



VISUAL INTERNATIONAL HOLDINGS LIMITED
Registration No: 2006/030975/06

Foreword

MANUAL OF VISUAL INTERNATIONAL HOLDINGS LIMITED (“VISUAL”)

Prepared in accordance with Section 15 of the Promotion of Access to Information Act, No. 2 of 2000

(Private Body)

Last Updated: 10 July 2017

Latest Update: 23 July 2018

Introduction

On 9 March 2001, the Promotion to Access of Information Act, No. 2 of 2000 (“the Act”) became operative, giving effect to the section 32(2) Constitutional right of access to information.

One of the main requirements specified in the Act, is the compilation of an information manual that provides information on both the types and categories of records held by a private body.

This document serves as the Visual information manual and provides reference to the records held by Visual and the process to request access to such records.

Scope of the manual

The scope of this manual includes the Visual company and the following related entities in which Visual has a direct interest.

- Visual International Proprietary Limited
 - Stellendale Village Proprietary Limited
 - Hoeksteen Projects Proprietary Limited
 - Richland Proprietary Limited
 - Data Centre One Investment Proprietary Limited
 - Mystic-Pearl 129 Proprietary Limited
 - Visual Reit Number 1 Limited
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Availability of manual

A copy of this manual is available to the public for inspection on the Visual website at www.visualinternational.co.za or on request from the designated contact person referred to in this manual.

Contact Person

Section 51(1)(a)

Contact Details

The responsibility for administration of, and compliance with the Act, has been delegated by the Chief Executive Officer (CEO) of Visual to the Information Officer. Requests pursuant to the provisions of the Act should be directed as follows:

Contact person:	Charles Robertson
Postal address:	PO Box 3163, Tyger Valley, 7536
Physical address:	23 Kleinplaas, Hohenhort Street, Stellenberg, 7550
Phone number:	+27 21 919 8954
E-mail:	charles@visualinternational.co.za

HRC Guide

Section 51(1)(b)

Guide for requesters on how to use the Act

A Guide has been compiled in terms of Section 10 of the Act by the Human Rights Commission. It contains information to assist a person wishing to exercise a right, in terms of the Act. The Guide is available for inspection, *inter alia*, as follows:

The South African Human Rights Commission:

PAIA Unit
29 Princess of Wales Terrace
Cnr York and St. Andrews Street
Parktown
Website: <http://www.sahrc.org.za>

Kindly direct any queries to:

Postal address:	Private Bag 2700, Houghton, 2041
Phone number:	+27 11 484 8300
Fax number:	+27 11 484 0582
E-mail:	PAQIA@sahrc.org.za
Website:	http://www.sahrc.org.za

Automatic Disclosure

Section 51(1)(c)

Records automatically available to the public

A section 52(2) notice regarding the categories of records, which are available without a person having to request access in terms of the Act, has to date not been published.

Legislative Records

Section 51(1)(d)

Records held in accordance with other legislation

Records are held on accordance with the following legislation:

- Basic Conditions of Employment Act, No. 75 of 1997
- Broad Based Black Economic Empowerment Act, No. 53 of 2003
- Companies Act, No. 71 of 2008
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993
- Competition Act, No. 89 of 1998
- Constitution of South Africa Act, No. 108 of 1996
- Copyright Act, No. 98 of 1987
- Collective Investment Schemes Control Act, No. 45 of 2002
- Deeds Registries Act, No. 47 of 1937
- Electronic Communications and Transactions Act, No. 2 of 2000
- Employment Equity Act, No. 55 of 1998
- Environment Conservation Act, No. 73 of 1989
- Firearms Control Act, No. 60 of 2000
- Financial Advisory and Intermediary Services Act, No. 37 of 2002
- Financial Intelligence Centre Act, No. 38 of 2001
- Formalities in Respect of Leases of Land Act, No. 18 of 1969
- Financial Markets Act 19 of 2012
- Formalities in Respect of Leases of Land Act
- Income Tax Act, No. 58 of 1962
- Labour Relations Act, No. 66 of 1995
- Long Term Insurance Act, No. 52 of 1998
- National Building Regulations and Building Standards Act, No. 103 of 1997
- National Road Traffic Act, No. 93 of 1996
- Occupational Health and Safety Act, No. 85 of 1993
- Promotion of Access to Information Act, No. 2 of 2000
- Promotion of Equality and Prevention of Unfair Discrimination Act, No. 4 of 2000
- Housing Development Agency Act, 2008: Act 23 of 2008
- Protected Disclosures Act, No. 26 of 2000
- Patents Act, No. 57 of 1987
- Regulation of Interception of Communications and Provisions of Communication Related Information Act, No. 70 of 2002

