

GREYTON UNION OF TAXPAYERS (GUTS) Email: Greytontax@gmail.com

APPLICATION FOR MEMBERSHIP

MEMBERSHIP TERMS AND CONDITIONS

The Union has exclusive membership and as a body with legal *locus standi* can only represent members with valid membership.

Membership of the Union is open to all persons over the age of 18 years who are:

- A bona fide owner of immovable property in the Area (whether such property is owned personally or by a company/corporation/trust);
- A bona fide lessee of immovable property in the Area;
- A juristic person/union or business that operates in the Area;
- A foreign national with permanent or temporary residency that owns or leases property in the Area;
- A non-political voluntary organisation in the Area who can prove with an accepted constitution that their objectives is in line with the objectives of the Union;
- A body corporate may register as a member where fifty per cent or more of all owners in that share block/sectional title scheme holds individual membership to the Union;
- Any person from another Area, whose inclusion as a Member shall, in the opinion of the committee, be in the interests of the Union.

The following individuals/juristic persons will not be entitled to membership, even in the event where they meet the requirements as stated above, due to a conflict of interest:

- Any employee of the local government that serves in a managerial position;
- Any serving councilor and/or ward representative, irrespective of their political affiliation;
- And/or any political association/party – irrespective of registration with the IEC.

NOTES AND DISCLAIMERS:

The Union disclaims involvement in or handling of personal disputes between individuals and the municipality. However, the Union is committed to providing its members with legal advice, in accordance with the rules/constitution of the union, assistance, and support concerning private billing and service matters, as well as their private claims and disputes.

By signing this application, you confirm you have familiarised yourself with the constitution and rules of THE UNION as published, but which may be amended from time to time, and that you accept it and will be bound by it.

You further acknowledge and give your consent to the UNION to:

1. Use your personal information provided herein for the legitimate purpose of the organisation.
2. Disclose information to any authorized official if required to do so by law or if it is required to protect the safety of the public, or if THE UNION believes that such action is necessary to protect and defend THE UNION's rights or properties.
3. Share your information in accordance with the provisions of sections 8 to 35 of The Protection of Personal Information Act, with its affiliates, including but not limited to all employees, contractors, and service providers and or volunteers of THE UNION.
4. THE UNION will comply with the provisions of the Protection of Personal Information Act, and will put in place, and maintain appropriate physical and technological measures to ensure the security and confidentiality of personal information.
5. This right to share information as stipulated above may be ceded to any new owners, management, contractors, service providers and employees and or volunteers of THE UNION.
6. The disclaimer of liability applies to damages or injury, including but not limited to, direct, indirect, incidental, special, consequential, or punitive damages or any damages whatsoever arising from your membership.
7. THE UNION cannot guarantee a specific outcome.
8. All information provided by THE UNION is for general information and is not intended as legal advice, except if it is expressly stated to the contrary.
9. Each party acknowledges that the intellectual property and any documentation, business methods, systems, applications software, know-how and knowledge of the institutions/individuals referred to in clause 3 above, is of a strictly confidential nature, being the sole property of THE UNION.
10. If any of the terms and conditions of this agreement should be deemed to be unlawful, invalid, or otherwise unenforceable by reason of the laws of this country, is illegal, invalid, or unenforceable, it shall be severed and deleted from this agreement and the remaining terms and conditions shall survive, remain in full force, and effect and continue to be binding and enforceable.

(for office use) ASSIGNED MEMBERSHIP NUMBER	
---	--

MEMBERSHIP APPLICATION – GREYTON UNION OF TAXPAYERS (GUTS)

Email: Greytontax@gmail.com

FULL NAMES AND SURNAME (as per ID)

.....

ID OR BUSINESS REGISTRATION NUMBER

POSTAL ADDRESS (if different to residential address)

E-MAIL ADDRESS

CONTACT NUMBERS (1)..... (2).....

OCCUPATION

RESIDENTIAL ADDRESS (*Domicilium citandi et executandi*)

.....

OTHER PROPERTY ADDRESSES IN THE AREA

.....

