

Luciana Share Block (Pty) Ltd:

Website summary and link to Manual

[NOTE: you may have a link directing interested parties to the complete/full Manual on your website – for the sake of aesthetics this may be preferable (instead of having the entire, lengthy, Manual on the website). In this instance the summary, below, would need to be set out on the website, being the **minimum content extracted from the Manual**, and the necessary link to the completed/full Manual would need to be provided.]

Access to Information

Manual of Luciana Share Block (Pty) Ltd ("**Luciana Share Block**") in terms of The Promotion of Access to Information Act 2 of 2000 ("**PAIA**"), as amended, and the Protection of Personal Information Act, 4 of 2013 ("**POPI**").

Introduction to Luciana Share Block

Luciana Share Block is a share block company that owns and administers property for and on behalf of its members. Luciana Share Block owns and manages a development on the banks of the Vaal River, known as Luciana Country Estate. Ms. Carvalho has been duly appointed by the head of Luciana Share Block, to act as the person to whom requests for access to information must be made in terms of the both PAIA and POPI.

1. **Contact details of Information Officer**

Information Officer: Ms. Carvalho

Postal Address: P.O. Box 772, Vanderbijl Park, 1900

Physical Address: Luciana Country Estate, Farm Luciana 453, Boundary Road, district Parys

Telephone: +27 (0)16 983 0020

Email: ariana@lucianacountryestate@gmail.com

2. **The Information Regulator**

The Information Regulator is an independent body established in terms of section 39 of POPI. It is subject only to the law and the Constitution and it is accountable to the National Assembly. It is tasked with handling complaints relating to the handling of Personal Information in terms of POPI/PAIA.

If you are dissatisfied with any response given by Luciana Share Block in relation to any of your queries/complaints related to the handling of Personal Information in terms of POPI and/or PAIA, you can address these to:

The Information Regulator (South Africa)

Physical Address: JD House, 27 Stiemens Street, Braamfontein,
Johannesburg, 2001

Postal Address: P.O Box 31533, Braamfontein, Johannesburg, 2017

Website: www.justice.gov.za/inforeg/

General Enquiries: inforeg@justice.gov.za

Complaints: complaints.IR@justice.gov.za

3. **Records are maintained in accordance with the following legislation**

- Basic Conditions of Employment Act, 75 of 1997
- Close Corporations Act, 69 of 1984
- Companies Act, 71 Of 2008
- Compensation for Occupational Injuries and Diseases Act, 130 of 1993
- Constitution of the Republic of South Africa, 108 of 1996
- Electronic Communications and Transactions Act, 25 of 2002
- Employment Equity Act, 55 of 1998
- Financial Intelligence Centre Act, 38 of 2001
- Income Tax Act, 95 of 1967
- Insurance Act, 27 of 1943
- Labour Relations Act, 66 of 1995
- National Water Act, 36 of 1998
- Occupational Health and Safety Act, 85 Of 1993
- Promotion of Access of Information Act, 2 of 2000
- Protection of Personal Information Act, 4 of 2013
- Share Blocks Control Act, 59 of 1980
- Trust Property Control Act, 57 of 1988
- Unemployment Insurance Act, 30 of 1996
- Value Added Tax Act, 89 of 1991

4. **Records held by Luciana Share Block**

Records available without formal request

Information that is obtainable via the Luciana Share Block website about Luciana Share Block is automatically available and need not be formally requested in terms of this manual.

Records that are not automatically available

The list below depict records of information which Luciana Share Block has available in terms of laws applicable to it. Some of this information and the access thereto may be restricted to protect the privacy and private information of Data Subjects, and where applicable, the access to such information may be subject to a prescribed fee:

General

- Records of Luciana Share Block lodged in terms of government requirements such as the Registrar of Deeds (title deeds).
- Documentation and information relating to Luciana Share Block which is held by the Companies and Intellectual Properties Commission in accordance with the requirements set out in section 25 of the Companies Act, 71 of 2008.
- Newsletters and other information.

