



**RENPROP**  
MANAGEMENT

# PAIA MANUAL

## INFORMATION MANUAL OF RENPROP (PROPRIETARY) LIMITED ("Renprop")

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Prepared in accordance with section 51 of The Promotion of Access to Information Act, Number 2  
of 2000 ("the Act")





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**SECTION B:**

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**Business and contact details**

**1.1. The Contact for Renprop (Pty) Limited:**

Nature of business: Property sales and management

Head of business: Christopher Renecke, Director

Contact person: Anthony Parlabeau, Director

Postal address: P O Box 2489, Cramerview, 2060

Street address: 32 Peter Place, Lyme Park, Bryanston, 2021.

Business phone: +27 11 463 6161

Business fax: +27 11 463 3895


E-mail address: [anthony@renprop.co.za](mailto:anthony@renprop.co.za)

Website: [www.renprop.co.za](http://www.renprop.co.za)

**2. Particulars in terms of Section 51 of the Act**

2.1. On 9 March 2001 the Act came into effect. The Act seeks to advance a culture of transparency and accountability in both public and private bodies. The legislation was enacted as a direct response to Section 32(2) of the Constitution of South Africa – the right of access to information – which requires that the Government implements laws in an effort to make information pertaining to public and private bodies more accessible to all.

2.2. One of the main requirements specified in the Act is the compilation of a manual that provides information on both the types and categories of records held by the public or private body. In terms of the Act, Renprop is regarded as a “private body” and therefore the requirements regarding access must be in compliance with the provisions of the Act relevant to private bodies. Adherence to these requirements entails not only compilation of the external manual but also compliance with the general provisions stated in the Act.





- 2.3. The Act gives effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights. Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, except where the Act expressly provides that the information may or must not be released.

**3. Section 10 of the Act – Guide on how to use the Act**

- 3.1. In terms of Section 10 of the Act, the Human Rights Commission must compile a guide which guide is intended to assist users in the interpretation of the Act and how to access to the records of private and public bodies and the remedies available in law regarding a ***breach*** of any of the provisions of the Act.

- 3.2. Please direct any queries regarding the guide to:

The South African Human Rights Commission PAIA Unit

The Research and Documentation Department

Postal Address:

Private Bag 2700

Houghton

2041

Business phone: +27 11 484 8300

Business fax: +27 11 484 0582

Email address: [PAIA@sahrc.org.za](mailto:PAIA@sahrc.org.za)

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





**4. Records which are automatically available to the public**

4.1. The following records of Renprop are available without a person having to request access in accordance with the request procedure as set out in Section 8 of this Information Manual:

4.1.1. Pamphlets;

4.1.2. Brochures; and

4.1.3. Advertising materials.

4.2. The above listed records may be requested from the Directors of Renprop or the person directly responsible within the Renprop Company, using the prescribed form enclosed hereto as Annexure "C".

4.3. The only charge that may be levied for records which are automatically available to any person requesting access to such records is a fee for reproduction of the record in question, which amounts are as set out in Annexure "B".

**5. Records available in terms of other legislation**

Arbitration Act, 42 of 1965

Banks Act, 94 of 1990

Basic Conditions of Employment Act No. 75 of 1997

Companies Act No. 71 of 2008

Compensation for Occupational Injuries and Diseases Act No. 130 of 1993

Competition Act No. 89 of 1998

Constitution of South Africa

Copyright Act No. 98 of 1987

Currency and Exchanges Act, 9 of 1933

Customs and Excise Act, 91 of 1964

Deeds Registries Act No. 47 of 1937

Employment Equity Act No. 55 of 1998





Environmental Laws Rationalisation Act No. 51 of 1997

Explosives Act No15 of 2003

Firearms Control Act No. 60 of 2000

Finance Act, 35 of 2000

Financial Intelligence Centre Act, 38 of 2001

Income Tax Act No. 58 of 1962

Insurance Act, 27 of 1943

Intellectual Property Laws Amendments Act, 38 of 1997

Labour Relations Act No. 66 of 1995)

