



NATIONAL ASSOCIATION
OF MANAGING AGENTS
(Incorporated under Section 21)

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(Registration No 2005/013686/08)

2 JULY 2008

NAMA SNIPPETS –8/2008

FROM THE DESK OF MARINA CONSTAS

a) PENALTIES ARE ILLEGAL

When imposing sanctions such as fines, the Trustees must at all times take cognisance of the provisions of the Conventional Penalties Act, No 15 of 1962. It is only with the consent of **each and every Member** of the Body Corporate that a fine would be legal in a complex.

Even though they appear in the filed Conduct Rules.

We strongly advise against imposing penalties and or fines.

b) EXCLUSIVE USE AREAS vs. COMMON PROPERTY

In recent times, our office has received numerous instructions to uplift plans from the Deeds office in order to confirm whether the Body Corporate has exclusive use areas.

A surprising amount of schemes have garden areas that are joined to specific units in a building and used as private gardens but are in fact not exclusive use areas.

What does the Body Corporate do in a situation like this?

Either, by resolution, the Body Corporate can create exclusive use areas through the rules in accordance with section 27A of the Sectional Titles Act or alternatively, enter into a lease agreement with the owner to let the common property to the owner for his/her enjoyment and personal use for a rental fee determined by the Trustees, in accordance with Section 38(i) of the Act.

If you are not sure about the layout of your complex, we can gladly assist by uplifting your plans from the deeds office for a nominal fee.

Contact Paul Connell on 011 622 3622 if you require assistance.

(From the desk of Marina Constas. Visit their website: <http://www.bbmlaw.co.za/stlaw/>)

NAMA EVENTS TAKING PLACE IN THE NEAR FUTURE

Eastern Cape (P.E.) - 24 July 2008 - Trustee Training
Western Cape (Cape Town) 26 July 2008 - Trustee Training

For more details contact Johnine on 021-914 8108 or mobile 082 687 2273

NEWS FROM THE IEASA



For more information contact Kate Colsell at UEASA National on tel. 021 531- 2074 or e-mail:
kate@ieasa.org.za

SIGNING OF THE CODE OF CONDUCT.

At a directors' meeting held on 18 April 08 it was resolved that **only those members who had signed the Code of Conduct**, will be issued with the 2008/9 membership certificates in July 2008.

Furthermore, the levies should be paid up to date to 30 June 2008.

NAMA AND 'VAT' RESPONSIBILITIES

NAMA had to register for VAT at SARS.

This will result in issuing our members with a VAT invoice in future. The financial people are attending to this at present.

We will keep you posted.

SEVEN WAYS TO SURVIVE THE DIFFICULT FINANCIAL TIMES.

Plan long-term, intensify your marketing, look after your staff, spend wisely, and do not panic!

That is the advice from entrepreneurs and business professionals around the world (adapted here from the plethora of postings you will find on the Internet). If your firm is feeling the pinch from the drop in property sales and the rising interest rates, read on;

1 - Plan Long Term

do not skip this step! When cash flows drop it is easy to panic and to fall into the trap of short-term thinking - and that is a recipe for disaster. Short-term planning (or no planning at all!) has probably killed more good businesses than any other single factor.

2 - Provide Exceptional Client Service

Become *fanatical* about client service

3 - Intensify Your Marketing

Keep Your Name Out There! As P.T. Barnum put it: "Without promotion, something terrible happens - Nothing!"

4 - Focus on your Core Business: Diversify with Caution

Don't be tempted to diversify into another field or service if that will in any way shift the focus from your core business.

5 - Stay Lean - but do not be "Pound Foolish"

Stay Lean and mean - but do not make the mistake of cutting every expense that "isn't necessary" - just because it "isn't necessary", does not mean that it is a luxury you can do without.

6- Value Your Employees

the temptation, when turnover drops, is to cut staff. However, the advice from experts is the opposite: "Hire, don't Fire". That may sound counter-intuitive, but it has a sound rationale behind it. Let your opposition make the mistake of releasing trained and competent employees - this is your chance to snap them up!

7 - Leverage on Technology

Make the most of the latest technology to leverage your time, increase efficiency and productivity, and improve service

A final suggestion from the experts - do not plan just to survive the hard times, look for ways to turn them to your advantage. As Einstein put it: "In the middle of difficulty lies opportunity" - the firm that plans now to seize those opportunities will prosper and succeed.

For further information visit: www.ghostdigest.co.za Practice Management- Seven Ways 8 May 2008.

CHANGE IN CONTACT DETAILS

Please inform the National Secretary (and your Regional Secretary) of any changes i.r.o your contact details. **Especially your e-mail address** as most of our communication is done via e-mail.

**WHAT LIES BEHIND US AND WHAT LIES BEFORE US ARE
TINY MATTERS COMPARED TO WHAT LIES WITHIN US.**

(Ralph Waldo Emerson)