- Rental Housing Act, 1999: Act 50 of 1999.
- Rental Housing Amendment Act, 2007: Act 43 of 2007.
- Rental Housing Amendment Act, 2014: Act 35 of 2014)
- Sales and Service Matters Act, No. 25 of 1964
- Sectional Titles Act, 1986: Act 95 of 1986.
- Sectional Titles Amendment Act, 2003: Act 29 of 2003.
- Sectional Titles Amendment Act, 2005: Act 7 of 2005.
- Sectional Titles Amendment Act, 2006: Act 6 of 2006.
- Sectional Titles Amendment Act, 2010: Act 11 of 2010.
- Sectional Titles Schemes Management Act, 2011: Act 8 of 2011.
- Sectional Titles Amendment Act, 2013: Act 33 of 2013
- Skills Development Act, No. 97 of 1997
- Skills Development Levy Act, No. 9 of 1999
- Short Term Insurance Act, No. 53 of 1998
- South African Reserve Bank Act, No. 90 of 1989
- Tobacco Products Control Act, No. 12 of 1999
- Trade Marks Act, No. 194 of 1993
- Transfer Duty Act, No. 40 of 1949
- Unemployment Insurance Act, No. 63 of 2001
- Value Added Tax Act, No. 89 of 1991

Other Acts that also govern this entity:

Planning Acts / Legislation

LAW / STATUTE / REGULATION

GENERAL PURPOSE / RELEVANCE TO PLANNING

- | | |
|--|---|
| <ul style="list-style-type: none"> • Constitution of South Africa, Act 108 of 1996 | <p>Sets out individual citizen rights, local authorities' competencies, duties and responsibilities (includes municipal planning) and the legislative and executive powers to perform these tasks.</p> |
| <ul style="list-style-type: none"> • Land Use Planning Ordinance (15 of 1985) (LUPO). | <p>Preparation of structure plans and spatial development frameworks and zoning schemes, as well as land use and development management through a series of development applications. Sets out procedures for development applications.</p> |
| <ul style="list-style-type: none"> • Spatial Planning and Land Use Management Act (Act 16 of 2013) (SPLUMA) | <p>Provides for a uniform, effective and comprehensive system of spatial planning and land use management for RSA;
Provides for development principles and norms and standards;
Provides for the sustainable and efficient use of land;
Provides for cooperative government and intergovernmental relations amongst the national, provincial and local spheres of government.</p> |
| <ul style="list-style-type: none"> • Municipal Systems Act (Act 32 of 2000) | <p>Requires local authorities to undertake development plans, includes an IDP. Section 27 of MSA, 2000 aligns all local spatial development frameworks to national and provincial development frameworks. Also requires community participation in municipal decision-making.</p> |
| <ul style="list-style-type: none"> • Development Facilitation Act, No. 67 of 1995 (DFA) | <p>Amongst other policies this sets out policy objectives and general land development principles that should be taken into account in all land development plans, policies, decisions and actions.</p> |

- Less Formal Township Establishment Act, No. 113 of 1991
Allows designation and development of land for 'less formal' settlement purposes in emergency circumstances upon application by the local authority to provincial government.
- (former) Black Communities Development Act, No. 4 of 1984 and related regulations
This act has been repealed. However, it has remaining regulations (and town planning scheme in terms of these regulations) provides for land use control and development management in certain former black township areas by the local authority, as agent on behalf of the provincial government to whom a recommendation for a final decision is made.
- Removal of Restrictions Act, No. 84 of 1967
Allows for application relaxation, suspension or removal of restrictive conditions in title deeds. A local authority processes it as an agent on behalf of provincial government to whom a recommendation for final decision is made.
- National Environmental Management Act, No. 107 of 1998 and related EIA regulations
Sets out National environmental management principles and provides for integrated environmental management, cooperative environmental governance and procedures for environmental impact assessments and authorisation.
- South African National Heritage Resource Act, No.25 of 1999
Protects and manages heritage resources, requires authorisation to be applied for in certain types of development and which may require heritage impact assessments.
- National Building Regulations and Building Standards Act, No. 103 of 1977 and related National Building Regulations
Provides for general control and administration of building construction activities by local authorities and issues related hereto, as well as sets out building standards and specifications with which building construction must comply.
- The National Land Transport Act, No. 5 of 2009
Preparation of the city's annual Integrated Transport Plan, which in turn provides input into the transport and roads plan for the IDP. Key focus is integration of land development and land use with transport planning.
- Advertising on Roads and Ribbon Development Act, No. 21 of 1940
Prohibits any development within certain distance of national/proclaimed roads without consent of Provincial roads authority and provides guidelines for any development alongside it.
- Subdivision of Agricultural Land Act, No. 70 of 1970
Prohibits the subdivision of agricultural land without the consent of the Minister of Agriculture in order to conserve valuable agricultural resources.