Long-Term Insurance Act No. 52 of 1998

Marketable Securities Act No. 32 of 1948

Medical Schemes Act No. 131 of 1998

Mine Health and Safety Act No. 29 of 1996

Minerals Act No. 50 of 1991

National Environmental Management Act No. 107 of 1998

National Water Act No. 36 of 1998

Occupational Health and Safety Act No. 85 of 1993

Patents Act No. 57 of 1987

Pension Funds Act No. 24 of 1956

Preferential Procurement Policy Framework Act of 2000

Promotion of Access to Information Act No. 2 of 2000

Promotion of Equality and Prevention of Unfair Discrimination Act No 4 of 2000

Protected Disclosures Act No. 26 of 2000

Protection of Personal Information Act 4 of 2013

Sea Transport Documents Act No. 65 of 2000

Short-Term Insurance Act No. 53 of 1998





Skills Development Act No. 97 of 1998  
Skills Development Levies Act No. 9 of 1999  
South African Reserve Bank Act No. 90 of 1989  
Revenues Law Amendment Act 60 of 2008  
Stock Exchange Control Act No. 1 of 1985  
Trademarks Act No. 194 of 1993  
Transfer Duty Act No. 40 of 1949  
Unemployment Contributions Act, 4 of 2002  
Unemployment Insurance Act No. 63 of 2001  
Value Added Tax Act No. 89 of 1991

**6. Records that are not automatically available**

- 6.1. Records of Renprop which are not automatically available must be requested in terms of the procedure set out in section 8 of this Information Manual and which may be subject to the restrictions and right of refusal to access as provided for in the Act.
- 6.2. Records of Renprop's clients held by Renprop will not be made available in terms of this Manual.
- 6.3. Such records include:

**Corporate Affairs**

**Community Development**

Project Information







### **Secretarial**

Financial Statements  
Minutes of Meetings  
Statutory Records  
Register of Members  
Company Register  
Company CM Forms  
Company Policies and Procedures  
Code of Practice  
Approval Framework  
General Records

### **Public / Investor Relations**

Analyst and Media Liaison and Information  
Presentations  
Company Publications and Brochures

### **Legal**

Agreements and Contracts  
EAAB Certificates  
CSOS Certificates  
FSB Compliance Reports  
Sectional Title Establishment Certificates  
Sectional Title Plans  
Township services agreements





Stand transfer information

Section 82 certificates

Building plans

Electrical compliance certificates

Occupation certificates

## **Finance**

Business Plan and Budgets

Risk Management and Insurance

Information Technology

Capital Expenditure

Taxation

Accounting / Auditing Records

Treasury Reports

Asset register

Contracts

Internal audit records

Management accounts

Property management records

General correspondence



**Human Resources**


Remuneration  
Employment Equity Plan / Affirmative Action  
Organisational Structures  
Training and Development  
Whistle Blowing  
Medical Aid  
Skills Development Plan  
Social Responsibility  
Personnel Records  
Letters of Appointment and Employment Contracts

**Other**

General Contracts

**Marketing**

Customer Information  
Customer Register  
Price Information  
Sales Reports  
Market Reports  
Industry News and Information  
Handover and snag details





## **Safety**

Safety Reports  
Incident and Accident Reports  
Data and Statistics  
Safety Inspections and Audits  
Claims and Compensation


## **Projects**

Data and Statistics  
Feasibility reports  
Professional appointments  
Project Specifications and Information  
Quality and Standards  
Environmental Reports and Audits  
Townplanning information and layouts

## **7. Grounds for refusal of access to records in terms of section 62-69 of the Act**

7.1. Access to a record will or may be refused on one or more of the following grounds:

**7.1.1. *Mandatory protection of the privacy of a third party who is a natural person***, if such disclosure would involve the unreasonable disclosure of personal information about a third party, including a deceased individual, subject to the provisions of section 63 (2).





**7.1.2. Mandatory protection of the commercial information of a third party**, if the record contains:

7.1.2.1. Trade secrets of that party;

7.1.2.2. Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interest of that third party;

7.1.2.3. Information disclosed in confidence by a third party, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition;

7.1.2.4. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.


