

SECTION 51 MANUAL FOR HQM PROPERTIES CC

CK: 2004/096728/23

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Introduction to HQM Properties cc

HQM Properties cc is a property management company which specialises in managing properties for clients in Cape Town. We offer a wide range of service covering everything from emptying postboxes, to maintenance and bill payment management. HQM Properties cc is also involved in its own private investments on the stock exchange and in private property investments.

PARTICULARS IN TERMS OF THE SECTION 51 MANUAL

1. Contact details [Section 51(1)(a)]

Information officer: Ross Kutisker-Jacobson

General information:

Physical Address: 98 Constantia Main Road
Wynberg
7800

Postal address: PO BOX 746
Plumstead
7801

Telephone: +27 21 801 3956

Fax: +27 21 865 135544

Email: info@hqmproperties.com

Website: www.hqmproperties.com

Heads of Business: Ross Kutisker-Jacobson & Grant Douglas Holton

2. The section 10 Guide on how to use the Act [Section 51(1)(b)]

A Guide has been compiled in terms of Section 10 of PAIA by the Human Rights Commission. It contains information required by a person wishing to exercise any right, contemplated by PAIA. It is available in all of the official languages. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit

The Research and Documentation Department

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484-8300

Fax: +27 11 484-0582

Website: www.sahrc.org.za

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E-mail: PAIA@sahrc.org.za or dmaleso@sahrc.org.za

3. Records available in terms of any other legislation [Section 51(1)(d)]

Basic Conditions of Employment No.75 of 1997
Close Corporation Act No. 69 of 1984
Compensation for Occupational Injuries and Health Diseases Act No. 130 of 1993
Income Tax Act No.95 of 1967
Labour Relations Act No. 66 of 1995
Employment Equity Act 55 of 1998.
Occupational Health & Safety Act No.85 of 1993
Regional Services Councils Act No. 109 of 1985
Skills Development Levies Act No. 9 of 1999
Skills Development Act No.97 of 1998
Unemployment Contributions Act No. 4 of 2002
Unemployment Insurance Act No. 63 of 2001
Value Added Tax Act No. 89 of 1991

4. Access to the records held by the private body in question [Sections 51(1)(c) and 51(1)(e)]

- i. **The latest notice regarding the categories of records of the body, which are available without a person having to request access in terms of this Act in terms of section 52(2) [Section 51(1)(c)]**

Not applicable

- ii. **Records that may be requested. A description of the subjects of the records held by HQM Properties cc and the categories in which these subjects are classed [Section 51(1)(e)]**

Administration:

- Documents of Incorporation
- Memorandum and Articles of Association

Human Resources:

- Remuneration records
- Employment Contracts
- Leave Records
- Training Manuals

Operations:

- List of clients

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- Billing records

Financial Records:

- Annual Financial Statements
- Tax Returns
- Accounting Records
- Bank Statements
- Asset Register
- Invoices
- Rental Agreements

Income Tax Records:

- Tax records
- PAYE records
- Records of Correspondence with and payments made to SARS
- Documents issued to employees for income tax purposes
- All other statutory compliances:
 - VAT
 - Skills Development Levy
 - UIF
 - Workers Compensation

iii. The request procedures

Form of request:

- The requester must use the prescribed form C to make the request for access to a record. This must be made to the head of the private body. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the head of the private body to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].

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- If a request is made on behalf of another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [s 53(2)(f)].

Fees:

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The Information Officer must notify the requester (other than a personal requester) by written notice, that the requester has to pay the prescribed fee (if any) before the request will be processed [s 54(1)].
- The fee that the requester must pay to a private body is R50. The requester may lodge an application to the court against the tender or payment of the request fee [s 54(3)(b)].
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 54(6)].

5. Other information as may be prescribed [Section 51(1)(f)]

The Minister of Justice and Constitutional Development has not made any regulations in this regard.

6. Availability of the manual [Section 51(3)]

The manual is available for inspection at the offices of HQM Properties cc free of charge; and copies are available with the SAHRC and in the government gazette.