POLICIES

- Development Edges Policy
The objective is to provide an overarching, consistent policy framework that gives clear directives regarding the delineation/demarcation of the Urban and Coastal Edge lines, processes for amending the lines and the management of land uses on either side of the lines. This will enable the sustainable growth of urban Cape Town and will assist in achieving a more compact, efficient urban form.
- New Cape Town Zoning Scheme
A zoning scheme is a legal document that records all land use rights on properties in its area of jurisdiction. It also includes

regulations pertaining to restrictions on such rights and how they can be exercised.

- Gated community Policy The purpose of the Gated Development policy is to set land-use management guidelines for gated development proposals, and to protect Council's integrity of the city's infrastructure and access-way networks.
- Densification Policy 2012 Ensure optimal and efficient use of infrastructure, services, facilities and land through the densification of urban spaces.

SPATIAL PLANNING DOCUMENTS:

- Western Cape Provincial Spatial Development Framework (WCPSDF) The PSDF and CTSDF are documents with the highest legal status applicable to the municipal area of Cape Town.
 - Approved in terms of section 34 of the Municipal Systems Act and section 4 (6) of LUPO.
- Cape Town Spatial Development Framework (CTSDF) Approved in terms of section 34 of the Municipal Systems Act and section 4 (6) of LUPO. (This aligns the city's spatial development goals, strategies and policies with those of other of the national and provincial spheres of government).
- District Spatial Development Plans. The statutory components of the District Spatial Development Plan in terms of section 4(10) of LUPO include:
 - Section 4: Spatial Development Plan: District Development Guidelines and the accompanying Spatial Development Plan
 - Section 6.2: Sub-district development guidelines and accompanying sub-district plans.
- Integrated Development Plan (IDP) Municipal Systems Act of 2000 calls for the preparation of an Integrated Development Plan to accompany SDF.

Records Held

Section 51(1)(e)

Records subject and categories

Client Services Records

Visual comprises of a number of service lines which can be viewed on the Visual website www.visualinternational.co.za. The following categories of records are held by Visual in respect of clients:

- Client Annual Financial Statements;
- Client Correspondence;
- Client Fee Files;
- Client Contracts;
- Client Internal Control Reports;

- Client Business Information;
- Findings and Recommendation Reports;
- Investigative Material;
- Legal Documentation;
- Proposal and Tender Documents;
- Project Plans;
- Risk Management Records;
- Working Papers.

Client Services Records

- Codes of Conduct;
- Corporate Social Investment Records;
- Governing Board Meeting Minutes;
- Executive Committee Meeting Minutes;
- Enterprise Wide Risk Management Records; and
- Legal Compliance Records.

Policies

Finance and Administration

- Accounting Records
- Annual Financial Statements
- Agreements
- Banking Records
- Correspondence
- Invoices and Statements
- Management Reports
- Tax Records and Returns
- SARB Returns
- Statistics SA Returns

Human Resources

- Accounting and Payroll Records
- BEE Statistics
- Career Development Records
- Personnel Information
- Employment Equity Reports
- General terms of Employment
- Letters of Employment
- Leave Records
- PAYE Records and Returns
- Performance Management Records
- Policies and Procedures
- Returns to UIF
- Retirement Benefit and medical Aid Records

Information management and technology

- Contracts and Agreements
- Equipment Register
- Information Policies, Standards, Procedures and Guidelines

