

Rules and Regulations

Would it not indeed be a wonderful world if rules and regulations were not needed! Unfortunately, we do not all think in the same way and therefore we need some guidelines to ensure that a happy medium can be found where most owners feel comfortable.

These rules are not just dreamed up by the Trustees but are drawn up in accordance with legal specifications for Sectional Title schemes and represent the democratic wishes of the owners. We kindly request that you familiarise yourself with them and adhere to them as it is in everybody's best interest to ensure joyous communal living.

Governance: Rules, regulations and guidelines Structure

At Highlands we are obliged under various laws to have multiple sets of rules and regulations, each with its own procedures and purposes. When dealing with various laws and multiple levels of legislation and governance, it is easy to get the impression that this is a labyrinth from which there is no escape. However, we work on the assumption that owners did not get involved at Highlands to complicate their lives and as such Management has simplified the issue to make this as painless as possible.

Below find the PAIA manual and after that the Form B "Annexure 1"

PAIA Manual

Prepared in accordance with Section 51 of the Promotion of Access to Information Act, 2000 for Highlands Wilderness Body Corporate.

This Manual applies to Wilderness Body Corporate – SS1237/2005 ("Highlands")

Introduction

This Manual is published in terms of Section 51 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ("the Act"). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any right.

The reference to any information in addition to that specifically required in terms of Section 51 of the Act does not create any right or entitlement (contractual or otherwise) to receive such information, other than in terms of the Act.

1. Highlands Wilderness body corporate overview

Highlands Wilderness is a privately owned (sectional title) game/nature farm in the foothills of the Waterberg, 20Km northwest of Bela-Bela. It is not focussed on commercial activity and by far the majority of the 100 owners utilise the farm themselves mainly as holiday resort. The farm is managed according to guidelines from a formally commissioned environmental study and managed by duly appointed

trustees, who manage the various portfolios of the game farm in accordance with approved rules and procedures.

Highlands supports the constitutional right of access to information and we are committed to provide you access to our records in accordance with the provisions of the Act, the confidentiality we owe third parties and the principles of South African law.

2. Availability of this manual

A copy of this Manual is available on our website

<http://highlandswilderness.net>, or by sending a request for a copy to the Information Officer by email. The Manual may also be obtained the South African Human Rights Commission (“SAHRC”) at the addresses set out below. This Manual will be updated from time to time, as and when required.

3. How to request access to records held by Highlands

Requests for access to records held by the Highlands must be made on the request form that is available on our website, from the SAHRC website (www.sahrc.org.za) or the Department of Justice and Constitutional Development (www.doj.gov.za) (under “regulations”). Note that requests need not be accompanied by payment BUT will only be processed upon payment of the prescribed fees.

Refer paragraph 10 for Request procedure.

4. Highland’s Contact Details & Information Officer

Adrian Karemaker

Postal Address

P.O. Box 51619, Wierda Park, 0149

Physical Address

Egret Street, Rooihuiskraal-North, Centurion, 0157

Telephone Number

(082) 448 8125

Fax Number

086 542 8126

Website

E-mail Address of Information Officer

a.karemaker@gmail.com

5. South African Human Rights Commission Guide

The South African Human Rights Commission (“SAHRC”) is required, in terms of the Act, to compile a guide containing information that may reasonably be required by a person who wishes to exercise any right contemplated in the Act. The guide can be obtained from the SAHRC. Enquiries should be directed to:

- The South African Human Rights Commission
- Telephone Number: (011) 484 8300
- Fax Number: (011) 484 7149
- Website: www.sahrc.org.za

6. Record available in terms of Other Legislation Section 51 (1) (d)

Information is available in terms of the following legislation, if and where applicable.

- Basic Conditions of Employment No. 75 of 1997
- Sectional Titles Act, 95 of 1986
- Sectional Titles Act, 11 of 2010
- Sectional Titles Schemes Management Act 8 of 2011
- Electronic Communications and Transactions Act 25 of 2002
- Labour Relations Act 66 of 1995
- Promotion of Access to Information Act No. 2 of 2000
- Unemployment Contributions Act No. 4 of 2002
- Unemployment Insurance Act No. 63 of 2001

7. Records held by Highlands

Highlands maintains records on the following categories and subject matters.

However, please note that recording a category or subject matter in this Manual does not imply that a request for access to such records would be honoured.

All requests for access will be evaluated on a case-by-case basis in accordance with the provisions of the Act.

7.1 Internal Records

- Memorandum and Articles of Association
- Financial records
- Operational records
- Internal correspondence
- Statutory records
- Internal policies and procedures

7.2 Personnel records

Personnel refer to any person who works for or provides services to or on behalf of Highlands and receives or is entitled to receive any remuneration and any other person

who assists in carrying out or conducting the business of Highlands. This include, without limitation, all permanent, temporary and part-time staff as well as contract workers.

