "Republic" Republic of South Africa

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE (Summervale Lifestyle Estate Owners' Association "Summervale")

3.1. Chief Information Officer

Name: Terence Leslie Ross Munro CP

Tel: [0800 500 800](tel:0800500800) / +27 21 850 5300

Email: terry@beachcomber.co.za

Fax number: N/A

3.2. Information Officer

Name: Wendy Lyn Kuyk

Tel: 021 856 0200 #1113

Email: manager@svale.co.za

Fax number: N/A

DATE OF COMPILATION: 01/10/2021 DATE OF REVISION: 01/10/2021



3.2. Deputy Information Officer

Name: Eliska Joffe

Tel: 021 856 0200 #1116

Email: finance@svale.co.za

Fax Number: N/A

3.3 Access to information general contacts

Email: finance@svale.co.za

3.4 Office

Postal Address: Lemoenboom Road, Gordon's Bay, 7130, Western Cape

Physical Address: Lemoenboom Road, Gordon's Bay, 7130, Western Cape

Telephone: 021 856 0200

Email: finance@svale.co.za

Website: <https://summervale.co.za/en/>

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

4.2. The Guide is available in each of the official languages and in braille.

4.3. The aforesaid Guide contains the description of -

4.3.1. the objects of PAIA and POPIA;

4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

4.3.2.1. the Information Officer of every public body, and

4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

4.3.3. the manner and form of a request for-

4.3.3.1. access to a record of a public body contemplated in section 113; and

4.3.3.2. access to a record of a private body contemplated in section 504;

4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;

4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;

4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-

1 Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

2 Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

3 Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

4 Section 50(1) of PAIA- A requester must be given access to any record of a private body if

a) that record is required for the exercise or protection of any rights;

b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and

c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

4.3.6.1. an internal appeal;



- 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
 - 4.3.7. the provisions of sections 145 and 516 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 4.3.8. the provisions of sections 157 and 528 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 4.3.9. the notices issued in terms of sections 229 and 5410 regarding fees to be paid in relation to requests for access; and
 - 4.3.10. the regulations made in terms of section 9211.
- 5 Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.
- 6 Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.
- 7 Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access
- 8 Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access
- 9 Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.
- 10 Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.
- 11 Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-
- (a) any matter which is required or permitted by this Act to be prescribed;
 - (b) any matter relating to the fees contemplated in sections 22 and 54;
 - (c) any notice required by this Act;
 - (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
 - (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”
- 4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5. The Guide can also be obtained-
- 4.5.1. upon request to the Information Officer;
 - 4.5.2. from the website of the Regulator (<https://www.justice.gov.za/infoereg/> OR www.infoeregulator.org.za)
- 4.6 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-

The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: www.sahrc.org.za

4.6.1 (English and Afrikaans)



5. CATEGORIES OF RECORDS OF THE Summervale Lifestyle Estate Owners Association WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

NB: Please specify the categories of records held by the body which are available without a person having to request access by completing Form C, types of the records and how the records can be accessed. These are mostly records that maybe available on the website and a person may download or request telephonically or by sending an email or a letter.

Subject and Records

Availability: Telephonic (T) or Writing (W)

Legislative

Constitution & Conduct Rules	T / W
Names of Employees	T / W
Names of Trustees	T / W
Minutes of Trustee meetings	T / W
Minutes of Member's meetings	T / W
Election of Trustees	T / W
Formal Correspondence	T / W
Policies, Procedures and Reports	T / W

Financial

Financial statements	T / W
Tax Records (Company & Employees)	T / W
Management Accounts	T / W
Asset Register	T / W
Audit Reports	T / W
Insurance records	T / W

Other

Fine register	Request in terms of PAIA
Service Level Agreements	Request in terms of PAIA
Employment contracts	Request in terms of PAIA
Performance Records	Request in terms of PAIA
Resident files	Request in terms of PAIA
Medical records	Request in terms of PAIA
Complaints	Request in terms of PAIA



6. DESCRIPTION OF THE RECORDS OF Summervale Lifestyle Estate Owners Association WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

NB: Please specify all the records which are created and available in accordance with any of the South African legislation.

