

Lew Geffen | Sotheby's
INTERNATIONAL REALTY

PAIA ACCESS MANUAL

GEFFEN INTERNATIONAL REALTY FRANCHISE (PTY) LIMITED

Registration Number of Company: 1999/021357/07

T/A

LEW GEFFEN SOTHEBY'S INTERNATIONAL REALTY

MANUAL ON ACCESS TO INFORMATION

Issued in terms of Section 51 of the Promotion of Access to information Act 2/2000 in terms of (the "Act")

The manual is also available on our website: www.sothebysrealty.co.za. This manual is available for inspection during office hours at the offices referred to section 2 below.

CONTENTS

1. Our firm
2. Contact Details
3. The Act
4. Applicable Legislation
5. Schedule of Records
6. Form of Request
7. Prescribed Fees
8. Any other Information

1. OUR FIRM

Geffen International Realty Franchise (Pty) Limited ("GIRF") is the holder of the master license of Sotheby's International Realty brand in South Africa. GIRF conducts a franchise and licensed grouping of independently owned real estate agencies under the name and style of Lew Geffen Sotheby's International Realty.

The Franchisee's primary business is the listing, marketing, sale and letting of property within South Africa. The Franchisee is duly registered with the Estate Agency Affairs Board of South Africa.

2. CONTACT DETAILS

Name of contact person: Yael Geffen

Physical Address: 366 Jan Smuts Ave
Craighall, Randburg
Gauteng, South Africa
2196

Office hours: 08h00am – 16h30pm

Telephone: +27 (011) 886 8070

E-mail: yael@sothebyrealty.co.za info@sothebysrealty.co.za

Website: www.sothebysrealty.co.za

3. THE ACT

3.1 The Act grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

3.2 Requests in terms of the ACT shall be made in accordance with the prescribed procedures, at the rates provided. The forms and tariff are dealt with in paragraphs 6 and 7 of the Act.

3.3 Requesters are referred to the Guide in terms of Section 10 which has been compiled by the South African Human Rights Commission, which will contain information for the purposes of exercising Constitutional Rights. The Guide is available from the SAHRC.

The contact details of the Commission are:

Postal Address: Private Bag 2700, Houghton, 2041

Telephone Number: +27-11-877 3600

Fax Number: +27-11-403 0625

Website: www.sahrc.org.za

4. APPLICABLE LEGISLATION

Records which we hold in terms of the following applicable legislation are automatically accessible in terms thereof and person entitled thereto may have access thereto.

<u>No</u>	<u>Ref</u>	<u>Act</u>
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1	No 71 of 2008	Companies Act
2	No 130 of 1993	Compensation for Occupational and Disease Act
3	No 55 of 1998	Employment Equity Act
4	No 95 of 1967	Income Tax Act
5	No 66 of 1995	Labour Relations Act
6	No 89 of 1991	Value Added Tax Act
7	No 37 of 2002	Financial Advisory and Intermediary Services Act
8	No 75 of 1997	Basic Conditions of Employment Act
9	No 69 of 1984	Close Corporations Act
10	No 25 of 2002	Electronic Communications and Transactions Act
11	No 2 of 2000	Promotion of Access of Information Act
12	No 63 of 2001	Unemployment Insurance Act
13	No 50 of 1999	Rental Housing Act
14	No 112 of 1976	Estate Agency Affairs Act
15	No 38 of 2001	Financial Intelligence Centre Act
16	No 85 of 1993	Occupational Health and Safety Act
17	No 98 of 1987	Copyright Act
18	No 9 of 1999	Skills Development Act

Information/records freely available on the GIRF website: www.sothebysrealty.co.za

- Geffen International Realty Franchise (Pty) Limited (Company) Profile.
- Property listing relating to properties for sale and to rent.
- News and press releases.
- Public information relating to purchasing of property.

5. **SCHEDULE OF RECORDS**

We hold the following records, which are not automatically accessible. If you want access to any of such records, you will need to follow the procedure in section 6 of this manual.

- Company Documentation
- General correspondence
- Customer agreements : offer to purchases, sale agreements & lease agreements)
- Customer database
- Client service records
- Dealer Franchise Agreements: Policy and Procedures
- Marketing and Communication: Field Records, Performance Records, Product Sales; Marketing Strategies
- Fidelity Fund Certificates: Current and Past.
- Financial records: Tax records (Company & Employees). Financial statements, Asset Register; Management Accounts and information,
- Financial Intelligence records: Client verification records submitted to the Financial Intelligence Centre)
- Meetings: Minute of meetings.
- Legal records of legal matters
- Records relating to sale and/or letting of property
- Personnel files for ex and/or current employees, franchisee and agents
- Training records: Training material and manuals.

6. FORM OF REQUEST

To facilitate the processing of your request, kindly:

- 6.1 Use the prescribed form, available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za.
- 6.2 Address your request to the Head of the Company (CEO).
- 6.3 Provide sufficient details to enable the GIRF to identify:
 - 6.3.1 The record(s) requested;
 - 6.3.2 The requester (and if an agent is lodging the request, proof of capacity);
 - 6.3.3 The form of access required;
 - 6.3.4 The postal address or fax number of the requester in the Republic;
 - 6.3.5 If the requester wishes to be informed of the decision in any manner (in addition to written) the manner and particulars thereof;

The right which the requester is seeking to exercise or protect with an explanation of the reason the record is required to exercise or protect the right.

Grounds for refusal of access

- Mandatory protection of the privacy of a third party.
- Mandatory protection of commercial information of a third party.
- Mandatory protection of confidential information of third parties.
- Mandatory protection of privileged information.
- Commercial activities of GIRF including trade secrets, financial, commercial, scientific or technical information.

7. PRESCRIBED FEES

The following applies to requests (other than personal requests):

- 7.1 A requestor is required to pay the prescribed fees (R50.00) before a request will be processed;
- 7.2 If the preparation of the record requested requires more than the prescribed hours (six), a deposit shall be paid (of not more than one third of the access fee which would be payable if the request were granted);
- 7.3 A requestor may lodge an application with a court against the tender/payment of the request fee and/or deposit;
- 7.4 Records may be withheld until the fees have been paid;
- 7.5 The fee structure is available on the website of the SOUTH AFRICAN HUMAN RIGHTS COMMISSION at www.sahrc.org.za

8. ANY FURTHER INFORMATION

The Minister may publish a notice prescribing any other information that private bodies will have to disclose.

