



PAIA MANUAL

Prepared in terms of section 14 of the
Promotion of Access to Information Act 2
of 2000 (as amended)

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1. LIST OF ACRONYMS AND ABBREVIATIONS

- | | | |
|------|---------------------|--|
| 1.1 | "CO" | Chief-Ombud |
| 1.2 | "CSOS" | Community Schemes Ombud Service |
| 1.3 | "Department" | Department of Human Settlements |
| 1.4 | "DIO" | Deputy Information Officer; |
| 1.5 | "IO" | Information Officer; |
| 1.6 | "Minister" | Minister of Justice and Correctional Services; |
| 1.7 | "PAIA" | Promotion of Access to Information Act No. 2 of 2000 (as Amended); |
| 1.8 | "PFMA" | Public Finance Management Act No.1 of 1999 as Amended; |
| 1.9 | "POPIA" | Protection of Personal Information Act No.4 of 2013; |
| 1.10 | "Regulator" | Information Regulator. |

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to-

- 2.1 check the nature of the records which may already be available at the CSOS, without the need for submitting a formal PAIA request;
- 2.2 have an understanding of how to make a request for access to a record of the CSOS;

- 2.3 access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 2.4 know all the remedies available from the CSOS regarding request for access to the records, before approaching the Regulator or the Courts;
- 2.5 the description of the services available to members of the public from the CSOS and how to gain access to those services;
- 2.6 a description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.7 if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know if the CSOS has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.9 know whether the CSOS has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF THE CSOS

The CSOS is a national regulator established in terms of the Community Schemes Ombud Service Act No. 9 of 2011 ("the Act"). with an/a;

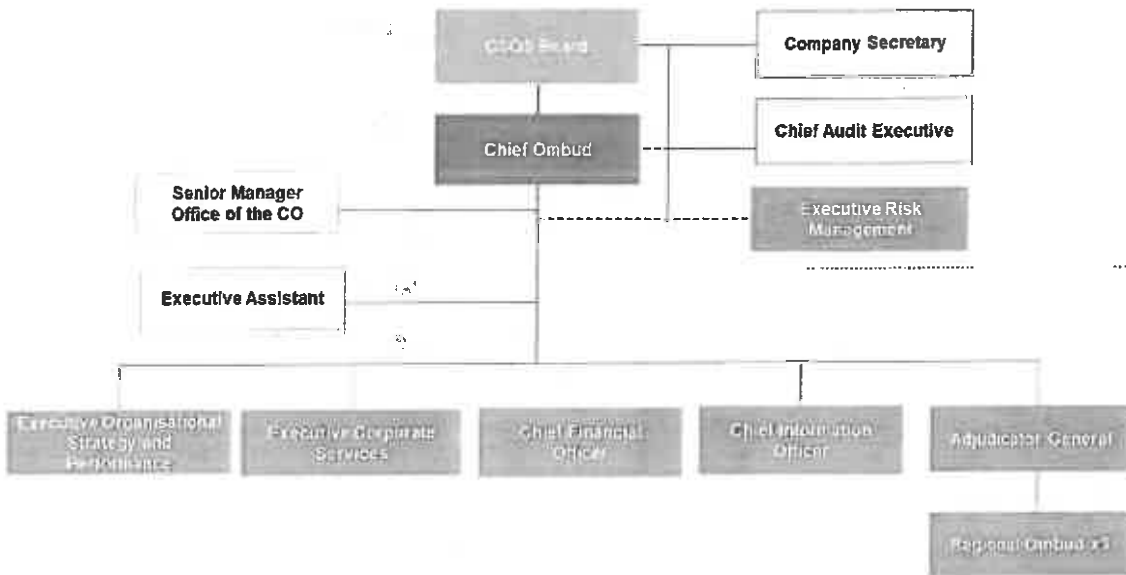
3.1. Objectives/Mandate to:

- Provide an alternative dispute resolution service;
- Regulate, monitor and quality assure all community schemes governance documentation;
- Provide training for conciliators, adjudicators and other employees of the CSOS; and

- We are the custodians of, preserve and provide public access (electronically or by other means) to schemes governance documentation.
- Promote good governance of community schemes;
- Provide education, information, documentation and other such services as may be required to raise awareness to owners, occupiers, executive committees and other persons or entities who have rights and obligations in community schemes, as regards those rights and obligations;
- Deal with any matters as may be necessary to give effect to the objectives of this CSOS Act.