**7.1.3. Mandatory protection of certain confidential information of third party**, where the head of a private body must refuse a request for access to a record of the body if its disclosure would constitute an action for breach of a duty of confidence owed to a third party in terms of an agreement.

**7.1.4. Mandatory protection of the safety of individuals and the protection of property**, where such disclosure could endanger the life or physical safety of an individual, or prejudice or impair the security of:

7.1.4.1. a building, structure or any system

7.1.4.2. a means of transport, or

7.1.4.3. any other property.





**7.1.5. Mandatory protection of records, which would be regarded as privileged from production in legal proceedings.**

**7.1.6. Commercial information of private body**, in that a request for access to a record may be refused if the record contains:

7.1.6.1. trade secrets, financial, commercial, scientific or technical information of the institution, which disclosure, could likely cause harm to the financial or commercial interest of the institution;

7.1.6.2. Information which, if disclosed could prejudice or put the institution at a disadvantage in negotiations or commercial competition; and

7.1.6.3. A computer program which is owned by the institution and which is protected by copyright.

**7.2. Mandatory protection of research information of the institution.** A request will be refused if this disclosure would disclose the identity of the institution, the researcher or the subject matter of the research and would place the researcher at a serious disadvantage.

**7.3. Mandatory disclosure in public interest.** Despite any of the protections mentioned above, Renprop shall grant a request for access to a record if:

7.3.1. the disclosure of the record would reveal evidence of-

7.3.1.1. a substantial contravention of, or failure to comply with, the law; or

7.3.1.2. imminent and serious public safety or environmental risk; and





7.3.2. the public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question.


## **8. Request Procedure**

- 8.1. Any person making a request for access to records of Renprop is referred to as a “requester”.
- 8.2. The requester must comply with all the procedural requirements contained in the Act relating to the request for access to records.
- 8.3. The requester must complete the prescribed form enclosed herewith in Annexure “A” and submit the same as well as payment of the request fee and a deposit, if applicable, to the head of Renprop at the postal or physical, fax or electronic mail address as stated above.

The prescribed form must be filled in with sufficient particulars to at least enable the head of Renprop to identify:

- 8.3.1. The record or records requested;
  - 8.3.2. The identity of the requester;
  - 8.3.3. Which form of access is required, if the request is granted; and
  - 8.3.4. The postal address, telephone number and fax number of the requester.
- 8.4. The requester must state that he/she requires the information to exercise or protect her/his right and clearly state what the nature of the right is to be exercised or protected. In addition, the requester must clearly specify why the records are necessary to exercise or protect such a right.



- 8.5. Such request must be processed within 30 days after the request has been received.
- 8.6. The requester shall be informed whether the access has been granted or denied within 30 days of receipt of the request and give notice with reasons to that effect.
- 8.7. The thirty-day period within which the company has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the request is for a vast amount of information, or the request requires a search for information held at another office of Renprop and the information cannot reasonably be obtained within the original 30 day period. The company will notify the requester in writing should an extension be sought.
- 8.8. If the request for access is granted, the head of Renprop must advise the requestor:
- 8.8.1. the access fee (if any) to be paid upon access;
  - 8.8.2. the form in which access will be given; and
  - 8.8.3. that the requester may lodge an application with a court against the access fee to be paid or the form of access granted, and the procedure, including the period allowed, for lodging the application.
- 8.9. If the request for access is refused, the head of the Renprop must:
- 8.9.1. state adequate reasons for the refusal, including the provisions of this Act relied on;
  - 8.9.2. exclude, from any such reasons, any reference to the content of the record; and
- 



8.9.3.state that the requester may lodge an application with a court against the refusal of the request, and the procedure (including the period) for lodging the application.

8.10. In terms of Section 54 of the Act, if all reasonable steps have been taken to find the record requested and there are reasonable grounds to believe that the record is in possession of Renprop but cannot be found, and if it does not exist, then the head of Renprop must notify by way of affidavit or affirmation, the requester that it is not possible to give access to that record.

8.11. If after notice is given, the record in question is found, the requester must be given access thereto unless the ground for the refusal of access exists.

