

Meeting:	Quarterly Industry Body Meeting (QIBM)						
Meeting Venue:	Teams Meeting						
Date:	26 September 2023						
Time:	12:00 – 13:00						
Chaired by:	Thembelihle Mbatha						
Scribe:	Christine Mmeti						
Legend: P-Present A-Absent XX-Absent with apology							
Attendees	Initials		P	A	XX		
Thembelihle Mbatha – ACTING CHIEF OMBUD	TM		X				
Abe Masilo – REG OMBUD GP	AB		X				
Maletsatsi Wotini – REG OMBUD WC	MW		X				
Mervin Dorasamy – REG OMBUD KZN	MD		X				
Lesiba Seshoka – CSOS Exec Corp Affairs	LS		X				
Kanozi Mlotha – CSOS Adjudicator General	KM		X				
Precious Nkgapele – CO PA	PN		X				
Siyethemba Mthethwa - MarComms	SM		X				
Doniah Motsoeneng - MarComms	DM		X				
Jeff Gilmour – ARC CHAIR	JG		X				
Hannes Hendriks – RCC CHAIR	HH		X				
Stephan Vorster – RCC DIRECTOR GP (E&S REGIONS)	SV		X				
Johan Kruger – CAISA DIRECTOR	JK		X				
1.	Opening and Welcome						
	TM welcomed all attendees and noted apologies as follows:						
2.	Minutes of the previous meeting						
	The minutes of the previous meeting of 26 September 2023 were adopted as a true reflection of discussions at the said meeting.						
3.	Matters arising from previous meeting (minute resolutions)						

	<p>KP proposed that the CSOS formalise the process of data sharing by signing the memorandum of understanding(MOU) with ARC. JG mentioned that the ARC/RCC/CAISA has a MOU with the CSOS and we need to table the matter for the next meeting.</p>
4.	Agenda Items – Industry matters
5.	ARC Update
	<p>JG advised that the next ARC conference will be held on the 20-23 September 2023 and the information will be shared with the CSOS. JG advised that the CSOS issued a directive in terms of the promotion of access to information, he further asked if it is the CSOS’s responsibility to issue directives on other legislation because there are contradictory directives going around with the regulator issuing different directives from CSOS and advised the TM to investigate the matter.</p> <p>TM indicated that they are looking at a process of reviewing the CSOS practice directive in terms of POPIA.</p>
6.	RCC Update
	<p>HH advised that he sent an email regarding the issue of an interpretation of a POPIA directive that was issued by the CSOS in August of 2023. HH quoted clause 7.4 which needs to be addressed and further advised that the RCC and residential communities' point of view is that members only have access to documentation that is prescribed by the governing documents of the HOA. HH explains that if the HOA document is silent then sections 24 and 26 of the Company Act prevail. HH advised that members are not entitled to minutes of the board meeting but only have access to the minutes of the AGMs and special general meetings.</p> <p>HH advised that RCC has submitted a lengthy submission on the CSOS review of legal documentation and has not received any response regarding the submission. HH advised that they are preparing for an annual general meeting in October 2023 for the re-election of members and board members. HH mentioned that the RCC had an interaction on an interpretation of property practitioner regulating authority regarding whether the HOAs are seen as property practitioners or not and they are currently busy with the process, HH further advised that if the matter can't be resolved, the RCC will obtain a declaratory order on behalf of the members. HH advised that the RCC has been receiving good feedback from the North-West area and further advised that the changes they made regarding ensuring that the enforcement orders are issued within 5 days from the application are helping in fast-tracking the closer of the directives.</p>

	<p>TM advised that the CSOS has been in collaboration with the PPRA on matters of clarity, especially with the HOA. Regarding the legislative review process, TM advised that the CSOS resuscitated the process with the department. TM further mentioned that the COS had a strategic session with the Minister looking at the legislative issues that have not been brought to the fore and she advised that the CSOS has taken in the RCC comments and will be establishing a task team to track the process with the department get the amendments through. TM advised that the Advisory Council has been set up in line with the STSMA Act that advises the Minister directly and further advised that the CSOS is having a council meeting on the 28 – 29 September 2023 and they will be taking the top 10 amendments that are pressing.</p>
7.	<p>CAISA Update</p>
	<p>JK advised that he is looking forward to the feedback from CSOS on how CAISA can share training and education dates with stakeholders. TM advised that the CSOS will attend to CAISA's request urgently and facilitate the sharing of details.</p>
8.	<p>CSOS UPDATE</p>
	<p>MOU</p> <p>TM advised that the CSOS will update the existing MOU. TM added that they launch it next month and inform the sector so that they can start facilitating the process of information sharing. TM requested LS and MB to find and update the MOU mentioned and share with members the updated version in the month of October.</p> <p>TM advised that there has been a lot of feedback around the transformation and mentioned that there is a letter from the Institute of Race Relations and questions from Parliament regarding the transformation. TM explained that the transformation is based on bringing training and awareness to pre-disadvantaged groups like women, youth, and people with disabilities to ensure their involvement in the community scheme level. TM mentioned that the CSOS is working on a concept keynote document on transformation and the Minister suggested that they do the round table discussion around the concept. TM advised that they need support from the members and their participation in the round table discussion of the concept. TM further mentioned that once the concept document is finalised, it will go through to the board and the CSOS will circulate the transformation document in November 2023. TM advised that the CSOS is working on a project of consolidating the practice directives and further mentioned that there are clauses that the CSOS picked up. TM mentioned the cost containment measures from the National Treasury that are in place and mentioned that the CSOS is a Schedule 3A entity and needs to comply with the efforts of the Government to reduce costs, especially on unnecessary</p>

