

La Toscana Homeowner's Association  
(Voluntary Association. Not for gain)  
E-Mail: [latoscanahoa@outlook.com](mailto:latoscanahoa@outlook.com)  
Postal: PO Box 15507, Impala Park, 1472  
Physical: 24 – 26 Sabie road, Bardene, Boksburg Gauteng



POPI/PAIA MANUAL IN TERMS OF SECTION 51  
OF THE PROMOTION OF ACCESS TO  
INFORMATION ACT 2/2000 (THE "ACT")

# 1.1 CONTACT DETAILS (SECTION 51 (1) (A))

## Persons designated/duly authorised persons

### TRUSTEES 2021/2022

Ms Gillian Cremer  
Mr Christopher Botha  
Mr Zane Stadler  
Ms Candice Fox  
Ms Charlene Erasmus

Estate Manager: Ms Rochelle Oberholzer Ferriday

Information Officer: Ms Rochelle Oberholzer Ferriday

Contact number: +61 417 490

E-mail: [rochelle.ferriday@outlook.com](mailto:rochelle.ferriday@outlook.com) or [latoscanahoa@outlook.com](mailto:latoscanahoa@outlook.com)

Postal address: PO Box 15507, Impala Parl, 1472

Physical address: La Toscana, 24 – 26 Sabie, Bardene, Boksburg

# 1.1 THE ACT (SECTION 51 (1) (B))

The Act grants a requester access to records of a private body, if the record is required for the exercise of protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

Requests in terms of the Act shall be made in accordance with prescribed procedures and the rates provided. The forms and tariffs are dealt with in paragraph 6 and 7 of the Act.

Requesters are referred to the guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purpose of exercising Constitutional Rights. The Guide is available from the SAHRC.

Contact details of the South African Human Rights Commission:

Postal Address: Private Bag X2700, Houghton, 2041

Telephone: +27 11 403 0625

Website: [www.sahrc.org.za](http://www.sahrc.org.za)

## 1.2 APPLICABLE LEGISLATION (SECTION 51 (1) (D))

No.	Reference	Act
1	No. 108 of 1996	The Constitution of the Republic of South Africa
2	No. 55 of 1998	Employment Equity Act
3	No. 141 of 1992	Income Tax Act and all amendments thereto
4	No. 66 of 1995	Labour Relations Act
5	No. 75 of 1997	Basic Conditions of Employment Act
6	No. 2 of 2000	Promotion Of Access to Informaiton Act
7	No. 4 of 2013	Protection of Personal Information Act
8	No. 63 of 2001	Unemployment Insurance Act
9	No. 85 of 1993	Ocuupational Health and Safety Act
10	No. 130 of 1993	Compensation for Occupational Injuries & Diseases Act and all amendments thereto
11	No. 103 of 1977	National Building Regulations and Building Standards Act

## 1.3 SCHEDULE OF RECORDS (SECTION 51 (1) (D))

RECORDS	SUBJECT	AVAILABILITY
PUBLIC AFFAIRS	<ul style="list-style-type: none"> <li>LTHA Contact details</li> <li>LTHA Constitution</li> <li>LTHA Rules &amp; Regulations</li> <li>LTHA Owner Annual Calendar (meetings, social events etc. dates)</li> <li>LTHA Annual General Meeting and Special General Meeting Minutes incl. Chairperson Report</li> <li>LTHA Newsletters &amp; Communiques</li> <li>LTHA Owner social function photos</li> </ul>	<p>Public affair matters are available on our website  <a href="https://www.latoscanahomeownersassociation.com/">https://www.latoscanahomeownersassociation.com/</a></p> <p>Owner affairs are available on the owners' portal of our website. Pre-registration, approval and login required.</p>
OWNER AFFAIRS		<p><a href="https://www.latoscanahomeownersassociation.com/">https://www.latoscanahomeownersassociation.com/</a></p>
FINANCIAL	<ul style="list-style-type: none"> <li>Annual audited financial statement</li> <li>Annual budget</li> <li>Association accounting records, bank statements, creditor and debtor accounts, up and to trial balance</li> <li>SARS files</li> <li>Staff remuneration records and budget details</li> <li>Levy role</li> <li>LTHA insurance policy</li> </ul>	<p>Owner affairs are available on the owners' portal of our website. Preregistration, approval and login required.</p> <p><a href="https://www.latoscanahomeownersassociation.com/">https://www.latoscanahomeownersassociation.com/</a></p> <p>Request in terms of PAIA</p>

