Crystal Springs 2 Share Block (Pty) Ltd

(Registration number: 1998/015661/07)

Manual in terms of Section 51 of the

Promotion of Access to Information Act, 2 of 2000

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PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000 (THE ACT) **3**

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PROMOTION OF ACCESS TO INFORMATION ACT, 2 OF 2000

(THE "ACT")

SECTION 51 MANUAL OF CRYSTAL SPRINGS 2 SHARE BLOCK (PTY) LTD (REGISTRATION NUMBER: 1998/015661/07)

1. CONTACT PARTICULARS

Head of business:	Chair of the Board	**Information officer:**	Leon Mare
Postal address:	PO Box 35580 Menlo Park 0102	**Physical address:**	Mooikloof Office Park East Cnr of Atterbury & Jollify Main Rd Mooikloof 0059
Telephone number:	(012) 492 1108	**Fax number:**	(012) 996 0556
E-mail address:	leonm@crystalsprings.co.za		

2. INTRODUCTION

We as a private body have compiled this manual, not only to comply with the provisions of the ***Promotion of Access to Information Act, 2 of 2000***, but also with the provisions of the ***Protection of Personal Information Act 4 of 2013*** ("**POPIA**"). We strive to foster a culture of transparency and accountability in our environment and to ensure that members of the public have effective access to information in our possession which will assist them in the exercise and protection of their rights. Inside these pages you will be able to view the categories of information which we possess. You will also be guided on the correct procedure to follow should you require access to any of this information.

Our business is to operate a Share Blocks Scheme in respect of the property owned by the Company in accordance with the Share Blocks Control Act and the Time-Sharing Act, entitling a Shareholder to use specified parts of the buildings in accordance with the Use Agreement entered into between the Shareholder and the Company.

3. GUIDE IN TERMS OF SECTION 10 OF THE ACT

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

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

3.3 Requesters are referred to **Form C** "*Request for Access to Record of Private Body*" which has been compiled by the South African Human Rights Commission, and which is to be used for the purposes of exercising the right to have access to information. The Form is available from the Information Regulator's site. The Contact details are:

Postal Address:	**JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001**
Email address:	**inforeg@justice.gov.za**
Website:	https://www.justice.gov.za/inforeg/docs.html

4. FACILITATION OF A REQUEST FOR ACCESS TO INFORMATION

Information which is not readily available as indicated in this manual, may be requested in accordance with the procedure prescribed in terms of the Act. Copies of the prescribed forms to be completed for submitting a request, are available from either the website provided for above, alternatively from **Crystal Springs 2 Share Block (Pty) Ltd.**

5. INFORMATION AVAILABLE IN TERMS OF OTHER LEGISLATION

Information is available in terms of certain provisions of the following legislation:

5.1 BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997

5.2 BBBEE ACT 53 OF 2003

5.3 COMPANIES ACT 61 OF 1973

5.4 COMPANIES ACT 71 OF 2008

5.5 COMPENSATION FOR OCCUPATIONAL INJURIES AND HEALTH DISEASES ACT 130 OF 1993

5.6 CONSUMER PROTECTION ACT 68 OF 2008

5.7 DEEDS REGISTRIES ACT 47 OF 1937

5.8 ELECTRONIC COMMUNICATIONS AND TRANSACTIONS ACT 25 OF 2002

5.9 EMPLOYMENT EQUITY ACT 55 OF 1998

5.10 INCOME TAX ACT 58 OF 1962

5.11 LABOUR RELATIONS ACT 66 OF 1995

5.12 OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993

5.13 PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

5.14 PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

5.15 PROMOTION OF EQUALITY AND PREVENTION OF UNFAIR DISCRIMINATION ACT 4 OF 2000

5.16 SECURITIES TRANSFER TAX ACT 25 OF 2007

5.17 SOUTH AFRICAN REVENUE SERVICES ACT 34 OF 1997

5.18 SKILLS DEVELOPMENT LEVIES ACT 9 OF 1999

5.19 SKILLS DEVELOPMENT ACT 97 OF 1998

5.20 TRANSFER DUTY ACT 40 OF 1949

5.21 UNEMPLOYMENT CONTRIBUTIONS ACT 4 OF 2002

5.22 UNEMPLOYMENT INSURANCE ACT 63 OF 2001

5.23 VALUE ADDED TAX ACT 89 OF 1991

6. INFORMATION AUTOMATICALLY AVAILABLE

The following categories of records are automatically available for inspection, purchase or photocopying:

6.1 NEWSLETTERS

7. INFORMATION AVAILABLE IN TERMS OF THE ACT

The subjects on which the business holds records and the categories on each subject are as listed below. Please note that a requestor is not automatically allowed access to these records (if available or applicable) and that access to them may or must be refused in accordance with section 62 to 69 of The Act.

