

16. AUDITORS CERTIFICATE

Conventional Timeshare, Fractional Ownership, Destination and Private Residence Club Schemes

- 16.1 A developer of a shared vacation ownership resort shall be obliged to furnish the Consumer Affairs Committee or VOASA on behalf of the Consumer Affairs committee with a certificate from an Auditor, in such form as the Consumer Affairs committee may from time to time require, *inter alia* verifying that:
 - 16.1.1 All monies arising from the alienation of shared vacation ownership in that shared vacation ownership resort have been dealt with in terms of all applicable statutory provisions and any agreement between the developer, the Scheme the seller the bondholder, and / or the purchaser.
 - 16.1.2 In the event that the shared vacation ownership resort is based on the Share Blocks Control Act No 59 of 1980, the certificate shall in particular verify that the developer has complied with sections 14 and 15 of that Act.
 - 16.1.3 In respect of other shared vacation ownership resorts, that any bond or loans over the shared vacation ownership resort have been dealt with in terms of Sections 14 and 15, as if they are loan obligations as referred to in the said sections, and are being repaid as stipulated by the sections.
 - 16.1.4 The levies due and payable by the developer have been paid in full as at the date of certificate.
- 16.2 The Auditors Certificate shall be furnished within six months of the shared vacation ownership interest first being offered for alienation in the shared vacation ownership resort, and shall thereafter be furnished at six monthly intervals.
- 16.3 In the event that the bond over the property or Developers loans have been fully discharged, and the developer holds less than 10% (ten percent) of the shared vacation ownership interests in the shared vacation ownership resort, The Developer shall after the auditors have filed a report to this effect, no longer be obliged to furnish such an Auditors Certificate, whilst these reported conditions remain.
- 16.4 The name of the registered owner or lessor, of the property on which the shared vacation ownership scheme is operated.

16.5 An auditor shall mean an Auditor as defined in the regulations to the Sectional Titles Act 95 of 1986.