

## DEPARTMENT OF HUMAN SETTLEMENTS

NO. R. 1232

07 OCTOBER 2016

**COMMUNITY SCHEMES OMBUD SERVICE ACT, 2011 (Act No. 9 of 2011)****COMMUNITY SCHEMES OMBUD SERVICE REGULATIONS: LEVIES AND FEES**

In terms of Section 29 () (b),(c),(d) and (e), it is hereby published for general notice that as of date of proclamation of this notice, the Community Schemes Ombud Service, will charge levies and fees as set out in the schedule herein



**Lindiwe Nonceba Sisulu, MP**

**Minister of Human Settlements**

## **SCHEDULE**

### **ARRANGEMENT OF REGULATIONS**

#### **CHAPTER 1**

#### **INTERPRETATION**

#### **CHAPTER 2**

#### **LEVIES AND FEES PAYABLE**

2. Levies payable by a schemes to the Service in terms of section 29 (1) (b) of the Act.
3. Application, Adjudication and other fees payable for the use of the Service in terms of section 29 (1) (d) of the Act.

#### **CHAPTER 3**

#### **DISCOUNT AND WAIVERS**

4. Discounts and waivers in terms of section 29(1)(c) and (e) of the Act.
5. Short Title

#### **Annexures**

Form CS 3A – Application of waiver of fees by Community Schemes.

Form CS 3B – Application of waiver of fees by individuals.

## CHAPTER 1

### 1. Definitions:

In this Schedule: -

“the Act” means the Community Schemes Ombud Service Act no 9 of 2011;

“the Levy” means a levy payable to the Service as prescribed in this Regulations;

“the Regulations” means the Community Schemes Ombud Service Regulations: Levies and Fees;

## CHAPTER 2

### SCHEDULE OF LEVIES AND FEES

#### 2. Levies payable by schemes to the Service and the interval such levies are payable in terms of section 29 (1) (b) of the Act

(1) The Schemes must collect as follows the prescribed monthly levy from every unit within a community schemes and pay to the Service on quarterly basis: -

The following table gives illustrative values of the prescribed monthly levy payable:

Monthly levy charged by the community schemes	Monthly CSOS Levy Payable
Zero to R 500.00	R 0.00
R 600.00	R 2.00
R 700.00	R 4.00
R 800.00	R 6.00
R 900.00	R 8.00
R 1 000.00	R 10.00
R 1 250.00	R 15.00
R 1 500.00	R 20.00
R 1 750.00	R 25.00
R 2 000.00	R 30.00
R 2 250.00	R 35.00

R 2 500.00 and above

R 40.00

**3. Application, Adjudication and other Fees payable for the use of the Service in terms of section 29 (1) (d) of the Act**

- |   |                 |
|---|-----------------|
| (1) Fee payable at Application  | R50. 00         |
| (2) Fee payable for Adjudication  | R100.00         |
| (3) For a copy of any scheme governance documents or any other document obtained electronically or provided as hard copy by the Service | R8. 00 per copy |

**CHAPTER 3**

**DISCOUNTS AND WAIVERS**

**4. Discounts and Waivers in terms of section 29(1)(c) of the Act**

- (1) Individual units within a community scheme for which the monthly levies not exceeding R500.00 are charged by the Scheme are effectively granted a 100% waiver of the CSOS levies.
- (2) Any person or category of persons whose monthly net household (gross income less PAYE) income is below R5 500 are entitled to a 100% waiver of application and adjudication fees.
- (3) Any person or category of persons who may not qualify in terms of the above criteria may lodge an application for discount and/or waiver for consideration by the Chief Ombud by filling a Form CS3A or CS3B depending on the applicant.

**5. Short title**

These regulations are called Community Schemes Ombud Service Regulations: Levies and Fees, 2016 and will come into operation 90 (ninety) days from date of publication in the Government Gazette.