Learning and Education

- Training Material
- Training Records and Statistics
- Training Agreements

Marketing and Communication

- Proposal Documents
- New Business Development
- Brand Information Management
- Marketing Strategies
- Communication Strategies
- Agreements
- Client Relationship Programmes
- Marketing Brochures

Operations

- Access Control Records
- Agreements
- Archival Administration Documentation
- Communication Strategies
- Contracts
- General Correspondence
- Patents and Trade Mark Documents
- Insurance Documentation
- PABX Management Information
- Service level agreements
- Travel Documentation
- Used Order Books
- Vehicle Registration Documents

Secretarial Records (copies)

- Applicable statutory documents such as but not limited to certificates of incorporation and certificates to commence business
- Annual Reports
- Corporate Structure Diagrams
- Memorandum of Incorporation
- Share Registers
- Statutory Returns to Relevant Authorities
- Share Certificates
- Shareholder Agreements
- Meeting Minutes

Access Requests

Section 51(1)(e)

Access Request Procedure

It is important to note that the successful completion and submission of an access request form does not automatically allow the requester access to the requested record. An application for access to a record is subject to certain limitations if the requested record falls within a certain category as specified within Part 3 Chapter 4 of the Act.

If it is reasonably suspected that the requester has obtained access through the submission of materially false or misleading information, legal proceedings may be instituted against such requester.

Completion of Access Request Form

In order to facilitate a timeously response to requests for access, all requesters should take note of the following when completing the Access Request Form:

- The Access Request Form must be completed.
- Proof of identity is required to authenticate the identity of the requester. Therefore in addition to the access form, requestors will be required to supply a copy of their identification document.
- Type or print in BLOCK LETTERS an answer to every question.
- If a question does not apply, state “N/A” in response to that question.
- If there is nothing to disclose in reply to a particular question state “nil” in response to that question.
- If there is insufficient space on a printed form, additional information may be provided on an additional attached folio.
- When the use of an additional folio is required, precede each answer with the applicable title.

Submission of Access Request Form

The completed Access Request Form together with a copy of the identity document must be submitted either via conventional mail, e-mail or fax and must be addressed to the contact person as indicated above.

Payment of Fees

Payment details can be obtained from the contact person as indicated above and can be made either via a direct deposit, by bank guaranteed cheque or by postal order (no credit card payments are accepted). Proof of payment must be supplied.

The access fee must be paid prior to access being given to the requested record.

This fee is not applicable to Personal Requesters, referring to any person seeking access to records that contain their personal information.

An initial, request fee of R57.00 (fifty seven rand) (including VAT) is payable on submission.

If the request for access is successful an access fee may be required for the search, reproduction and/or preparation of the record(s) and will be calculated based on the Prescribed Fees.

If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned must repay the deposit to the requester.

Access Requests

Section 51(1)(e)

Access Request Procedure

Notification

Visual will within 30 days of receipt of the request decide whether to grant and give notice with reasons (if required) to that effect.

The 30 day period within which Visual has to decide whether to grant or refuse the request, may be extended for a further period of not more than thirty days, if the request is for a large volume of information, or the request requires a search for information held at another office of Visual and the information cannot reasonably be obtained within the original 30 day period. Visual will notify the requester in writing should an extension be sought.

CHAPTER 4

Grounds for refusal of access to records

The main grounds for refusal of a request for information are:

- 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.
- Mandatory protection of the commercial information of a third party, if the record contains:
 - Trade secrets of that party.
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that party.
- Information disclosed in confidence by a third party to Visual if the disadvantage in negotiations or commercial competition.
- Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
- Mandatory protection of records which could be regarded as privileged in legal proceedings.
- The Commercial Activities of Visual which may include:
 - Trade secrets of Visual.
 - Financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of Visual.

