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THE NEXT 90 DAYS



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The Sectional Title Industry should by now all have had sight of the recent Circular addressed by CSOS to NAMA dealing with the Community Schemes Ombud Service Act (CSOSA), the Sectional Titles Schemes Management Act (STSMA) and the Regulations pursuant thereto.

This article summarizes the requirements of the next 90 days.

Requirement 1 – Register the community scheme with CSOS. The obligation becomes effective 30 days from publication of the Regulations (the envisaged date of publication being 7 October 2016). This is detailed in regulation 18(3) of the CSOSA Regulations. This applies to all community schemes such as, but not limited to, a sectional title scheme, a share block company, a home or property owner's association. The required form CS1 is attached to the Regulations.

Requirement 2 – Lodge the community schemes governance documentation with CSOS. The obligation becomes effective 90 days from publication of the Regulations (the envisaged date of publication being 7 October 2016). This is detailed in Regulation 16 of the CSOSA Regulations. This

applies to all community schemes such as, but not limited to, a sectional title scheme, a share block company, a home or property owner's association. There is no prescribed form.

Requirement 3 – File the community scheme's annual return and annual financial statements within 4 months of the scheme's financial year end with CSOS. The obligation becomes effective 90 days from publication of the Regulations (the envisaged date of publication being 7 October 2016). This is detailed in regulation 18(1) of the CSOSA Regulations. This applies to all community schemes, such as, but not limited to, a sectional title scheme, a share block company, a home or property owner's association. The required form CS2 is attached to the Regulations.

Requirement 4 – Pay CSOS on a quarterly basis the CSOS levy (fee). The obligation becomes effective 90 days from publication of the Regulations (the envisaged date of publication being 7 October 2016). This is detailed in regulation 11 of the CSOSA Regulations and in the CSOS Fee and Levy Collections Regulations. This applies to all community schemes, such as, but not limited to, a sectional title scheme, a share block company, a home or property owner's association. There is no prescribed form.

Requirement 5 – Insure against risk of loss against any act of fraud or dishonesty committed by an insurable person. The obligation becomes effective on publication of the Regulations (the envisaged date of publication being 7 October 2016). This is detailed in regulation 15 of the CSOSA Regulations. This applies to all community schemes, such as, but not limited to, a sectional title scheme, a share block company, a home or property owner's association. There is no prescribed form.

Requirement 6 – Notify CSOS, the Local Municipality and the Local Registrar of Deeds of the community Scheme's domicile. The obligation becomes effective on publication of the Regulations (the envisaged date of publication being 7 October 2016). This is detailed in section 3(1)(o) of the STSMA. This applies to sectional title schemes only. The required form A is attached to the Regulations.

Requirement 7 – Establish a reserve fund, open a separate bank account for, submit a separate budget for and submit separate financial statements for, the reserve fund. The obligation becomes effective on publication of the Regulations (the envisaged date of publication being 7 October 2016). This is detailed in Section 3 (1)(b) of the STSMA, new Prescribed Management Rule 24 and in various other of the new Prescribed Management Rules. This applies to sectional title schemes only. There is no prescribed form.

Requirement 8 – Prepare a written maintenance plan. The obligation becomes effective on publication of the Regulations (the envisaged date of publication being 7 October 2016). This is detailed in new Prescribed Management Rule 22. This applies to sectional title schemes only. There is no prescribed form.




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Morning Seminar

**New Sectional Title Legislation,
Management and Conduct Rules**

REGISTER NOW**Gauteng North Region**

12 November 2016 – Sectional Title Seminar @ CSIR International Convention Centre, Pretoria

Topic : Information Session on the new Community Schemes Ombud Services Act and Regulations AND Sectional Titles Schemes Management Act and Regulations

Presenters : Barbara Shingler & Themba Mthetwa (CSOS)
Email namanorth@nama.org.za for more information

KwaZulu-Natal Region

16 November 2016 - Breakfast Seminar @ The Palace Hotel, Durban
Topic : The New Act

Presenter : Dave James

Email namakzn@nama.org.za for more information

Eastern Cape Region

19 October 2016 - Regional AGM @ Bellbuoy Group Offices, Port Elizabeth

Email namanorth@nama.org.za for more information

NAMA National

12 October 2016 - PORTFOLIO MANAGERS ONLY! @ Diep-in-die-Berg Conference Venue, Pretoria

Topic : Information Session on the new Community Schemes Ombud Services Act and Regulations AND Sectional Titles Schemes Management Act and Regulations

Presenter : Dave James

Email namanorth@nama.org.za for more information

Western Cape Region

25 November 2016 - Breakfast Seminar, Venue to be announced

Topic : Training on the New Act

Speaker: Dave James

Email namawc@nama.org.za for more information

WC Region Annual Golf Day : 28 October 2016 - Stellenbosch Golf Club. R2500,00 per 4-ball (**same** price as last year). The WC Committee has challenged all NAMA WC Managing Agents to take a 4-Ball and come and play "the game of Kings". Sponsorship options are also available.

Email namawc@nama.org.za for more information

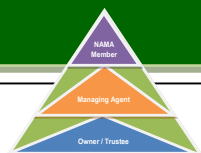
GW & GE Regions Annual Golf Day : 9 November 2016 - Killarney Country Club, Johannesburg.

R4500,00 per 4-ball.

Email namawest@nama.org.za for more information

MANAGING AGENT INFORMATION

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