4. STRUCTURE OF THE CSOS AND ITS FUNCTIONS

4.1. Structure



4.2. Committees



4.3. Functions

The CSOS has its functions stated under section 4 of the CSOS Act and reads as thus ;

The Service must—

- (1)(a) develop and provide a dispute resolution service in terms of this Act;
- (b) provide training for conciliators, adjudicators and other employees of the Service;
- (c) regulate, monitor and control the quality of all sectional titles scheme

governance documentation and such other scheme governance documentation as may be determined by the Minister by notice in the Gazette; and

(d) take custody of, preserve and provide public access electronically or by other means to sectional title scheme governance documentation and such other scheme governance documents as may be determined by the Minister by notice in the Gazette.

(2) In performing its functions, the Service—

(a) must promote good governance of community schemes.

(b) must provide education, information, documentation and such services as may be required to raise awareness to owners, occupiers, executive committees and other persons or entities who have rights and obligations

in community schemes, as regards those rights and obligations;

(c) must monitor community scheme governance; and

(d) may generally, deal with any such matters as may be necessary to give effect to the objectives of this Act.

(3) The Service acts through its Board.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE CSOS

5.1. Information Officer

Name: Thembelihle Mbatha
Tel: (+27 10) 593 0533
Email: Thembelihle.Mbatha@csos.org.za

5.2. Deputy Information Officer

Name: Mpho Mogashu
Tel: (+27 10) 593 0533

Email: mpho.mogashu@csos.org.za

5.3 Access to information general contacts

Email: mpho.mogashu@csos.org.za

5.4 National / Head Office

Postal Address: Berkley Office Park, 8 Bauhinia St, Highveld Techno Park, Centurion, 0169

Physical Address: Berkley Office Park, 8 Bauhinia St, Highveld Techno Park, Centurion, 0169

Telephone: 010 593 0533 / 080 000 0653

Email: info@csos.org.za

Website: <https://csos.org.za/>

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE CSOS

6.1. INTERNAL REMEDIES

The CSOS does not have internal appeal procedures. As such, the decision made by the Information Officer is final, and requestors will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the Information Officer.

6.2. EXTERNAL REMEDIES

A requestor that is dissatisfied with the Information Officer's refusal to disclose information, may within 30 days of notification of the decision, apply to a Court for relief. Likewise, a third party dissatisfied with the Information Officer's decision to grant a request for information, may within 30 days of notification of the decision, apply to a Court for relief. For purposes of the Act, the Courts that have jurisdiction

over these applications are the Constitutional Court, the High Court, or another court of similar status.

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

7.1. The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

7.2. The Guide is available in each of the official languages.

7.3. The aforesaid Guide contains the description of-

7.3.1. the objects of PAIA and POPIA;

7.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of-

7.3.2.1. the Information Officer of every public body, and

7.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;

7.3.3. the manner and form of a request for-

7.3.3.1. access to a record of a public body contemplated in section 11³; and

¹ Section 17(1) of PAIA- For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.

² Section 56(a) of POPIA- Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.

³ Section 11(1) of PAIA- A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

- 7.3.3.2. access to a record of a private body contemplated in section 50⁴;
- 7.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;
- 7.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
- 7.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
 - 7.3.6.1. an internal appeal;
 - 7.3.6.2. a complaint to the Regulator; and
 - 7.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 7.3.7. the provisions of sections 14⁵ and 51⁶ requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 7.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

⁴ Section 50(1) of PAIA- A requester must be given access to any record of a private body if-

- a) that record is required for the exercise or protection of any rights;
- b) that person complies with the procedural requirements in PAIA relating to a request for access to that record; and
- c) access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

7.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and

7.3.10. the regulations made in terms of section 92¹¹.

7.4. Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours.

7.5. The Guide can also be obtained-

7.5.1. upon request to the Information Officer or head of the private body, using Form 1 available at <https://info regulator.org.za/paia-forms/>;

7.5.2. upon request, to the Information Regulator, by sending Form 1 (a request for a copy of the Guide) to- PAIACompliance@infoRegulator.org.za; and

7.5.3. from the website of the Regulator (<https://info regulator.org.za/paia-guidelines/>).

8. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE CSOS

Subjects on which the body holds records	Categories of records held on each subject
Personnel Records	<ul style="list-style-type: none"> • Personal records provided by personnel with the purpose to comply with the employment relationship between the CSOS and the employees • Records provided by a third party in relation to personnel

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

Subjects on which the body holds records	Categories of records held on each subject
	<ul style="list-style-type: none"> • Conditions of employment and other similar personnel related information • Internal evaluation and other internal records • Correspondence relating to personnel • Training schedules, material and Reports
CSOS Court Records	<ul style="list-style-type: none"> • Records provided by litigants in relation to civil or criminal proceedings before a court of law
CSOS Act. Complaint Related Records	<ul style="list-style-type: none"> • Records provided by a complainant or third party with the purpose to investigate and dispose of complaints in terms of the CSOS Act • Records relating complaints and complainants
CSOS Records	<ul style="list-style-type: none"> • Financial records • Operational records • Databases • Information technology • Internal correspondence • Statutory records • Internal policies and procedures • Treasury-related records • Records held by officials of the CSOS
Procurement Records	<ul style="list-style-type: none"> • Third party records for the purpose of establishing and managing a procurement relationship between the CSOS and third-party service providers • Asset Register • Agreements with service providers • Tender Committee Minutes

9. THE LATEST NOTICE REGARDING CATEGORIES OF RECORDS OF THE WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Notice(s) in terms of PAIA:

At this stage, no notice(s) has/have been published by the information officer on the categories of information available without a person having to request access in terms of PAIA. However, certain records / information is freely available on our website (www.csos.org.za) Information which is automatically disclosed includes:

TYPE	DESCRIPTION
Publications	<ul style="list-style-type: none"> • Strategic Plans • Practice Directives • Notices • Newsletters

	<ul style="list-style-type: none"> • Updates • Brochures/ Pamphlets • Videos • Presentations • Adjudication Orders • Legislation • Images • Tenders
Reports	<ul style="list-style-type: none"> • Annual Reports • Annual Financial Statements

10. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE CSOS AND HOW TO GAIN ACCESS TO THOSE SERVICES

The CSOS derives its powers and functions from the CSOS Act and the publicly offered services can be found on the website (www.csos.org.za) which includes but not limited to:

- (a) developing and provide a dispute resolution service in terms of the Act;
- (b) provide training for conciliators, adjudicators and other employees of the Service;
- (c) regulate, monitor and control the quality of all sectional titles scheme governance documentation and such other scheme governance documentation as may be determined by the Minister by notice in the Gazette; and
- (d) take custody of, preserve and provide public access electronically or by other means to sectional title scheme governance documentation and such other scheme governance documents as may be determined by the Minister by notice in the Gazette.

11. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY THE CSOS.

The public will have an open involvement in the formulation of the amended Act, and the Department will call on public comment once the draft Act is readily available. The Public will be able to access same at <https://www.gov.za/documents/public-comment>.

12. PROCESSING OF PERSONAL INFORMATION

12.1 Purpose of Processing

12.1.1. In terms of the Protection of Personal Information Act, 2013, the CSOS is required to detail how and what personal information it processes. The details of these are available on the CSOS website (<https://csos.org.za/legislation/>) under the Website PAIA manual.

12.2 Description of the categories of Data Subjects and of the information or categories of information relating thereto.

Categories of Data Subjects	Personal Information that may be Processed
Natural Persons	Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity Number, confidential correspondence, financial records,
Juristic Persons	Names of contact persons; Name of legal entity; physical and postal address; contact details (contact number(s), fax number, email address); registration number; financial, commercial, scientific or technical information, trade secrets, tender documents
Employees	Gender, pregnancy; marital status; Race age, language, educational information (qualifications); financial information; employment history; ID number; physical and postal address; contact details(contact number(s), fax number, email address); criminal behaviour; well-being and their relatives (family members) race, medical, gender, sex, nationality, ethnic or social origin, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, biometric information of the person

12.3 The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for criminal checks	South African Police Services
Required personal information	Department of Human Settlements
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus

12.4 Planned transborder flows of personal Information

The CSOS does not plan to transfer personal information across borders out of SA, but it may do so to secure or backup the data, or for technical reasons. The nature of cloud computing means that some data may be transferred across borders. Where it is within the CSOS's control, it will only transfer data to other countries who have similar privacy and data protection laws as our own.

12.5 General Description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

12.5.1. The CSOS is committed to ensuring that your personal information is secure. In order to prevent unauthorised access or disclosure to such information, we have put in place appropriate physical, electronic and managerial procedures to safeguard and secure the information we collect.

12.5.2. We secure our data by maintaining reasonable measures to protect personal information from loss or misuse and unauthorized access, disclosure, alteration, and destruction. We also take reasonable steps to keep personal information accurate, current, complete, and reliable for its intended use.

13. AVAILABILITY OF THE MANUAL

13.1 This Manual is made available in the following three official languages-

13.1.1 English;

13.1.2 Zulu

13.1.3 Sesotho

13.2 A copy of this Manual or the updated version thereof, is also available as follows-

13.2.1 on (www.csos.org.za) , if any, of the public body;

13.2.2 at the head office of the public body for public inspection during normal business hours;

13.2.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

13.2.4 to the Information Regulator upon request.