.....

PRIMARY RESIDENTIAL STAND NUMBER IN THE AREA

OTHER STAND NUMBERS IN THE AREA

ARE YOU A TENANT OR A PROPERTY OWNER IN THE AREA?

ARE YOU A BUSINESS OWNER OR DO YOU REPRESENT AN ORGANISATION IN THE AREA?

DETAILS:

.....

ANY OTHER RELEVANT INFORMATION/NOTES:

.....

I/WE HEREBY APPLY FOR MEMBERSHIP AND AGREE TO ALL THE TERMS AND CONDITIONS OF MEMBERSHIP OF THE UNION:

Signature:.....

Datum / Date:..... /..... / 202.....

MEMBERSHIP APPLICATIONS MAY BE E-MAILED, SUBMITTED TO A TRUSTEE (EXCLUDING FEES), OR MAY BE SUBMITTED (WITH FEES) AT THE START OF ANY MEETING OF THE UNION.

E-mail: Greytontax@gmail.com



GREYTON UNION OF TAXPAYERS

Empowering our community to take control of our destiny

Roy Adcock (Spokesperson)

+27649072286 Greytontax@gmail.com

Bank: FNB | Account number: 63055419080 | Branch code: 200212

INFO ABOUT GUTS

The **Greyton Union of Taxpayers (GUTS)**, was founded on June 2nd, 2023. GUTS was established under the umbrella of the **National Taxpayers Union (the NBU - Nasionale Belastingbetalers Unie) in Afrikaans**.

The Ultimate & Legal Solution for Restoring our Towns and Suburbs

For a long time, South Africans have yearned for a legally sound strategy to empower communities to regain some control over their service delivery without resorting to illegal means. The NBU's experience highlighted that establishing a Taxpayers Association is futile without adequate funding. Thus, the critical question arose: how can Taxpayer communities gain access to significant funds?

After incurring substantial legal expenses, the NBU innovated a powerful legal strategy for the financial empowerment of Taxpayer Associations. **Millions of Rands can now be legally reclaimed from municipalities based on the following grounds:**

Cadre deployment politics led to the appointment of incompetent individuals in crucial positions. Consequently, many municipalities failed to adhere to legal procedures for levying Municipal property taxes (as required by *art 14(2) of the Municipal Property Tax Act 6/2004*). According to the judgement in the **Rademan vs. Moqhaka Municipality** (April 2013) case, if a service is not provided by the municipality, residents are not obligated to pay for it. Consequently, any amount or service can be legally disputed and reclaimed or withheld by Taxpayers for up to three years into the past!

As more Municipalities in the country become dysfunctional, communities are increasingly desperate to regain control over their service delivery. This situation may intensify in the future due to coalition politics and escalating cadre deployment. Mobilising communities and taking proactive action is crucial if we wish to secure the future of our towns and real estate investments!

Three Bonuses of our Legal Strategy:

1. Our legal approach allows for the reclaiming of existing tax monies, placing no additional financial burden on the shoulders of Taxpayers.
2. The tried and tested watertight legal strategy eliminates the need for costly court battles.
3. Taxpayers can now intervene in protecting public funds and communal assets.

The Two Options:

A civil community has only two possible routes to exert some measure of control over governmental institutions:

1. The Political Channels (known for their complexity and often yielding dead ends).
2. The Legal and Judicial channels (unfortunately, largely unknown to the public).

Our Union was established as a Taxpayers Union solely focusing on our LEGAL options. While we recognize the importance of political processes, our mission lies within the realms of the law, not politics.

Our Mission is Entirely Strategic and Pragmatic:

Our mission is clear and pragmatic. While we cannot solve the country's political problems, we can, however, ensure that Taxpayers receive what they rightfully pay for.

Additionally, we strive to use those funds exclusively for the betterment of our towns and suburbs. In this process, we achieve several other important goals, including protecting property values, supporting our local economy and protecting our tourism industry, bolstering job creation, and empowering our communities to stand united for their legal rights.