8.12. If the request is declined for any reason the notice must include adequate reasons for the decision, together with the relevant provisions of the Act relied upon and provide the procedure to be followed should the requester wish appeal the decision.

8.13. Section 59 provides that the head of Renprop may serve a record and grant access only to that portion which the law does not prohibit access to.


8.14. The requester must pay the prescribed fee, before any further processing can take place.

## 9. Fees

9.1. The Act provides for two types of fees, namely:

9.1.1.A request fee, which will be a standard fee; and

9.1.2.An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and costs, as well as postal costs.





- 9.2. When the request is received by the head of Renprop, such person shall by notice require the requester to pay the prescribed request fee, if any, before further processing of the request.
- 9.3. If a requester requires access to records of his/her personal information there shall be no request fee payable. However, the requester must pay the prescribed access and reproduction fees for such personal information.
- 9.4. If the search for the record has been made and the preparation of the record for disclosure including arrangements to make it available in the request form, requires more than the hours prescribed in the regulations for this purpose, the head of Renprop 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.
- 9.5. The head of Renprop shall withhold the record until the requester has paid the fees as indicated in Annexure "B" hereto.
- 9.6. A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in excess of the prescribed hours to search for and prepare the records for disclosure including making arrangements to make it available in the request form.
- 9.7. If a deposit has been paid in respect of a request for access, which is refused, then the head of Renprop concerned must repay the deposit to the requester.

## 10. Remedies

- 10.1. Internal Remedies - Renprop does not have an internal appeal procedure. As such, the decision made by the Head of Renprop is final and requesters will have to exercise such external remedies at their disposal if the request for information is refused and the requester is not satisfied with the answer supplied by the head of Renprop or its duly authorized representative.



10.2. External Remedies – Where a requester is aggrieved by a decision of the head of Renprop to refuse a request for access, or by a decision taken in terms of section 54 relating to fees payable for and in connection with access to records of a private body, section 57(1) relating to the extension to deal with the request, or section 60 relating to the form of access, the requester may within 30 days, and by way of an application, apply to court, for appropriate relief.

10.2.1. The court will then review the request and decide whether in fact the head of Renprop should give you the information you requested or not.


10.2.2. The court hearing an application in terms of the Act may grant any order that is just and equitable including orders:

10.2.2.1. confirming, amending or setting aside the decision which is the subject of the application;

10.2.2.2. requiring the head of Renprop to take such action or to refrain from taking such action, as the court considers necessary within the period mentioned in the court order;

10.2.2.3. granting an interdict, interim or specific relief, a declaratory order or compensation; or

10.2.2.4. granting an order as to costs.





## **11. Third Parties**

11.1. If the request is for the record pertaining to the third party, the head of Renprop must take all reasonable steps to inform the third party of the request. This must be done within 21 days of receipt of the request. The manner in which this is done must be by the fastest means reasonably possible, but if orally, the head of Renprop must thereafter give the third party a written confirmation of the notification.

11.2. The third party may within 21 days thereafter either make representation to the company as to why the request should be refused, alternatively grant written consent to the disclosure of the record.

11.3. The third party must be advised of the decision taken by the head of Renprop on whether to grant or to decline the request. A third party who is dissatisfied with a decision to grant a request for information, may within 30 of notification of the decision, apply to a Court for relief.

## **12. Availability of the manual**

12.1. This manual is currently available as follows:

12.1.1. On the Renprop website at [www.Renprop.co.za](http://www.Renprop.co.za);

12.1.2. In hard copy, to be viewed free of charge, at the offices of Renprop.





**ANNEXURE A: FORMS**

**REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY (COMPANY).**

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

**A. PARTICULARS OF PRIVATE BODY**

The Head:

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**B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD**

- (a) The particulars of the person who requests access to the records must be recorded below.
- (b) Furnish an address and/or fax number in the Republic to which information must be sent.
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full Name and Surname:


Identity Number:

Postal Address:

Telephone Number: ( ) \_\_\_\_\_ Fax Number: ( ) \_\_\_\_\_

\_\_\_\_\_ E-mail Address:

Capacity in which request is made, when made on behalf of another person:





**C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE:**

This section must be completed only if a request for information is made on behalf of another person.