Personnel records include the following:

- Any personal records provided to Highlands by their personnel;
- Any records a third party has provided to Highlands about any of their personnel;
- Conditions of employment and other personnel-related contractual and quasi-legal records;
- Internal evaluation records; and
- Other internal records and correspondence.

7.3 Customer/Owner records

Please be aware that Highlands is very concerned about protecting the confidential information of its owners and customers. Please motivate any request for owner or customer information very carefully, having regard to Sections 63 to 67 of the Act.

Customer/owner information includes the following:

- Any records a customer/owner has provided to Highlands or a third party acting for or on behalf of Highlands;
- Contractual information;
- Personal records of customers/owners;
- Credit information and other research conducted in respect of customers/owners;
- • Any records a third party has provided to Highlands about customers/owners;
- • Confidential, privileged, contractual and quasi-legal records of customers/owners;
- • Performance research conducted on behalf of customers or about customers/owners;
- • Any records a third party has provided to Highlands either directly or indirectly;
- and
- • Records generated by or within Highlands pertaining to customers, including transactional records.

8.5. Other Parties

Records are kept in respect of other parties, including without limitation owners, contractors, suppliers and service providers. In addition, such other parties may possess records, which can be said to belong to Highlands.

The following records fall under this category:

- Personnel, owners, customer or Highlands records which are held by another party as opposed to being held by Highlands; and
- Records held by Highlands pertaining to other parties, including financial records, correspondence, contractual records, electronic mail, logs, cached information, records



provided by the other party, and records third parties have provided about the contractors/suppliers or customer.

9. Highlands Records

Access to the documents listed below may be subject to the grounds of refusal set out in this Manual:

9.1. Personnel Records

“Personnel” refers to any person who works for or provides services to or on behalf of Highlands and who receives or is entitled to receive remuneration, and any other person who assists in carrying out or conducting Highlands business and includes, without limitation, directors (executive and non-executive), all permanent, temporary and part-time staff as well as contract workers. Personnel records include:

9.1.1. personal records (provided by personnel themselves);

9.1.2. records provided by a third party relating to personnel;

9.1.3. conditions of employment and other personnel-related contractual and quasi-legal records;

9.1.4. internal evaluation records and other internal records;

9.1.5. correspondence relating to personnel; and

9.1.6. training schedules and material.

9.2. Customer/Owner Records

A “customer/Owner” refers to any natural or juristic entity that receives services from Highlands.

Customer records include:

9.2.1. records pertaining to products sold and/or serviced by Highlands including, without limitation, online and print publications;

9.2.2. records provided by a customer/owner to a third party acting for or on behalf of Highlands;

9.2.3. records provided by a third party;

9.2.4. records generated by or within Highlands relating to its customers/owners, including transnational data.

9.3. Private Body Corporate Records

These are records which include, but are not limited to, records which pertain to Highlands’ own affairs including:

- 9.3.1. financial records;
- 9.3.2. operational records;
- 9.3.3. databases;
- 9.3.4. information technology systems and documents; ;
- 9.3.5. internal correspondence;
- 9.3.6. statutory records;
- 9.3.7. internal policies and procedures.

9.4. Other Party Records

- 9.4.1. Personnel, customer or private body records which are held by another party on Highlands' behalf, as opposed to the records held by Highlands itself.
- 9.4.2. Records held by Highlands pertaining to other parties, including without limitation, financial records, correspondence, contractual records, and records about Highlands' contractors / suppliers / service providers.

10. Request procedure

The standard form that must be used for the making of requests is attached as annexure 1. Not using this form could cause your request to be refused (if you do not provide sufficient information or otherwise) or delayed.

10.1. A requester requiring access to information held by Highlands must make the request in the prescribed form and submit the request, together with the prescribed fee and deposit, if applicable, to Highlands' Information Officer at the postal or physical address above.

10.2. The prescribed form must be completed with enough particularity to enable Highlands to identify:

- 10.2.1. the record(s) requested;
- 10.2.2. the identity of the requester;
- 10.2.3. the form of access required, if the request is granted;
- 10.2.4. the postal address or fax number of the requester.

10.3. The requester must:

- 10.3.1. state that the record is required in order to exercise or protect a right; and
- 10.3.2. provide details of the nature of the right to be exercised or protected.

10.4. Subject to Highlands' rights relating to extensions in terms of the Act, it will process the request within 30 (thirty) days of receipt unless the requester has submitted special reasons, to

Highlands' reasonable satisfaction, in support of a request that the above time periods be dispensed with.

10.5. Highlands will give the requestor written notice of its decision, including reasons if the request is declined.

10.6. The said 30 day period may be extended for a further period of not more than 30 (thirty) days if the request is for a large number of records, or the request requires a search for information which cannot reasonably be obtained within the original 30 day period. The Information Officer will notify the requester in writing should an extension be sought.

