

TO OUR VALUED CLIENT

28 November 2011

Dear Sir / Madam,

RE: PAIA MANUAL FOR HOME OWNERS ASSOCIATIONS

1. The deadline for submitting the Manual in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000 ("PAIA") is 31 December 2011.
2. Attached to this email are 4 documents:
 - **This Guide.**
 - **Document 1** – The PAIA Manual.
 - **Document 2** – Form C (request for a record).
 - **Document 3** – Fee document.
3. Below is a Guide:
 - Informing you how to complete Document 1 - PAIA Manual.
 - Dealing with how to publicize the Manual.
 - Setting out the fees that the Home Owner's Association can charge to provide the services in terms of the PAIA.

DOCUMENT 1 - COMPLETING THE PAIA MANUAL

- The Manual is attached to this email comprising 4 pages.
- The Home Owner's Association name must be inserted at the head of page 1 and the Chairman's full names in Section 1.
- The contact details of the Chairman must be inserted in Section 2.
- Form C, referred to below, must be printed and attached to the Manual.

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DOCUMENT 1 - PUBLISHING THE PAIA MANUAL

In terms of Regulation 9 the Manual must be made available:

- To The Human Rights Commission.
- On the website of the Home Owner's Association, if applicable.
- During office hours, at the access point of the address referred to in Section 2 of the Manual, upon request for public inspection (**no fee can be charged**).
- By way of providing a copy of the Manual (**a fee can be charged**).

DOCUMENT 2 – FORM C (REQUEST FOR A RECORD)

- Form C is attached comprising of 4 pages. Form C must be attached to the Manual. Form C must be made available for completion by a requestor of a record of the Home Owner's Association.

DOCUMENT 3 – FEES THAT CAN BE CHARGED BY THE HOME OWNER'S ASSOCIATION

When you open document 3, you will see numbers 1-6 circled:

- Labelled 1 - is the fee to be charged for a copy of the Manual – R1.10 per A4 size page.
 - Labelled 2 - are the fees to be charged in terms of Regulation 11 (1) which applies to Section 52 (3) of the PAIA, which is not directly applicable to the Manual. **These fees will not apply.**
 - Labelled 3 - is the fee payable by a requestor who completes Form C attached to this email who requires access to a record of the Home Owner's Association. The fee is R50.00.
 - Labelled 4 - are the fees payable by the requestor, should the Home Owner's Association grant the form C request for a copy of the record. The fee is for making copies of the record and for the time for searching and preparing a copy of the record.
 - Labelled 5 - is the section that sets out that should the search for the record and the preparation of the record take more than 6 hours, that a deposit of 1/3 of the fees set out in the above paragraph can be requested as a deposit by the Home Owner's Association.
 - Labelled 6 - provides that actual postage costs can be charged.
4. Once you have completed the steps in this guide you will:
- Have a Manual for each Home Owner's Association with Form C attached.
 - Have a Form C to provide to a party who requests a record of the Home Owner's Association.
 - Know the fees the Home Owner's Association can charge in terms of the PAIA.
5. Should you have any queries whatsoever, kindly contact myself on 083 968 5045 or at alan@alattorneys.co.za.

Yours sincerely

ALAN LEVY