Full Names and Surname: \_\_\_\_\_

Identity Number: \_\_\_\_\_

**D. PARTICULARS OF RECORD:**

(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.

(b) If the space provided is inadequate please continue on a separate folio and attach it to this form.  
***The requester must sign all the additional folios.***

Description of record or relevant part of the record:

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Reference number, if available:

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Any further particulars of record:

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#### E. FEES

(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.

(b) You will be notified of the amount required to be paid.

(c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.

(d) If you qualify for exemption of the payment of any fee, please state the reason therefore.

Reason for exemption from payment of fees:

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#### F. FORM OF ACCESS TO RECORD

If you are prevented by a disability from reading, viewing or listening to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:

**Mark the appropriate box with an "X"**

NOTES:

(a) Your indication as to the required form of access depends on the form in which the record is available.

(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.





(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

**1. If the record is in written or printed form:**

Copy of record\*

Inspection of record

**2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)**

View the images

Copy of the images\*

Transcription of the  
images\*

**3. If record consists of recorded words or information which can be reproduced in sound:**

Listen to the soundtrack

Transcription of soundtrack\* (written  
or printed document)

**4. If record is held on computer or in an electronic or machine-readable form:**

Printed copy of record

Printed copy of information  
derived from the record\*

Copy in computer  
readable form\* (stiffy or  
compact disc)

**\* If you requested a copy or transcription of a record (above), do you wish for a copy or transcription to be posted to you? (A postal fee is payable). OR Emailed to you at the following email ..... EMAIL POST**





**G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED:**

If the space provided is inadequate please continue on a separate folio and attach it to this form.

***The requester must sign all the additional folios.***

Indicate which right is to be exercised or protected:

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Explain why the requested record is required for the exercising or protection of the aforementioned right:

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**H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS:**

You will be notified in writing whether your request has been approved / denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record? \_\_\_\_\_

---

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

**SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE**



**ANNEXURE B**

**FEES IN RESPECT OF PRIVATE BODIES**

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

(a) For every photocopy of an A4-size page or part Thereof	R1.10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
(c) For a copy in a computer-readable form on (i) compact disc	R70.00
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	R40.00
(ii) For a copy of visual images	R60.00
(e) (i) For a transcription of an audio record, for an A6-size page or part thereof	R20.00
(ii) For a copy of an audio record	R30.00

3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50.00.



4. The access fees payable by a requester referred to in regulation 11(3) are as follows:

- |     |     |   |         |
|-----|-----|---|---------|
| (1) | (a) | For every photocopy of an A4-size page or part thereof  | R1,10   |
|     | (b) | For every printed copy of an A4-size page or part thereof<br>held on a computer or in electronic or machine-readable form                       | R0.75   |
|     | (c) | For a copy in a computer-readable form on -   |         |
|     |     | (i) usb   | R150,00 |
|     | (d) | (i) For a transcription of visual images,<br>for an A4-size page or part thereof  | R40.00  |
|     |     | (ii) For a copy of visual images  | R60.00  |
|     | (e) | (i) For a transcription of an audio record,<br>for an A4-size page or part thereof  | R20.00  |
|     |     | (ii) For a copy of an audio record  | R30.00  |
|     | (f) | To search for and prepare the record for disclosure<br>for each hour or part of an hour reasonably required for such<br>search and preparation. | R30,00, |

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

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) one third of the access fee is payable as a deposit by the requester.

(3) The actual postage is payable when a copy of a record must be posted to a requester.





**RENPROP**  
MANAGEMENT

**ANNEXURE C**

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 52(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000    MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 52(1)(b))

FOR INSPECTION IN TERMS OF SECTION 52(1)(a)(i):

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FOR PURCHASING IN TERMS OF SECTION 52(1)(a)(ii):

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FOR COPYING IN TERMS OF SECTION 52(1)(a)(ii):

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AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 52(1)(a)(iii):

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