10.7. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request, to the reasonable satisfaction of Highlands.

10.8. If an individual is unable to submit the request in the prescribed form because of illiteracy or disability, such a person may make the request orally.

10.9. The requester must pay the prescribed fee, and deposit where applicable, before the request will be considered.

11. Grounds for refusal of access to records

Highlands may refuse a request for information on, inter alia, the following basis:

11.1. The mandatory protection of the privacy of a third party who is a natural person, in order to avoid the unreasonable disclosure of personal information concerning that natural person (including a deceased individual).

11.2. The mandatory protection of the commercial information of a third party, if the record contains:

11.2.1. trade secrets of that third party;

11.2.2. financial, commercial, scientific or technical information, other than trade secrets, of a third party, the disclosure of which would be likely to cause harm to the commercial or financial interests of that third party; or

11.2.3. information supplied in confidence by a third party, the disclosure of which could reasonably be expected:

a. to put that third party at a disadvantage in contractual or other negotiations; or

b. to prejudice that third party in commercial competition.

11.3. The mandatory protection of confidential information of third parties if disclosure would constitute an action for breach of a duty of confidence owed to that third party in terms of an agreement.

11.4. The mandatory protection of the safety of individuals and the protection of property.

11.5. The mandatory protection of records which would be privileged from production in legal proceedings.

11.6. The protection of Highlands' commercial activities including, without limitation, records that contain:

11.6.1 financial, commercial, customer/owner, scientific or technical information, the disclosure of which would be likely to cause harm to Highlands's commercial or financial interests;

11.6.2. information, the disclosure of which could reasonably be expected:

- a. to put Highlands at a disadvantage in contractual or other negotiations; or
- b. to prejudice Highlands in commercial competition.

11.6.3. computer programs owned by Highlands.

11.7. The mandatory protection of research information of Highlands or a third party, if disclosure would expose the identity of Highlands or the third party, the researcher or the subject matter of the research to serious disadvantage.

11.8. Requests for information that are, in Highlands' reasonable opinion, manifestly frivolous or vexatious or which involve an unreasonable diversion of resources.

12. Access to records

12.1. A requester will only be given access to a record(s) held by Highlands if:

12.1.1. the record is required for the exercise or protection of a right;

12.1.2. the requester has complied with all procedural requirements relating to a request for access to a particular record including making the request in the prescribed format; and

12.1.3. access to that record is not refused in terms of any ground for refusal.

13. Remedies available when Highlands refuses a request for information

13.1. Internal Remedies

Highlands does not have internal appeal procedures.

13.2. External Remedies

A requester or a third party, who is dissatisfied with the decision of Highlands in relation to a request for access to a record (including with regard to fees) may, within 30 (thirty) days apply to the High Court, or any other Court having jurisdiction, for relief.

14. Fees

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

14.1.1. a request fee, being a standard fee; and



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

14.2. When a request is received Highlands it will, by written notice, require the requester, other than a personal requester, to pay the prescribed request fee (if any), before further processing the request.

14.3. If the search for the record has been made and the preparation of the record for disclosure would require more than the hours prescribed for this purpose, the Information Officer will notify the requester to pay, as a deposit, the prescribed portion of the access fee which would be payable if the request is granted.

14.4. Highlands will withhold a record until the requester has paid the prescribed fees (and deposit where appropriate).

14.5. 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 record for disclosure, including making arrangements to make it available in the requested form.

14.6. If a deposit has been paid in respect of a request for access, which is refused, then Highlands will repay the deposit to the requester.

PREScribed FORM TO BE COMPLETED BY A REQUESTER

FORM B

REQUEST FOR ACCESS TO RECORDS OF PRIVATE BODY

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

(Regulation 4)

A. Particulars of Private Body

The Information Officer: in respect of _____

(specify company, if applicable)

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: _____



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

requester must sign all the additional folios

1. Description of the Record or relevant part of the record:

2. Reference number, if available:

3. Any further particulars of the record:

E. Fees:

(a) A request for access to a record, other than a record containing personal information about yourself,



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will be processed only after a request fee has been paid.

(b) You will be notified of the amount of the request fee.

(c) The fee payable for access to a record depends on the form in which the 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 of payment of the fee (if any):

F. Form of Access to the Record:

If you are prevented by a disability to read, view or listen 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:



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Copy of record * Inspection of record

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

Listen to the soundtrack (audio cassette) Transcription of soundtrack * (written or printed document)

4. If the 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 * (3,5"magnetic or optical compact disc)

If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

A postal fee is payable. YES NO

G. Particulars of right to be exercised or protected:

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

The requester must sign all the additional folios

1. Indicate which right is to be exercised or protected:

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

☐ 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



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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 _____

SIGNATURE OF REQUESTER/PERSON ON WHOSE BEHALF REQUEST IS MADE