expenditures. **TM** advised that the CSOS is continuing with the training and education campaigns.

KM responded to **HH** that there was an issue that our practice directive was not aligned with the POPI Act and that has gone to the Information Regulation of South Africa (IRSA) to advise the CSOS on how they should amend that particular provision. **KM** advised that they are waiting for a revised draft amendment which will be taken into the CSOS Governance structure and have that practice directive amended. **KM** mentioned that she was not aware of the legal review and requested **HH** to resend the document. **KM** advised on training collaboration that the CSOS planned to do 85 training sessions within different regions, and they will share the training schedule with the members. **KM** further advised that they will send the industry bodies two (2) monthly programs for each region, and then allocate a slot to participate in the program. **KM** mentioned that the CSOS is collaborating with the entities within the Human Settlements sector (NHBRC, PPRA, SHRA, RHT) and extended the training to TRACS and SEDA.

HH advised that they previously proposed that the CSOS look at the process of internship. **HH** further advised that they will put on a discussion regarding the interns who will do practical time within the HOA and work as a financial manager, technical manager, environmental manager, or an administrative person to understand the dynamics of HOA management and added that the proposal can be used as part of the transformation that can go into receiving a qualification. **HH** suggested that the internship program proposal be put on the agenda.

Practice Directives

KM advised that the CSOS only have one dispute resolution practice directive that includes the entire process and Governance has different pieces of practice directive that they are working on to consolidate into one Governance practice directive. **KM** further advised that they are in the process of checking each clause of the practice directive to ensure that it conforms to other legislations.

KM advised that the CSOS is working on a practice directive to help deal with the Adjudication and has received a positive response from the sector. **KM** mentioned an analysis that the CSOS did between 2021/22 and 2022/23 and advised that 38 adjudication orders were appealed from the 3 300 matters adjudicated in 2021/22. She further advised of the 58 adjudication orders that were appealed in 2022/23 from 6,300 matters. **KM** indicated that the CSOS is examining which adjudication orders were dismissed, and which ones were upheld, and the outcomes will be shared with the industry bodies.

	<p>AM responded to HH regarding section 26 of the Company Act which talks about access to information. AM further mentioned that they had a meeting with HH dealing with enforcement on which documents to give the owner. AM further indicated that section 39 7 of the CSOS Act is not talking only to the STSMA but also to what is embedded in the company’s act and AM invited HH to a session regarding section 26 with the legal to get a proper interpretation. TM supported the meeting proposal and suggested that the information regulator should also be part of the meeting to make sure that the CSOS is in alignment with what the information regulator has issued.</p> <p>LS mentioned that the CSOS has gone to the market to tell the public about the CSOS mandate, and it is currently driving two(2) important messages which are the registration of schemes as per the CSOS act and the that the CSOS services are free of charge. In addition, LS indicated that the main messages require the industry body’s collaboration to make sure the schemes are registered and paying levies. LS advised that the CSOS will be running an activation campaign in the next month and invitations will be sent to the industry bodies. LS added that the CSOS will have a social media campaign in terms of customer relationship management(CRM) and the information will be shared early October 2023.</p> <p>In closing, TM advised that the date of the next meeting will be communicated. TM thanked everyone for attending and adjourned the meeting.</p>
9.	New Matters
	No new matters raised
10.	General
	DM advised the industry bodies to send the required areas of the POPIA to legal(MB) to share a presentation via email.
11.	Closure and Next Meeting
	<p>The meeting adjourned at 13:04 pm Date of next meeting to be announced.</p>
13.	Acceptance of Minutes by Co-Chairs



Scribe – Christine Mmeti

Signed Electronically

Date Accepted: XX/XX/2023

Chairperson ARC - Jeff Gilmour:

Signed Electronically

Date Accepted: XX/XX/2023

Thembelihle Mbatha (Acting Chief Ombud):

Signed Electronically

Date Accepted: XX/XX/2023