

DE BEERS PENSION FUND

FUND POLICY DOCUMENT

PRIVACY POLICY

<u>Revision no</u>	<u>Review cycle</u>	<u>Effective date</u>
003	At least every two years	26 March 2020



DEFINED BENEFIT



DEFINED CONTRIBUTION

DE BEERS PENSION FUND

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1. PURPOSE

The introduction of the Protection of Personal Information Act No. 4 of 2013 (POPIA) in South Africa, requires that organisations that process personal information, put in place reasonable measures to protect such information. The De Beers Pension Fund (the Fund) has accordingly developed a Privacy Policy which covers how the Fund collects, uses, discloses, transfers, and stores members' personal information.

2. SCOPE

This Policy applies to the personal information of all Fund members and their beneficiaries (hereinafter referred to as Beneficiaries).

3. DEFINITIONS AND ACRONYMS

Definition/Acronym	Description
BoT	Board of Trustees
POPIA	The Protection of Personal Information Act No. 4 of 2013

4. RESPONSIBILITY AND AUTHORITY

4.1 RESPONSIBILITY FOR REVIEW

The Fund's Information Officer is responsible for reviewing this Policy.

4.2 RESPONSIBILITY FOR IMPLEMENTATION

This Policy has been authorised by the Fund's BoT and it is the responsibility of Fund Management to implement and ensure that it is applied in a consistent manner. The BoT is also responsible for endeavouring to take reasonable steps to ensure that any third-party service providers to the Fund comply with relevant legislation.

5. CHANGES TO THE PRIVACY POLICY

The Fund may change the terms of this Policy at any time by updating this document. The updated document will be published on the Fund website and can be accessed at any time with Beneficiaries being advised of changes in the Fund's publication e.g. Fund Focus/Pensioner Focus, etc. and/or by notice on the Fund's website. Should Beneficiaries continue as Beneficiaries of the Fund or continue to use the Fund's website following notification of a change to the Policy terms, and if they do not lodge any written objection with the Fund Information Officer to the change in Policy, the changed terms will apply to all Beneficiaries and they will be deemed to have accepted such terms.

6. POLICY

6.1 PERSONAL INFORMATION

Personal information includes:

- personal information collected on registering as a Beneficiary of the Fund (see types of personal information collected below);
- personal information collected on submission of any subsequent documentation or correspondence;

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- personal information collected electronically by the Fund when a Beneficiary visits the Fund's website; and
- personal information that the Fund collects generally at any time while conducting its business.

but excludes:

- information that has been made anonymous so that it does not identify a specific Beneficiary;
- permanently de-identified information that does not relate or cannot be traced back to a Beneficiary specifically;
- non-personal statistical information collected and compiled by the Fund; and
- information that Beneficiaries have provided voluntarily in an open, public environment or forum including any blog, chat room, community, classifieds, or discussion board. (Information disclosed in a public forum, is no longer confidential and does not constitute personal information subject to protection under this Policy.)

Common examples of the types of personal information which the Fund may collect and process include:

- identifying information – such as a Beneficiary's name, date of birth and identification number;
- contact information – such as a Beneficiary's phone number, cell phone number and email address;
- address information – such as a Beneficiary's physical and postal address; or
- demographic information – such as a Beneficiary's gender or marital status.

6.2 SENSITIVE PERSONAL INFORMATION

In the course of normal business, the Fund also needs to be provided with sensitive special personal information, including but not limited to the following, for all Beneficiaries for the use as explained in paragraph 11 below:

- **financial information** – such as bank account details, salary/pension information, tax related information and any other information required to effect payment of benefits to Beneficiaries;
- **medical information** – such as information about the Beneficiary's physical or mental health;
- **child information** – personal information of children who are Beneficiaries (under the age of 18);
- **union membership** – as required to determine which voting constituency Beneficiaries belong to; and
- **racial category** – as may be required to comply with the reporting requirements of the Financial Services Charter.

6.3 DEEMED ACCEPTANCE

BY virtue of their membership, Beneficiaries are deemed to have read, understood, accepted, and agreed to be bound by all of the terms of this Policy.

6.4 BENEFICIARY OBLIGATION

A Beneficiary may only send the Fund their own personal information, except where the personal information of a Beneficiary associated with the main member is sent to the Fund e.g. a dependant of the main member such as a child. In this case, the main Beneficiary will have consented to send

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this information to the Fund. The main Beneficiary must be a competent person who is any person who is legally competent to consent to any action or decision being taken in respect of the child.

Furthermore, the processing of this child's personal information by the Fund is also permitted in terms of POPIA because it is necessary for the establishment and exercise of a right in law e.g. managing a child's pension payment.

6.5 COLLECTION OF PERSONAL INFORMATION OF A BENEFICIARY

Beneficiaries are required to provide the Fund with certain personal information when they register, and this personal information will include:

- their **personal details** – such as their title, initials, first name, last name, marital status, employer details, email address, date of birth, union affiliation (if applicable), race and identity number;
- their **contact details** – such as their home phone number, cell phone number, residential address and postal address;
- their **preferred methods of contact** (bearing in mind the Fund's objective of distributing communications electronically); and
- their **banking details**.

Personal and sensitive personal information of Beneficiaries will be collected and recorded by the Fund throughout the Beneficiary's membership of the Fund.

6.6 PURPOSE FOR COLLECTION

The Fund will use the personal information that Beneficiaries provide to:

- allow the Fund to establish eligibility to and the payment of benefits to Beneficiaries, as provided for in the Rules of the Fund;
- determine the overall sustainability of the Fund;
- send Beneficiaries their periodic benefit statements, projection statements and payslips (where applicable) or other communication as appropriate;
- manage a Beneficiary's benefit payments effectively;
- facilitate reporting as required e.g. Financial Services Charter; and
- facilitate member Trustee election processes where applicable.