Forms

Section 51(1)(e)

Access Request Form

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*(Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2001))
[Regulation 10]*

1. PARTICULAR OF BODY

Requests can be submitted either via conventional mail, e-mail or fax and should be addressed to the relevant contact person as indicated below:

Visual International Holdings Limited

Contact Person: Charles Robertson
Postal Address: PO Box 3163, Tyger Valley, 7536
Physical Address: 23 Kleinplaas, Hohenhort Street, Stellenberg, 7550
Phone number: +27 21 919 8954
E-Mail: charles@visualinternational.co.za

2a. PARTICULARS OF REQUESTER (If Natural Person)

- (a) Particulars of the person who requests access to the record 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: -----

Postal Code: -----

Phone number: (.....) -----

Fax number: (.....) -----

E-mail address: -----

Capacity in which request is made, when made on behalf of another person: -----

2b. PARTICULARS OF REQUESTER (If a Legal Entity)

- (a) Particulars of the entity who requests access to the record 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.*

Name of entity: -----

Registration number: -----

Postal Address: -----

Postal Code: -----

Phone number: (.....) -----

Fax number: (.....) -----

3. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must ONLY be completed if a request for information is made on behalf of another person.

Full name and surname: -----

Identity number:

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4. PARTICULARS OF RECORD

- (a) Provide full particulars of the record to which access is requested, including the reference number if it 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.**

Description of record or relevant part of the record: -----

Reference number, if available: -----

Any further particulars of record: -----

5. FEES

(a) *A request for access to a record, other than record containing personal information about yourself, will be processed only after a **non-refundable request fee of R57.00** has been paid.*

(b) *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 the record.*

(c) You will be notified of the required amount to be paid as the **access fee**.

(d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees: -----

6a. FORM OF ACCESS TO RECORD

Form in which record is required

Mark the appropriate box with an **X**.

Notes:

(a) Compliance with your request in the specified form may depend on the form in which the record is available.

(b) Access in the form requested may be refused under certain circumstances. In such a case you will be informed whether 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:

Copy of record* Inspection of record

2. If 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 information that 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:
(This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

<input type="checkbox"/> Printed copy of record*	<input type="checkbox"/> Printed copy of information Derived from the record*	<input type="checkbox"/> Copy in complete Readable form* (stiffy or compact disc)
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* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

Yes	No
-----	----

Postage is payable.

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.

In which language would you prefer the record? -----

6b. In the event of disability

*If you are prevented by a disability from reading, viewing or listening to the record in the form of access provided for in 1 to 4 above, state your disability **and indicate in the form in which the record is required.***

Disability: -----
Form in which record is required: -----

7. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

*If the space provided is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all additional folios.***

1. Indicate the right to be exercised or protected: -----

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

8. 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 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 ----- 20—

**SIGNATURE OF REQUESTER/PERSON ON
WHOSE BEHALF REQUEST IS MADE**

You must:

- 1. Complete all necessary spaces.*
- 2. Sign the access request form.*
- 3. Sign additional folios completed.*

Send with this application:

- 1. R57.00 request fee (if not personal requester).*
- 2. Any additional folios completed.*
- 3. Copy of Identity Document.*

Fees

Section 51(1)(e)

Prescribed Fees

(Section 54(7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2001)) [Regulation 11(3)]

1. Please note that all prices listed below are inclusive of Value-Added Tax (VAT):

	Rands
(a) For every photocopy of an A4-size page or part thereof	1.25
(b) For every printed copy of an A4-size page or part thereof held on a computer or in an electronic or machine-readable form	0.85
(c) For a copy in a computer-readable form on:	
(i) Stiffy disc	8.55
(ii) Compact disc	79.80
(d) (i) For a transcription of visual images, for an A4-size page or part thereof	45.60
(ii) For a copy of visual images	68.40
(e) (i) For a transcription of an audio record, for an A4-size page or part thereof	22.80
(ii) For a copy of an audio record	34.20
(f) To search for and prepare the record for disclosure – R34.20, for each hour or part thereof reasonably required for such search and preparation	

(Section 54(2) of the Promotion of Access of Information Act, 2000 (Act No. 2 of 2000)) [Regulation 11(3)]

2. Please note that all prices listed below are inclusive of Value-Added Tax (VAT):

- (a) Six hours as the hours to be exceeded before a deposit is payable; and
- (b) One third of the access fee is payable as a deposit by the requester.

(Section 54(7) of the Promotion of Access of Information Act, 2000 (Act No. 2 of 2000)) [Regulation 11(3)]

3. Please note that all prices listed below are inclusive of Value-Added Tax (VAT):

The actual postage fee is payable when a copy of a record must be posted to a requester.

Additional information

Section 51(1)(f)

Additional prescribed information

The Minister of Justice has prescribed no additional information to be contained in this Manual.