



Information Manual

Prepared in terms of Section 51 of the Promotion of Access to Information Act 2 of 2000

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1. Introduction

The Promotion of Access to Information Act, No 2 of 2000 (“the Act”) gives effect to the constitutional right of access to any information in records held by public (government) or private (non-government) bodies that is required for the exercise of protection of any rights. Where a request is made in terms of the Act, Eris Property Group is obliged to release the information, except where the Act expressly provides that the information may or must not be released.

This manual informs requesters of procedural and other requirements which a request must meet as prescribed by the Act. It is important to note that the Act recognises certain limitations to the right of access to information, including, but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality, and effective, efficient and good governance, and in a manner which balances that right with any other rights, including such rights contained in the Bill of Rights in the Constitution.

This manual is available for inspection, free of charge, at the physical address of Eris Property Group.

2. Contact details and applicability

Physical address

The Marc Tower 2
Floor 2
129 Rivonia Road
Sandown
Johannesburg
2196

Postal address

P O Box 786130
Sandton Central
2146

Information Officer (PAIA): Douw Lotter

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Website: www.eris.co.za

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+27 (0) 11 775 1315

PAIA Email

Email Address: paia@eris.co.za

Company Secretary

Mharris@eris.co.za

This manual applies to Eris Property Group and all its South African based subsidiary companies as registered at the date of the enquiry. For ease of reference, below is a non-exhaustive list of some of the entity names:

- Eris Property Group (Pty) Ltd
- Eris Property Holdings (Pty) Ltd
- Eris Investment Holdings (Pty) Ltd
- Kambanji EPG (Pty) Ltd
- Zuri Property Solutions (Pty) Ltd
- Umgeni Development No.3 (Pty) Ltd
- Umgeni Development No.4 (Pty) Ltd
- CDC Parallel Investment (Pty) Ltd
- South African Student Accommodation Impact Investment (Pty) Ltd
- Facilities Management Africa (Pty) Ltd

A comprehensive list of all Eris Property Group companies is available from the Eris Company Secretary.

Access to the records of any subsidiary company, associate or joint venture of Eris Property Group not listed in this manual may be requested from the Deputy Information Officer.

3. Guide of South African Human Rights Commission

The South African Human Rights Commission is required in terms of the Act to compile a guide in every official language, in an easily comprehensible form and manner, as may be required by a person who wishes to exercise any right contemplated in the Act.

Any queries regarding this guide should be directed to:

Postal Address:

The South African Human Rights Commission
 PAIA Unit
 The Research and Documentation Department
 Private Bag X2700
 Houghton
 2041

Telephone Number: +27 (0) 11 484 8300
 Fax Number: +27 (0) 11 484 0582
 Email Address: paia@sahrc.org.za
 Website: <http://www.sahrc.org.za>

4. Subjects and categories on which records are held

Products and Services	
Property Management and Leasing Services	Facilities Management Services
Valuation Services	Corporate Real Estate Services
Asset Management Services	Leasing and Investment Broking Services
Property Development Services	Fund Management Services

Company Records	
Finance and supporting documentation	Human Resources
Information Technology	Marketing
All records kept in terms of law related to managing legal entities of Eris Property Group	

Data Subjects on which records are held	
Shareholders	Subsidiary companies
Board Members	Advisors
Directors	Independent Brokers
Employees*	Clients
Tenants	Banking Institutions
Consultants	External companies/contractors
Investors	Service providers

*Refer to Section 4.1 below for more detail.

The following records are held in respect of the above-mentioned Data Subjects (where applicable)	
Confidential	Group/company financials
Operational	Group/company departments
Business	Strategy
Group/company structure	Shareholders
Investors	External Companies
Subsidiary companies	Brokers
Clients**	Directors
Official/Legal	Employees*
Contracts	Banking Institutions
Personal	Tenants**
Commercial	Services
Financial	Rules of Funds
Group/company incorporation	

*Refer to Section 4.1 below for more detail.

**Refer to Section 4.2 below for more detail.

The accessibility of the documents listed below may be subject to the grounds of refusal as set out in this manual.

4.1 Employee Records *

“Employee” refers to any person who works for or provides services to or on behalf of Eris Property Group and receives or is entitled to receive remuneration and any other person who assists in carrying out or conducting the business of Eris Property Group and includes, without limitation, directors (executive and non-executive), all permanent and part-time staff, as well as contract workers. The accessibility of the following documents may be subject to the grounds of refusal:

- Personal records provided by employees;
- Records provided by a third party relating to employees;
- Conditions of employment and other employee-related contractual and would-be-legal records;
- Correspondence relating to employees;
- Attendance registers; and
- Training schedules/s and material.

4.2 Clients and Tenant Records **

A “client” and “tenant” refers to any natural or juristic entity that receives services from Eris Property Group. The accessibility of the following documents may be subject to the grounds of refusal:

- Records provided by a client or tenant to an intermediary (such and a broker);
- Records provided by a third party;
- Contract documents;
- Applications;
- Amendments;
- Services records;
- Operational records;
- Databases;
- General information; and
- Records generated by/within Eris Property Group relating to clients and/or tenants, including financial transactional records.