7.1 ACCOUNTING RECORDS

- Annual financial statements and working papers
- General ledger
- Subsidiary ledgers (receivables, payables, etc.)
- Bank statements, cheque books, cheques
- Customer and supplier statements and invoices
- Deposit slips
- Cash books and petty cash books
- Fixed asset register
- Tax returns and assessments
- VAT returns
- Budgets and business plans
- Insurance record

- Investment records
- Auditor's reports
- Inventory records (including stock take)
- Management review
- Capital expenditure
- Credit agreement
- Record of assets
- Record of liabilities
- Record of loans to related parties
- Record of liabilities and obligation
- Record of property held
- Record of revenue
- Record of expenses

7.2 AUDITORS

- Working papers
- Correspondence

7.3 CLIENT INFORMATION RECORDS

- Personal information (as defined in the POPIA), of clients held by the Company

7.4 CREDIT AGREEMENTS

- Civil court judgements
- Sequestrations
- Liquidations
- Rehabilitation orders

7.5 FIXED PROPERTY

- Building plans
- Title deeds

7.6 HEALTH AND SAFETY

- Register, record of earnings, time worked, payment and particulars of all employees
- Health and safety committee's records of each recommendation affecting the health of employees and reports made to the inspector
- Details of aqueous discharges
- Details of solid waste discharges
- Emergency response plans
- Employee public health emergency action plans

- Permits, licenses, approvals and registrations for operations of sites and business
- Records of incident reported at work
- Safety management systems, data and audits

7.7 INFORMATION TECHNOLOGY

- Agreements
- Client database
- Disaster recovery processes and procedures
- Hardware
- Internet
- Licenses
- Operating systems
- Software packages
- Telephone exchange equipment
- Telephone lines, leased lines and data lines

7.8 INSURANCE

- Claim records
- Details of coverage, limits and insurers
- Insurance policies

7.9 INTELLECTUAL PROPERTY

- Agreements relating to intellectual property, e.g. license agreements, secrecy agreements, research and development agreements, use agreements, joint venture agreements and joint development agreements.

7.10 LEGAL, AGREEMENTS AND CONTRACTS

- Acquisition or disposal documentation
- Agreements with contractors, suppliers and clients
- Agreements with shareholders, officers or directors
- Complaints, pleadings, briefs and other documents pertaining to actual, pending or threatened litigation, arbitration or investigation
- Material agreements relating to provision of services or materials
- Material licenses, permits and authorisations
- Contracts, including lease agreements and finance agreements
- Sale agreements
- Electronic communications - Personal information and the purpose for which the data was collected
- Electronic communications - All personal data which has become obsolete

- Consumer Protection Act - disclosure by intermediary: information provided to a consumer
- Consumer Protection Act - disclosure by intermediary: written instructions to consumer
- Consumer Protection Act - disclosure by auctions: written agreement containing terms and conditions

7.11 PERSONNEL RECORDS

- Arbitration awards
- Attendance register
- Collective agreements
- Disciplinary records
- Employee evaluation and performance records
- Employee information records
- Employee remuneration
- Employment applications
- Employee date of birth
- Employment contracts
- Employment equity plan
- Health and safety records
- Industrial training records
- IRP 5 and IT 3 certificates
- Letters of appointment
- Leave applications
- Maternity leave policy
- Name and occupation of each employee
- Payroll
- Particulars of each employee
- Personnel file
- Policies and procedures
- Records of strikes, lockouts or protest action
- Recruitment and appointments
- Relocation policy
- Registered trade unions / employers' organisations documents, list of members and ballot papers
- Salary and wage registers
- Salary slips and wage records
- Strike, lock out or protest action records

- Time records
- Training and development
- UIF, PAYE and SDL returns
- Workmen's Compensation documents

7.12 SALES AND MARKETING

- Media releases
- Public relations policies and procedures
- Service and product information

7.13 STATUTORY COMPANY RECORDS

- Annual Statutory Returns
- Certificate of Incorporation
- Certificate to Commence Business
- Directors' attendance register
- Index of Members
- Memorandum and Articles of Association
- Notice and minutes of shareholders' meetings
- Minutes of directors' meetings
- Minutes of audit committee meetings
- Minutes of directors' committee meetings
- Proxy documents
- Register of Allotments
- Register of company secretary and auditors
- Register of directors and officers
- Registration Certificate
- Reports presented at Annual General Meeting
- General resolutions
- Special resolutions
- Resolutions
- Rules
- Shareholders' agreements
- Shareholders' register
- Minute books
- Resolutions passed at meetings

7.14 TAX

- Income tax returns
- Provisional tax returns
- Tax assessments
- VAT documents

8. REQUESTING PROCEDURES

Notwithstanding the fact that the purpose of the Act is to give effect to the Constitutional Right of having access to information held by the State or private body, access to records may be refused if disclosure would constitute an action for breach of the duty of secrecy owed to a third party, or is prohibited by the Act. In terms of Section 24 of the POPIA the data subject is to be informed of his/her right to request for the correction or deletion of his/her Personal Information held by the Company.

An applicant who has provided adequate proof of identity wanting access to the records must complete the necessary request Form C that is available at the offices of **Crystal Springs 2 Share Block (Pty) Ltd** or can be accessed on https://www.justice.gov.za/inforeg/docs.html. The completed request form must be sent to the address or fax number provided in this manual, and marked for the attention of the Information Officer. The requesting party has to state the reason for wanting the information and has to pay the prescribed fee in terms of Section 23(1)(b)(ii) of POPIA.

9. AVAILABILITY OF THE MANUAL

Copies of this manual are available for inspection, free of charge, at the offices of **Crystal Springs 2 Share Block (Pty) Ltd** or from the Information Regulator South Africa.

10. SIGNATORY

According to Section 51 of the Promotion of Access to Information Act, 2 of 2000 – This manual should be duly signed by the appointed Information officer.

Leon Mare
Information officer

Signature of Information officer

23 June 2021

Date