FORM CS3A

COMMUNITY SCHEME OMBUD SERVICE ACT, 2011 (ACT NO 09 OF 2011): REGULATION

APPLICATION FOR WAIVER OF FEES FOR INDIVIDUALS	
<p>This application is only to be used if you consider that you do not have the financial capacity to pay for the prescribed fee as set out in the Community Scheme Ombud Service Act, 2011 (Act No 9 of 2011)</p>	
<p><b>PART A</b></p> <p>Applicant's information</p>	<p>Name: .....</p> <p>Physical Address: .....</p> <p>Postal Address: .....</p> <p>Suburb: .....</p> <p>Municipality: .....</p> <p>Province: .....</p> <p>Telephone number: .....</p> <p>Facsimile: .....</p> <p>Email: .....</p> <p>Community Scheme name: .....</p>
<p><b>PART B</b></p> <p>The basis for application of waiver of fee</p>	<p><b>Basis for application:</b></p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>



s and assets are at such that level that payment of a fee would cause you hardship. Please complete and attach proof. Attach extra page if necessary. <i>(Please note that if an applicant is married in community of property, the spouse income, assets, expenditure and liabilities must be included)</i>	<b>Movable</b>		<b>LIABILITIES</b>	
	Vehicle	R	<b>Loans</b>	R
	Furniture	R		
	Other			
	<b>Intangible assets</b>		<b>TOTAL LIABILITIES</b>	R
	Shares	R		
	Managed investment	R		
	<b>TOTAL =</b>		<b>TOTAL =</b>	

**PART D**

**SIGNATURE AND DATE:** I hereby certify that the details above are true and correct and undertakes to immediately inform the Service of any changes. I understand that a false declaration could lead to the suspension or cancellation of waiver.

Signature of Applicant: ..... Date: .....

**FORM CS3B**

**COMMUNITY SCHEME OMBUD SERVICE ACT, 2011 (ACT NO 09 OF 2011): REGULATION**

<b>APPLICATION FOR WAIVER OF FEES FOR COMMUNITY SCHEMES</b>	
<p><b>This application is only to be used if you consider that you do not have the financial capacity to pay for the prescribed fee as set out in the Community Scheme Ombud Service Act, 2011 (Act No 9 of 2011)</b></p>	
<p><b>PART A</b></p> <p><b>Applicant's information</b></p>	<p>Community Scheme: .....</p> <p>Community Scheme Registration number with Service: .....</p> <p>Monthly levy payable to the Community Scheme: .....</p> <p>Physical Address: .....</p> <p>Postal Address: .....</p> <p>Suburb: .....</p> <p>Municipality: .....</p> <p>Province: .....</p> <p>Telephone number: .....</p> <p>Facsimile: .....</p> <p>Email: .....</p>
<p><b>PART B</b></p> <p><b>The basis for application of waiver of fee</b></p>	<p><b>Basis for application:</b></p> <p>.....</p> <p>.....</p> <p>.....</p>

(explain why you seek this waiver. If insufficient space, attach separate A4 sheet)

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PART C For approval for a fee to be waived, you need to show that your income, day-today expenses, liabilities and assets are at such that level that payment of a fee would cause you hardship. Please complete and attach proof. Attach extra page if necessary. Please attach a	INCOME AND ASSETS		EXPENDITURE AND LIABILITIES	
	INCOME		Expenditure	
	R			R
	R			R
	R			R
<b>ASSETS</b>				R
Immovable				R
	R			R
	R		<b>TOTAL EXPENDITURE</b>	R
Movable			<b>LIABILITIES</b>	
	R			R
	R			
Intangible assets			<b>TOTAL LIABILITIES</b>	R
	R			
	R			

copy of the financial statement of the community scheme.				
	TOTAL =		TOTAL =	

**PART D**

**SIGNATURE AND DATE:** I hereby certify that the details above are true and correct and undertakes to immediately inform the Service of any changes. I understand that a false declaration could lead to the suspension or cancellation of waiver. I declare that I am authorised to sign this form on behalf of the community scheme by virtue of a Special Resolution attached to this Application.

Signature of Applicant: .....

Date: .....