

## **MEDIA STATEMENT**

### **ACCESS TO INFORMATION HELD BY THE SCHEME OR MANAGING AGENTS**

The Community Schemes Ombud Service (CSOS) has been fielding inquiries and dealing with disputes pertaining to access to information or records held by the Managing Agents of the Schemes and/or Body Corporates/Board of Trustees.

The CSOS wants to make it clear that members of a Scheme (residents) are entitled to all information pertaining, inter alia to the governance of the Scheme and more importantly, the management of their levies. Accordingly, Schemes are encouraged and urged to ensure that they are transparent and forthcoming with information that relates to the governance and management of the Scheme. In particular, Schemes and their governance structures are obliged to provide governance information to their members, without even the need for members to go through the laborious processes as prescribed in the Promotion of Access to Information Act (PAIA). The only exception in this regard would be information classified as personal information as defined in the Protection of Personal Information Act (POPI).

Where information relating to the governance of the Scheme is held and/or processed by a Managing Agent, the Body Corporate or Board of Trustees are not absolved from the responsibility of safe keeping of that information and by extension from sharing such information with the members of their Scheme, as needed. To this end, Body Corporates must ensure that there are accountability measures imposed on the Managing Agents to ensure provision of information on demand and back-up facilities for such information.

The CSOS stands for transparency, accountability and free flow of information for the purposes of good governance, said Adv Boyce Mkhize, Chief Ombud of CSOS.

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**For Immediate Release**

