

**SAN MARTINHO BEACH CLUB**  
**(SA)**  
**(Timeshare and Fractional Ownership)**

Comprising the following

SAN MARTINHO BEACH CLUB EXPRESS MANAGEMENT ASSOCIATION  
(Reg 7 Act 75 of 1983)  
and  
TCT LEISURE (PTY) LIMITED  
(1982/003430/07)

**(“SMBC”)**

**MANUAL PREPARED IN ACCORDANCE WITH SECTION 51 OF THE PROMOTION OF  
ACCESS TO INFORMATION ACT, ACT NO 2 OF 2000**

**(“The Act”)**

## 1 INTRODUCTION

This manual has been prepared to assist persons requesting information and provides procedures to be followed to gain access to information and documentation as provided for in the Act.

SMBC carries on business as a timeshare and fractional holiday resort.

## 2 CONTACT DETAILS

Name of body : TCT Leisure (Pty) Limited (the Developer)  
Designated person : Cindy-Jane Allan  
Postal Address : Private Bag 703, Port Shepstone, KZN  
Street Address : 3 Daly Street, Port Shepstone, KZN  
Telephone : (039) 688 5222  
Telefax : (039) 688 5211  
Email : [madelein@beekmangroup.com](mailto:madelein@beekmangroup.com)  
Website : [www.smbc.co.za](http://www.smbc.co.za)

## 3 GUIDE IN TERMS OF SECTION 10 OF THE ACT

In terms Section 10 of the Act, the South African Human Rights Commission shall prepare a guide containing such information as is required in terms of the Act. This guide will be available before the end of August 2003.

The South African Human Rights Commission may be contacted at :

Postal Address : Private Bag 2700, Houghton, 2700  
Telephone : (011) 484 8300  
Telefax : (011) 484 0582  
Website : [www.sahrc.org.za](http://www.sahrc.org.za)

## 4 INFORMATION AVAILABLE IN ACCORDANCE WITH OTHER LEGISLATION

SMBC keeps information required by the following legislation. This list is not necessarily exhaustive.

- Companies Act, Act No 61 of 1973/No 71 of 2008
- Income Tax Act, Act No 58 of 1962
- Value-Added Tax Act, No 89 of 1991

- Property Time-Sharing Control Act, No 75 of 1983
- Trade Marks Act, No 194 of 1993
- National Credit Act, No 34 of 2005
- Consumer Protection Act, No 68 of 2008
- Protection of Personal Information Act, No 4 of 2013

## 5 INFORMATION HELD BY SMBC IN TERMS OF THE ACT

SMBC holds the following categories of information and documentation:

- Promotional materials
- Staff records
- Resort and accommodation details and information
- Member and shareholder details and information
- Member transaction records
- Financial records
- Scheme documents and calendars
- Scheme and commercial contracts

Information and documents relating to the above may be accessed in terms of the Act. Information and documentation is classified in Table 1 and may or may not be disclosed accordingly.

**Table 1**

Classification	Description of document / information	Disclosure
1	Public access document (eg statutory documents)	May be disclosed
2	Subject to copyright (eg brands and logos)	May be disclosed
3	Member access document (eg contract conditions and rules)	Limited disclosure
4	Personal information of person requesting (eg accounts or staff information)	Limited disclosure
5	<i>Sub judice</i> , pending court proceedings	May not be disclosed
6	Unreasonable disclosure of personal information of individual or group (eg salary information)	May not be disclosed
7	Likely to harm the commercial interests of a third person (eg systems and procedures)	May not be disclosed

8	Likely to harm the holder or third parties in negotiations (eg offered prices)	May not be disclosed
9	Would amount to a breach of confidence in contract with a third person	May not be disclosed
10	Likely to compromise the safety of individuals or protection of property	May not be disclosed
11	Legally privileged documents	May not be disclosed
12	Commercial information of holder (eg costing structure, and referrals)	May not be disclosed
13	Likely to prejudice research and development information of holder or third party (eg marketing research results)	May not be disclosed

## 6 PROCEDURE TO ACCESS INFORMATION

A person requesting access to information should do so by:

- 6.1 submitting the prescribed form to the designated person;
- 6.2 providing sufficient details of the information requested to enable SMBC Resort to identify:
  - the record requested;
  - the name and details of the person requesting;
  - the manner in which the information is to be made available.
- 6.3 paying the prescribed fee.

The prescribed forms and details of the prescribed fees are available from the South African Human Rights Commission on request.

## 7 OTHER INFORMATION PRESCRIBED BY THE ACT

The Minister has to date not prescribed access to any other information.

**1 August 2014**