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**MANDE PROPERTIES CC**  
**PROMOTION OF ACCESS TO INFORMATION ACT**  
**MANUAL 2017**

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<b>PURPOSE</b> <b>TO COMPLY WITH THE PROMOTION OF ACCESS TO INFORMATION ACT</b> <b>NO. 2 OF 2000</b>
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# PROMOTION OF ACCESS TO INFORMATION ACT MANUAL

## MANDE PROPERTIES CC

### 1. INTRODUCTION

**MANDE PROPERTIES CC (THE CC)** operates in the timeshare resale, sales and rentals industry.

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (“the Act”) gives effect to the constitutional right of access to any information held by any public or private body that is required for the exercise or protection of any rights. The Act sets out the procedures attached to such request. This manual also complies with the Protection of Personal Privacy Act No. 4 of 2013.

Section 9 of the Act, however, recognises that such right to access to information is subject to certain justifiable limitations, for instance limitations aimed at:

- The reasonable protection of privacy;
- Commercial confidentiality; and
- Effective, efficient and good governance.

Section 50 of the Act obliges private bodies to compile a manual, which would assist a person to obtain access to information held by the private body and stipulates the minimum requirements a manual has to comply with.

The purpose of this manual is therefore to inform a person on how to obtain access to records held by **THE CC** and thus giving effect to Section 50 of the Act.

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## 2. SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE ON THE ACT

The South African Human Rights Commission (SAHRC) has compiled a guide, in an easily comprehensible form and manner, as to how a person may exercise any right contemplated in the Act. This guide is available from the SAHRC website at [www.sahrc.co.za](http://www.sahrc.co.za)

## 3. GENERAL CONTACT DETAILS OF THE CC

Email: pennym@eastcoast.co.za  
Address: 5 Lismore 300 Beach Road Sea Point Cape Town

## 4. INFORMATION OFFICERS

The Managing Member is the information officer of **THE CC**. This function may be delegated.

The details of the information officer designated in terms of section 17 of the Act are as follows:

**INFORMATION OFFICER:**

**MR ERROL MANDE**

## 5. SUBJECTS AND CATEGORIES OF RECORDS HELD BY THE CC

The Act requires sufficient detail of records held to facilitate a request for disclosure. These are contained in **Annexure A**. Applications for disclosure are required for all these records. The procedures contained in this manual are also to be used where access to personal information as defined by the Protection of Personal Information Act 4 of 2013 is requested.

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## 6. REQUEST FOR INFORMATION PROCEDURE

### 6.1 Automatically available records

No records listed are automatically available without a person having to request access in terms of the Act.

### 6.2 Application process

#### Step 1: The Request

Where a person wishes to access information held by **THE CC**, such a person must make a request for access to the relevant information in the prescribed form which may be obtained from the South African Human Rights Commission or **THE CC** at the address listed above.

A request fee of R50-00, or proof of payment thereof, must accompany the request for information. Banking details may be obtained from **MANDE PROPERTIES CC**.

#### Step 2: Validation and Acknowledgement

The Information Officer receives and validates the request to see whether the required information is available. The request is then accepted, rejected or transferred to the rightful keeper of the required information. An acknowledgement is then forwarded to the requester to confirm the status of the request.

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### **Step 3: Information Processing**

If the request is accepted, **THE CC** will gather and prepare the information and calculate the relevant cost involved.

### **Step 4: Final Notification**

The requester will be informed of the completion of the request as well as the outstanding fees payable.

### **Step 5: Payment and Delivery**

Once the payment as stipulated in Step 4 is received (following the same payment process as stipulated in Step 1), the information is released to the requester.

### **General Information**

The prescribed form must be completed with enough particularity to enable the Information Officer to identify:

- The record or records requested;
- The identity of the requester;
- Which form of access is required, if the request is granted;
- The postal address or email address of the requester.

**THE CC** will process the request within 30 days, unless the requester has stated special reasons, which would satisfy the Information Officer, that circumstances dictate that the above time periods should not be complied with.

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If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally.

When the request is received by the Information Officer, such Officer shall by notice require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing of the request.

If a search for the record has been made and the preparation of the record for disclosure, including arrangements to make it available in the requested form, requires more than 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 relevant fees as set out in **ANNEXURE C**.

## **7. REMEDIES WHERE REQUESTS FOR ACCESS TO INFORMATION ARE REFUSED**

**7.1** The main grounds for **THE CC** to refuse a request follow:

- (1) The mandatory protection of the privacy of a third party who is a natural person which would involve the unreasonable disclosure of personal information of that natural person;
- (2) The mandatory protection of the commercial information of a third party, if the record contains;
  - Trade secrets of that third party;

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- Financial, commercial or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party;
- Information disclosed in confidence to **THE CC** if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.

(3) Mandatory protection of confidential information of third parties if it is protected in terms of any agreement;

(4) The mandatory protection of the safety of individuals and the protection of property

(5) The mandatory protection of records which would be regarded as privileged in legal proceedings;

(6) The operations of **THE CC**;

(7) The business activities of **THE CC** which may include:

- Trade secrets of **THE CC**;
- Financial, commercial, marketing or technical information which disclosure could cause harm to the financial or business interests of **THE CC**;
- Information, which if disclosed could put **THE CC** at a disadvantage in negotiations or business competition;
- Intellectual property which is owned by **THE CC** and which is protected by law;
- Any research information of **THE CC** or a third party, if its disclosure would identify the identity of **THE CC** the researcher or the subject matter of the research at a serious disadvantage.

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## 7.2 Appeal

**THE CC** has no provision for any appeal process and the decision of the Information Officer will be final.

**ORIGINAL SIGNED BY: ERROL MANDE**

**DATE: 15 FEBRUARY 2017**

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