4.3 Other records

The accessibility of the following documents held pertaining to Eris Property Group's own affairs may be subject to the grounds of refusal:

- Company Secretarial records
- Services records
- Operational records
- Financial records
- Databases
- Information technology
- Marketing records
- Internal correspondence
- Internal Policies and Procedures
- Contractors
- Consultants
- Employees
- Directors
- Shareholders
- Intermediaries
- Service Providers

5. Records available in accordance with other legislation

A requester may also request information that is available in terms of the following legislation:

- Basic Conditions of Employment Act, 75 of 1997
- Companies Act 61 of 1973
- Compensation of Occupational Injuries and Diseases Act 130 of 1993
- Competitions Amendment Act 18 of 2018
- Electronic Communications and Transactions Act 25 of 2002
- Employment Equity Act 55 of 1998
- Estate Agency Affairs Act 112 of 1976
- Financial Intelligence Centre Amendment Act 1 of 2017
- Income Tax Act 58 of 1991
- Insolvency Act 24 of 1936
- Labour Relations Act 66 of 1995
- National Environmental Management Act of 1998
- National Payment System Act 78 of 1998
- Occupational Health and Safety Act 85 of 1993
- Pension Fund Act 24 of 1956
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Prevention of Organised Crime Act 121 of 1998
- Sectional Titles Schemes Management Act 8 of 2011
- Skills Development Levies Act 9 of 1999
- Trade Marks Act 194 of 1993
- Unemployment Insurance Act 63 of 2001
- Unemployment Insurance Contribution Act 4 of 2002
- Value-Added Tax Act 89 of 1991

6. Grounds for refusal of access to records

Eris Property Group may refuse a request for information based on the following:

- 6.1 Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person.
- 6.2 Mandatory protection of the commercial information of a third party, if the record contains:
 - Trade secrets of that third party;
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interest of that third party; and
 - Information disclosed in confidence by a third party to Eris Property Group, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- 6.3 Mandatory protection of confidential information of third parties if it is protected in terms of any agreement or legislation.
- 6.4 Mandatory protection of the safety of individuals and the protection of property.
- 6.5 Mandatory protection of records which would be regarded as privileged in legal proceedings.
- 6.6 The commercial activities of Eris Property Group, which may include:
 - Trade secrets of Eris Property Group;
 - Financial, commercial or technical information which disclosure could likely cause harm to the financial or commercial interests of Eris Property Group;
 - Information which, if disclosed, could put Eris Property Group at a disadvantage in negotiations or commercial competition; and
 - A computer program which is owned by Eris Property Group and which is protected by copyright.
- 6.7 Requests for information that is clearly frivolous, or which involve an unreasonable diversion of resources shall be refused.

7. Request procedure

- 7.1 A requester requiring access to information held by an Eris Property Group entity must complete the prescribed "Form 1 - PAIA" published on the Eris Property Group Website.
- 7.2 Submit the completed form to the Deputy Information Officer at the postal or physical address or PAIA electronic mail address recorded in paragraph 2 of this manual and pay a request fee and a deposit, where so advised.
- 7.3 The prescribed form must be completed with enough detail to at least enable the Deputy Information Officer to identify:
 - The record or records requested;
 - The identity number of the requester;
 - The form of access required, if the request is granted; and
 - The email address or postal address of the requester.
- 7.4 The requester must state that he/she requires the information in order to exercise or protect a right per the South African Constitution, and clearly state what the nature of that right to be exercised or protected is. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

- 7.5 Eris Property Group will process the request within 30 days of receipt, unless the requester has stated special reasons which would satisfy the Deputy Information Officer that circumstances dictate that the above time periods could not be complied with.
- 7.6 The requester will be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she must state the manner and the particulars so required.
- 7.7 If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Deputy Information Officer.
- 7.8 If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request verbally to the Deputy Information Officer.
- 7.9 Where applicable, the requester must pay the prescribed fee before any further processing can take place.

8. Access to records held by Eris Property Group

Records held by Eris Property Group will be accessed only once the prerequisite requirements for access have been met by a requester. A requester is any person making a request for access to a record of or held by Eris Property Group. There are two types of requesters:

8.1 Personal requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Eris Property Group will voluntarily provide the requested information or give access to any record with regards to the requester's personal information. The prescribed fee for reproduction of the information requested will be charged.

8.2 Other requester

This requester (other than a personal requester) is entitled to request access to information on third parties. However, Eris Property Group is not obliged to voluntarily grant access. The requester must fulfil the prerequisite requirements for access in terms of the Act, including the payment of a request and access fee.

9. Decision

- 9.1 Eris Property Group will, within 30 days of receipt of the request, decide whether to grant or decline the request and give notice with reasons (if required) to that effect.
- 9.2 The 30 day period with which Eris Property Group has to decide whether to grant or refuse the request, may be extended for a further period of not more than 30 days if the request is for a large number of information, or the request requires a search for information held at another office of Eris Property Group and the information cannot reasonably be obtained within the original 30 day period. The Deputy Information Officer will notify the requester in writing should an extension be sought.

10. Remedies available when Eris Property Group refuses a request for information

10.1 Internal Remedies

Eris Properties Group does not have internal appeal procedures. Therefore, the decision made by the Deputy Information Officer is final. Requesters who are dissatisfied with the decision of the Deputy Information Officer will have to exercise external remedies at their disposal.

10.2 External Remedies

A requester or a third party who is dissatisfied with a Deputy Information Officer’s refusal to disclose information or the disclosed information may, within 30 days of notification of the decision, apply to the Constitutional Court, the High Court or another court or similar status for relief.

11. Fees

11.1 The Act provides for two types of fees, namely:

- A request fee, which will be a standard fee; and
- An access fee, which will be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.

11.2 When the request is received by Eris Property Group, the Deputy Information Officer will by notice require the requester, other than a personal requester, to pay the regulated prescribed fee (if any), before further processing of the request.

11.3 The Deputy Information Officer can withhold a record until the requester has paid the fees as indicated.

11.4 A requester whose request for access to a record has been granted, must pay an access fee for reproduction, for search and preparation of the records (s) for disclosure including making arrangements to make it available in the requested format.