6.7 USE

The Fund will use a Beneficiary's personal and sensitive personal information to fulfill its obligations to that Beneficiary in terms of the applicable legislation and the Rules of the Fund.

7. DISCLOSURE

7.1 SHARING

The Fund may share relevant Beneficiary personal information to the extent required. Prior to the sharing of Beneficiary personal information with third parties where applicable, the Fund will conclude formal agreements with such parties that will oblige such parties to ensure that such personal information remains protected and confidential and that the information shared is limited

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to that required to perform the task at hand and is only used for the purpose for which that provider has been provided access to it.

The Fund may share personal information with the following entities:

- the De Beers Group of Companies and the De Beers Benefit Society to facilitate the payment of contributions and benefits and any other function deemed to be in the best interest of Beneficiaries;
- the De Beers Benefit Society so as to promote administrative efficiency through the transfer of limited relevant personal information (where appropriate);
- Fund service providers providing consulting and other services, including auditing services, investment related services, legal services, actuarial services, technology services and other consulting services; and
- other third parties who provide the Fund with relevant services where appropriate.

7.2 LEGAL DISCLOSURES

The Fund will need to disclose personal information about Beneficiaries when required by law e.g. submission of tax data to SARS, subpoena, or other legal process or if the Fund has a good faith belief that disclosure is reasonably necessary to:

- investigate, prevent or take action regarding suspected or actual illegal activities or to assist government enforcement agencies;
- enforce the Fund agreements with Beneficiaries;
- investigate and defend the Fund against any third-party claims or allegations; or
- exercise or protect the rights and safety of Fund Beneficiaries, Fund staff, or others.

The Fund will notify Beneficiaries about legal demands for their personal information when appropriate in its judgment, unless prohibited by law or a court order or when the request is an emergency. The Fund may dispute such demands if they are regarded as being ill considered, vague or lacking proper authority, but will not challenge every demand.

7.3 SALE OF PERSONAL INFORMATION

The Fund will not sell any Beneficiary's personal information. No personal information will be disclosed to any party except as provided for in this Privacy Policy.

7.4 FUND EMPLOYEES

The Fund needs to disclose a Beneficiary's personal information to Fund employees who require such personal information to perform their duties.

7.5 CHANGE OF OWNERSHIP

Should the Fund be terminated in terms of its Rules the Fund may assign the Fund rights to the personal information to an appropriate replacement retirement fund. The Fund will disclose its termination to Beneficiaries on the Fund website and other communication vehicles should this occur.

7.6 SECURITY

The Fund will endeavour to ensure reasonable security using technological and organisational measures to protect personal information and will comply with applicable data protection laws. The

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Fund's website hosting company will host the Fund website in a secure server environment that uses a firewall and other advanced security measures to prevent interference or access from outside intruders.

In terms of hardcopy documentation, the Fund will ensure that these records are reasonably secured and that only authorised parties have access to the information.

8. ACCURATE AND UP-TO-DATE INFORMATION

The Fund will attempt to keep the personal information it collects as accurate, complete and up-to-date as is necessary for the purposes as defined in this Policy (see paragraphs 10 and 11).

From time to time the Fund may request Beneficiaries to update their personal information. Beneficiaries are able to update any of their (or their beneficiaries) personal information that the Fund holds by completing the required member contact details update form available on the Fund's website or by requesting the form by phoning the Fund or by emailing the Fund.

The Fund may require that some of the documents that are submitted to the Fund be certified in order to update certain personal information. Some personal information is reflected on pensioner payslips, the annual benefit statements and projection statements.

Any changes that are required should be advised to the Fund as soon as possible by completing the required form and supplying the required documents as may be necessary.

9. RETENTION

The Fund will only retain a Beneficiary's personal information for as long as it is necessary to fulfil the purposes as set out in this Policy (see paragraphs 10 and 11) at its discretion in physical or electronic record format, unless:

- retention of the record is required or authorised by law; or
- a Beneficiary has provided consent to the Fund to retain their record.

During the period of retention, the Fund will continue to abide by the Fund's non-disclosure obligations and will not share or sell a Beneficiary's personal information in contravention of this Policy.

10. TRANSFER TO ANOTHER COUNTRY

The Fund will only transfer a Beneficiary's personal information across the RSA border in order to fulfil its obligations.

11. LIMITATIONS

Although the Fund enters into formal agreements with its third party service providers which oblige the service providers to ensure that Beneficiaries' personal information remains protected and confidential and is only used for the purpose for which it has been provided, it is not responsible for, nor provides any warranties, nor makes any representations in respect of the privacy policies or practices of any third party service providers, although reasonable attempts to protect the safety and security of members' personal information will be made.

12. ENQUIRIES

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Any Beneficiary questions or concerns arising from this Policy or the way in which the Fund handles personal information, may be directed to the Fund as follows:

Email: pensionpost@dbpf.co.za (For attention the Information Officer)

Switchboard: 053 807 3222

Office hours: 08h00 – 12h45
14h00 – 16h30

Postal address: P. O. Box 1922
Kimberley
8300

13. AUTHORISATION AND APPROVAL

Approved by the Board of Trustees.



CHAIRPERSON OF THE DE BEERS PENSION FUND
C W COLTMAN

Date: 17/06/2020

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REVISION HISTORY

Revision no	Description	Date Reviewed	Date Approved	Minute no
001	Created	March 2018	28 March 2018	5.19.7.4
002	Review	June 2019	4 July 2019	28.19.6
003	Review	March 2020	26 March 2020	6.20.3