13.3 A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

14. UPDATING OF THE MANUAL

The CSOS will, if necessary, update and publish this Manual annually.

Issued by



Thembelihle Mbatha
Acting Chief Ombud, CSOS

FORM 2

REQUEST FOR ACCESS TO RECORD

[Regulation 7]

NOTE:

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

TO: The Information Officer

 (Address)

E-mail address: _____

Fax number: _____

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

PERSONAL INFORMATION		
Full Names		
Identity Number		
Capacity in which request is made <i>(when made on behalf of another person)</i>		
Postal Address		
Street Address		
E-mail Address		
Contact Numbers	Tel. (B):	Facsimile:
	Cellular:	
Full names of person on whose behalf request is made <i>(if applicable)</i> :		
Identity Number		
Postal Address		

Street Address			
E-mail Address			
Contact Numbers	Tel. (B)		Facsimile
	Cellular		
PARTICULARS OF RECORD REQUESTED			
<i>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. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i>			
Description of record or relevant part of the record:			
Reference number, if available			
Any further particulars of record			
TYPE OF RECORD <i>(Mark the applicable box with an "X")</i>			
Record is in written or printed form			
Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>			
Record consists of recorded words or information which can be reproduced in sound			
Record is held on a computer or in an electronic, or machine-readable form			

FORM OF ACCESS
(Mark the applicable box with an "X")

Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of record on flash drive (including virtual images and soundtracks)	
Copy of record on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

MANNER OF ACCESS
(Mark the applicable box with an "X")

Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form)	
Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)	

PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.

Indicate which right is to be exercised or protected

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

FEES	
a)	A request fee must be paid before the request will be considered.
b)	You will be notified of the amount of the access fee 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 for exemption
Reason	

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

Postal address	Facsimile	Electronic communication <i>(Please specify)</i>

Signed at _____ this _____ day of _____ 20 _____

Signature of Requester / person on whose behalf request is made

FOR OFFICIAL USE

Reference number:	
Request received by: <i>(State Rank, Name And Surname of Information Officer)</i>	
Date received:	
Access fees:	
Deposit (if any):	

Signature of Information Officer

FORM 3
OUTCOME OF REQUEST AND OF FEES PAYABLE
[Regulation 8]

Note:

1. If your request is granted the—
 - (a) amount of the deposit, (if any), is payable before your request is processed; and
 - (b) requested record/portion of the record will only be released once proof of full payment is received.
2. Please use the reference number hereunder in all future correspondence.

Reference number: _____

TO: _____

Your request dated _____, refers.

1. You requested:

Personal inspection of information at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) is free of charge. You are required to make an appointment for the inspection of the information and to bring this Form with you. If you then require any form of reproduction of the information, you will be liable for the fees prescribed in Annexure B.	
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OR

2. You requested:

Printed copies of the information (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form)	
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)	
Transcription of soundtrack (written or printed document)	
Copy of information on flash drive (including virtual images and soundtracks)	
Copy of information on compact disc drive (including virtual images and soundtracks)	
Copy of record saved on cloud storage server	

3. To be submitted:

Postal services to postal address	
Postal services to street address	
Courier service to street address	
Facsimile of information in written or printed format (including transcriptions)	
E-mail of information (including soundtracks if possible)	
Cloud share/file transfer	
Preferred language: (Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.)	

Kindly note that your request has been:

Approved

Denied, for the following reasons:

--

4. Fees payable with regards to your request:

Item	Cost per A4-size page or part thereof/item	Number of pages/items	Total
Photocopy			
Printed copy			
For a copy in a computer-readable form on:			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
For a transcription of visual images per A4-size page	Service to be outsourced. Will depend on the quotation of the service provider		
Copy of visual images			
Transcription of an audio record, per A4-size	R24.00		
Copy of an audio record			
(i) Flash drive	R40.00		
• To be provided by requestor			
(ii) Compact disc	R40.00		
• If provided by requestor	R60.00		
• If provided to the requestor			
Postage, e-mail or any other electronic transfer:	Actual costs		
TOTAL:			

5. Deposit payable (if search exceeds six hours):

Yes
 No

Hours of search		Amount of deposit <i>(calculated on one third of total amount per request)</i>	

The amount must be paid into the following Bank account:

Name of Bank: _____
 Name of account holder: _____
 Type of account: _____
 Account number: _____
 Branch Code: _____
 Reference Nr: _____
 Submit proof of payment to: _____

Signed at _____ this _____ day of _____ 20 _____

Information officer