		Request in terms of PAIA
OWNERS	<ul style="list-style-type: none"> <li>• Registered owners &amp; contact details</li> <li>• Levy account details</li> <li>• Personal registration details</li> <li>• Owners votes and details</li> <li>• Litigation between owner and LTHA</li> <li>• Details and debt collection</li> <li>• Dispute resolution details</li> <li>• Tenant information and personal details</li> <li>• Owners' files</li> </ul>	Request in terms of PAIA
HUMAN RESOURCES	<ul style="list-style-type: none"> <li>• Employee personal details</li> <li>• Employee personal files and contracts</li> <li>• Employment records</li> <li>• Leave records</li> <li>• Training records</li> <li>• Appraisal records</li> <li>• Special benefits</li> <li>• Protective clothing records</li> <li>• Medical records</li> <li>• Workmen's compensation records</li> <li>• Interview &amp; appointment records</li> <li>• Disciplinary records</li> <li>• CCMA &amp; litigation records</li> <li>• LTHA Trustees personal details/information</li> </ul>	Request in terms of PAIA
SECURITY	<ul style="list-style-type: none"> <li>• Access details and records</li> <li>• CCTV footage</li> <li>• Employment information</li> <li>• Security SLA</li> <li>• Standard operational procedures</li> </ul>	Request in terms of PAIA
MANAGEMENT	<ul style="list-style-type: none"> <li>• Trustee meeting Minutes and Resolution</li> <li>• Management meeting minutes</li> <li>• Staff meeting minutes</li> <li>• Official correspondence with owners</li> </ul>	Request in terms of PAIA

	<ul style="list-style-type: none"> <li>• Official correspondence with debtors and creditors</li> <li>• Official correspondence with service providers</li> <li>• Official correspondence with Auditors and Financial Institutions</li> <li>• Litigation cases between LTHA and second parties</li> <li>• OSH act files/reports/finding</li> <li>• Maintenance meetings</li> <li>• Official correspondence with Employer's organisation/s</li> <li>• Maintenance schedules &amp; check lists</li> <li>• Service contracts with service providers</li> <li>• Registration details and contracts with Estate Agents or Managing Agents</li> <li>• Utility records including, sewerage plant reports, electrical reticulation boxes, water testing reports, water/electricity usage and readings</li> </ul>	
ARCHIVES	<ul style="list-style-type: none"> <li>• All archive documents relating to the entire above schedule excluding the Section "Public Affairs"</li> </ul>	Request in terms of PAIA

## 1.5 PRESCRIBED FEES (SECTION 51 (1) (F))

A requester is required to pay the prescribed fees before a request will be processed (see attached Annex). If the preparation of the record requested requires more than the prescribed hours (6), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request was granted).



A requester may lodge an application with a court against the tender/payment of the request fee and/or deposit.

Records may be withheld until the fees have been paid.

The following fee structure is applicable and can be verified with the South African Human Rights Commission at [www.sahrc.org.za](http://www.sahrc.org.za)

INFORMATION DESCRIPTION	FEE
1. The fee for a copy of the manual as contemplated in regulation 9 (2)	
<p>(a) For every photocopy of an A4 size paper or part thereof</p> <p>The fee for reproduction referred to in regulation 11(1) are as follows:</p> <p>(b) For any printed copy of an A4 size page or part thereof held on a PC or in electronic or machine readable form</p> <p>(c) For any visual image or part thereof</p>	<p><b>R1.10</b></p> <p><b>R1.10</b></p> <p><b>R0.75</b></p> <p><b>R150.00</b></p>
2. The request fee payable by a requester, other than a personal requester, referred to in regulation 11 (2) is	<b>R100.00</b>
<p>The access fee payable by a requester, referred to in regulation 11 (3)</p> <p>(a) For every copy of an A4 size page or part thereof</p> <p>(b) For every printed copy of an A4 page or part thereof held in electronic or machine-readable form</p> <p>(c) For any visual image or part thereof</p>	<p><b>R1.10</b></p> <p><b>R0.75</b></p> <p><b>R150.00</b></p>
To search for and prepare the record for disclosure	<b>R150.00 for each hour or part of an hour reasonably required for such search and preparation</b>

For the purposes of section 54(2) of the Act, the following apply:

- Six hours as the hours to be exceeded before a deposit is payable; AND
- One third of the access fee is payable as a deposit by the requester.
- The actual postage is payable when a copy of the record must be posted to a requester.



## 2.1 FORM C

### REQUEST FOR ACCESS TO RECORD/S OF PRIVATE BODY

Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000)

[Regulation 10]

### PARTICULARS OF PRIVATE BODY

The Property Manager – La Toscana Homeowners Association (Voluntary Association not for gain)

### PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- The particulars of the person who requests access to the record must be given below.
- The address and/or email address in the Republic to which the information is to be given.

FULL NAMES AND SURNAME:

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IDENTIFICATION NUMBER:

TELEPHONE NUMBER:

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POSTAL ADDRESS:

MOBILE NUMBER:

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EMAIL ADDRESS:

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CAPACITY IN WHICH REQUEST IS MADE, WHEN MADE ON BEHALF OF ANOTHER PERSON.

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