<u>Ref</u>	<u>Act</u>
Act No.9 of 2011	Constitution and conduct Community Schemes Om bud Service Act, 2011
Act No. 95, 1986	SECTIONAL TITLES ACT, 1986
	Community
13 of 2006	Older Persons Act 13 of 2006
No. 68 of 2008:	Consumer Protection Act, 2008.
17 of 2002	Mental Health Care Act
Depart. Of Social Development	Protocol on management of Elder Abuse
	Human Resources
85 of 1993	Occupational Health and Safety Act
No 66 of 1995	Labour Relations Act
No 75 of 1997	Basic Conditions of Employment Act
No 30 of 1996	Unemployment Insurance Act
Act No. 10 of 2022	Compensation for Occupational Injuries and Diseases Amendment Act, 2022
	Financial
No 95 of 1967	Income Tax Act
No 89 of 1991	Value Added Tax Act
18 of 2017	Insurance Act
3 of 2005	National Credit Act
	Data & IT & Media
No 98 of 1978	Copyright Act
No 2 of 2000	Promotion of Access of Information Act
4 of 2013	Protection of Personal Information Act
No 25 of 2002	Electronic Communications and Transactions Act
	Building and Gardens
Gordon's Bay Municipality	Zoning Scheme Regulations
59 of 2003	Liquor Act
48 of 2001	Gas Act
4 of 2006	Electricity Regulation Act
Sans 10254	Plumbing Compliance
107 of 1998	National Environmental Management Act
	Security
56 of 2001	Private Security Industry Regulation Act



7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY THE Summervale Lifestyle Estate Owners Association

Subject: Legislative

Categories

- Constitution & Conduct Rules
- Names of Employees
- Names of Trustees
- Minutes of Trustee meetings
- Minutes of Member's meetings
- Election of Trustees
- Formal Correspondence
- Policies, Procedures and Reports

Subject: Financial

Categories

- Financial statements
- Tax Records (Company & Employees)
- Management Accounts
- Asset Register
- Audit Reports
- Insurance records

Subject: Other

Categories

- Fine register
- Service Level Agreements
- Employment contracts
- Performance Records
- Resident files
- Medical records
- Complaints

8. PROCESSING OF PERSONAL INFORMATION

8.1 Purpose of Processing Personal Information

- Comply with the law in respect of the data it holds about individuals;
- Follow good practice;
- Protect Summervale's staff and other individuals
- Protect the organization from the consequences of a breach of its responsibilities.

8.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto
NB: Specify the categories of data subjects in respect of whom the body processes personal information and the nature or categories of the personal information being processed.

Categories of Data Subjects	Personal Information that may be processed
Customers / Clients	name, address, registration numbers or identity numbers, employment status and bank details
Service Providers	names, registration number, vat numbers, address, trade secrets and bank details
Employees	address, qualifications, gender and race



8.3 The recipients or categories of recipients to whom the personal information may be supplied

NB: Specify the person or category of persons to whom the body may disseminate personal information.

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority

8.4 Planned transborder flows of personal information

NB: Indicate if the body has planned transborder flows of personal information. For example, some personal information may be stored in the cloud outside the Republic. Please specify the country in which personal information will be stored and categories of personal information. N/A

8.5 General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

NB: Specify the nature of the security safeguards to be implemented or under implementation to ensure the confidentiality and integrity of the personal information under the care of the body.

Security safe guards	Network firewall antivirus and anti-malware solutions password policies required by staff using all electronic devices and software platforms identified hard copy information secured by lock and key policy control procedures to safeguard information
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9. AVAILABILITY OF THE MANUAL

9.1 A copy of the Manual is available: manager@summervale.co.za

9.1.1 on (specify the website), if any; www.summervale.co.za

9.1.2 head office of the Summervale Lifestyle Estate Owners Association for public inspection during normal business hours;

9.1.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

9.1.4 to the Information Regulator upon request.

9.2 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The General Manager of Summervale Lifestyle Estate Owners Association will on a regular basis update this manual.

Issued by:

Wendy Kuyk

General Manager

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