Companies Act

- Certificate of incorporation.
- Registration certificate.
- Memorandum of incorporation.
- Use agreement.
- Management regulations.
- Minutes of board and subcommittee meetings.
- Resolutions passed.
- Share registers and certificates.
- Company disclosure certificates.
- Register of directors and public officers.
Directors' attendance registers.

Corporate Governance

- Code of conduct.

- Risk management registers and associated records.
- Legal compliance registers and associated records.
- Policies and procedures.
- Fraud alerts and whistle blowing.

Financial

- Annual financial statements.
- Asset Register.
- Management accounts.
- Directors reports.
- Auditors reports.
- Books of account regarding information required by the Companies Act.
- Supporting Schedules and documentation relating to management accounts.
- All other forms and notice in terms of the Companies Act.

Accounts Records

- Books of account, including journals and ledgers.
- Delivery notes, order, invoices, statements, receipts, vouchers and bills of exchange.
- Agreements.
- Banking records.
- Tax records, return and supporting documentation.
- Correspondences.
- Management reports.
- Budgets.
- General ledger and sub ledgers.
- General ledger reconciliations.

Statutory Employee Records

- Personnel documents and records (employee's names and occupations).
- Address disciplinary Code and Records.
- Employment Contracts.
- Forms and Applications.
- Grievance procedures.
- Leave records.
- Payroll reports/ Wage register.
- Pension fund records;
- Salary records.

- Standard letters and notices.
- Training manuals.
- Training records.
- COVID-19 compliance manual.
- Expense accounts.
- IRP5 employee returns.
- PAYE records and returns.
- CV's, application details.
- Disciplinary codes and records.
- Disciplinary procedures.

Insurance

- Insurance policies.
- Claim records.
- Details of insurance coverage, limits and insurers.
- Insurance declaration.

Taxation

- Copies of all income tax returns and other tax returns and documents.

Agreements and Contracts

- Material agreements concerning provision of services or material.
- Non-disclosure agreements.

Information Technology

- Hardware.
- Operating systems.
- Disaster recovery policy and systems.
- Internal system support and programming/development.
- Licenses.
- Policies, procedures, standards, templates and guidelines.
- Security access.

5. **Form of request: Process**

- The Requester must use the prescribed form to make the request for access to a record. The form may be requested from the Information Officer and is available on the website of the Information Regulator (South Africa) at www.justice.gov.za/inforeg/, alternatively as Annexures "A" – "E" to Luciana Share Block's Manual, which can be accessed at the below link.
- The completed form must be submitted to the Information Officer.
- The Requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the Requester.
- The Requester should also indicate which form of access is required.
- The Requester should also indicate if he or she wishes to be informed in any other manner and state the necessary particulars to be so informed.
- The Requester must identify the right that he, she or it is seeking to exercise or protect and provide an explanation as to why the requested record is required for the exercise or protection of that right.
- If a request is made on behalf of a person, the Requester must submit proof of the capacity in which the Requester is making the request to the satisfaction of the Information Officer.

6. **Fees**

- The Information Officer must notify the Requester (other than a Request regarding Personal Information, referred to as a "Personal Requester") by notice, requiring the Requester to pay the relevant fee before further processing the request. A Personal Requester does not pay such fee.
- The Requester may lodge an application to the court against the tender or payment of the request fee.
- The Information Officer will then consider this and make a decision on the request and notify the Requester 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 had exceeded the prescribed hours to search and prepare the record for disclosure.

7. **Availability of the manual**

The manual is available for inspection during office hours at the Luciana Share Block's physical address free of charge. To arrange for an inspection of the manual, please contact the Information Officer. Copies are also available with the SAHRC.

8. **Prescribed fees and forms in respect of private bodies**

The prescribed forms and fees for requests to private bodies are available on the website of the Information Regulator at www.justice.gov.za/infoereg/ and the website of the South African Human Rights Commission at www.sahrc.org.za.

9. An electronic copy of the full Manual as well as the relevant forms can be accessed here at _____ (Link to *redirect interested party to new/relevant web page with Manual*).