Benefits for Members:

1. Firstly remember – you start with nothing: Poor services and dilapidated infrastructure not being maintained. (So, you have nothing to lose, only to gain!)
2. With everyone standing together, we can restore our town to its former glory, ensure service provision by knowledgeable people and protect our property investments!
3. We empower our members legally: free legal advice, assistance and support with your billing issues and private claims and disputes against the Municipality.
4. You do what is right! You stand up for our rights and protect our public funds and infrastructure.

Conclusion:

We now possess a truly viable recipe that can inspire our entire community to unite for a common purpose. Our social capital has eroded over decades, and the time has come for an inspiring collective purpose. By standing up for our rights, standing together, and restoring our towns, we can rebuild a strong, apolitical local community.

As we ventured into the labyrinth of legalities, researching strategies and remedies available to Taxpayer communities, we found much hope. It became evident that

1. We possess many more rights than we were led to believe
2. We should all get to know our legal rights
3. And we should **confidently and fearlessly stand up** for those rights!

The ultimate trump card lies in the hands of the Taxpayer: As the saying goes: *"He who controls the gold makes the rules"*.

Now for the million Dollar question:

"If I withhold my taxes or payments, are they not going to cut off my services?"

This is the great question everyone fears!

- As arrogant and ignorant as politicians are, they may initially attempt this.
- If the Municipality however suspends any services or victimises a ratepayer in any way while a **legal dispute has been filed**, it in terms of art 102(2) of the Municipal Systems Act is illegal for them to do so!
- We keep our local Legal representative on standby to instantly obtain a Spoliation Order at the Municipalities own cost (including expenses like renting a generator for you for the entire period).
- This order is obtained in the local magistrate's court often within hours!

"Nothing should be feared, it should only be understood! (CJ Langenhoven)"

So, Get the Union behind you and become part of the Union.

We now have the recipe, so let's bake the cake...!

We would further like to clarify our position regarding what GUTS mean when we say that we strictly follow the legal process and do not get involved in politics.

In simple legal terms we are actually dealing here with ordinary commercial law. Although a municipality is a government agency, it is also an ordinary corporation with responsibilities towards its clients.

Let's suppose that you have contracted and paid a company to provide you with a certain service, and that company does not provide the service, but still requires you to pay for the service. Your rights will then be to put the company on legal terms and give them a reasonable time to perform the service. If they do not respond and provide the service, then you as the payer have the right to get someone else to provide the service, and hold the company that failed, responsible for the costs. In the Rademan case, the highest court in the country, namely the Constitutional Court, clearly ruled that a payer of Municipal services has exactly the same rights in this respect.

Now where many Rate Payers Associations (RPA's) have it mixed up, is that they think it's their job to fix the company that has to provide the service. It is not your job or responsibility as the client to fix the company that you contracted to provide you with the service, if for some reason they cannot get their act together to do their job. An RPA represents the Payer, not the company. So why would you want to waste your time and energy trying to fix the company. It is only important for you as a consumer that you do not get the service and then to make alternative provision that the service is delivered to you, by whomever. And you are not doing anything illegal if you stand up for your rights and follow the process before finding another service provider and use the money you would have paid them, to pay the other service provider. This is ordinary commercial and contract law which is known to all. And that's all we do.

That company may try to get a court order against us, but it will be futile and no court will oppose an order that has already been cleared in the highest court in the country. There is therefore zero risk for the client if the company wishes to launch such legal action. The court will not even consider it. We therefore move on absolutely solid legal grounds and have no intention of getting involved in court cases with anyone. Should a court order be granted for some unknown reason, the RPA simply has the option to withdraw the action and therefore no costs need to be incurred.

We hope that this clears people's fears, but also explains why it is not really an RPA's responsibility to fix the company that has to do the work. It is their own problem and responsibility if they cannot do their job. Your job as an RPA is to look after the interests of the Taxpayers. You must be on the side of the Payer. The company (municipality) has millions of Rand at their disposal and many paid officials to do their job. We are volunteers who have to stand up against their poor service delivery.