



DE BEERS PENSION FUND

Registration no. 12/8/559/2

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PROMOTION OF ACCESS TO INFORMATION ACT
MANUAL

INTRODUCTION

De Beers Pension Fund was established in 1952 to provide retirement benefits to employees of De Beers Group Services (Pty) Ltd and Associated Companies.

A copy of this manual will be available for inspection at the Human Rights Commission, at De Beers Pension Fund Offices and on the following De Beers Group Services (Pty) Ltd intranet site:
<http://pension.debeers.co.za/>

PART A

CONTACT DETAILS SECTION 51(1) (a)

POSTAL ADDRESS: PO BOX 1922
KIMBERLEY
8300

STREET ADDRESS: 84 DU TIOTSPAN ROAD
KIMBERLEY
8301

PHONE NUMBER: 053- 807 3222

FAX NUMBER: 053- 807 3500

ENQUIRIES: raymond.pilkington@debeersgroup.com
(INFORMATION OFFICER)

PART B

HUMAN RIGHTS COMMISSION USER'S GUIDE SECTION 51 (1) (b)

In terms of Section 10 of the Promotion of Access to Information Act Number 2 of 2000 (herein after referred to as the Act) the Human Rights Commission is required to prepare a user's guide. The Guide will be available from the South African Human Rights Commission by no later than August 2003. Please direct any queries to:

The South African Human Rights Commission:

PAIA Unit The Research and Documentation Department

Postal address: Private Bag 2700
Houghton
2041

Telephone: +27 11 484-8300
Fax: +27 11 484-0582
Website: www.sahrc.org.za
E-mail: PAIA@sahrc.org.za

PART C

SECTION 51 (1) (D) – RECORDS KEPT UNDER THE FOLLOWING LEGISLATION

ACCOUNTING AND FINANCE

Income Tax Act, No 58 of 1962
Stamp Duties Act, No 77 of 1968
Value Added Tax Act, No 89 of 1991

HUMAN RESOURCES

Basic Conditions of Employment Act, No 3 of 1983
Employment Equity Act, No 55 of 1998
Manpower Training Act, No 56 of 1981
Skills Development Levies Act, No 9 of 1999
Unemployment Insurance Act, No 30 of 1966
Wages Act, No 5 of 1957
Workmen's Compensation Act, No 30 of 1941

SECRETARIAL AND ADMINISTRATION

Pension Fund Act 1952
The Financial Institution Act 2001
The Inspection of Financial Institution Act 1984
The Divorce Amendment Act 1989

SAFETY

Occupational Health and Safety Act 85/1993 and Regulations

PART D

Section 51(1) (e) of the Act requires sufficient detail to facilitate a request for access to a record of the private body, a description of the subjects on which the body holds records and the categories of records held on each subject.

De Beers Pension Fund Information Officer, acting under the supervision of the head of the body, has been delegated with the task of receiving and co-ordinating all requests for access to information in terms of the Act. Requests should accordingly be directed to the Information Officer at the address referred to in Part A, must substantially correspond with form C of Annexure B to Government Notice No. R. 187 dated 15 February 2002, and should be specific in terms of the information requested

De Beers Pension Fund holds information on the subjects underlined and listed below. Reflected beneath each subject is a broad indication of the categories of records held on each subject:

ACCOUNTING AND FINANCE

Annual financial statements	Banking correspondence
Audit Correspondence and Reports	Budget files
Investments	

ADMINISTRATION

Benefits	Membership details
Deceased Estates	Personal Files
Declarations	Projects
Dependants	Contribution
Increases	

HUMAN RESOURCES

Complements and strengths	Reports
Conditions of Employment	Employment Equity
Employee development	Minutes of Meetings
Housing – Loans and Assistance	Personal Records
Job Applications and Appointments	Policies & Procedures

INFORMATION TECHNOLOGY

Agreements/Contracts – various	Queries
Correspondence	Security
Databases	System documentation
Disaster recovery	User liaison
Procedures and standards	E-Commerce
Internet	Intranet

LEGAL

Acts and amendments	Legal Correspondence
Agreements / various	Legislative Bills
Appointments	Licences, Permissions and Exemptions
Health & Safety Legislation	Opinions
Rules & Rulings	

COMMUNICATIONS

Briefs and Announcements
Annual Reports
Publications – In-House

SAFETY & HEALTH

Policy and Procedures	Emergency procedures
Reports / Various	Good housekeeping

SECRETARIAL

Actuary	Legislation - various
Agreements and Contracts	Licences
Appointments	Minutes of Meetings - Other
Certificate of Registration	Projects
Correspondence – general	Property Leases
Trustees	Signing Authorities
Trustee register	Statutory Information
Trustees meetings (minutes and Agendas)	

PART E

The De Beers Pension Fund website situated on the De Beers Group Services (Pty) Ltd intranet site contains information on the following subjects:-<http://pension.debeers.co.za/>

PART F

FORM OF REQUEST

- The requester must use the prescribed form to make the request for access to a record. This must be made to the Information Officer. This request must be made to the address, fax number or electronic mail address of the body concerned [s 53(1)].
- The requester must provide sufficient detail on the request form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required. The requester should also indicate if any other manner is to be used to inform the requester and state the necessary particulars to be so informed [s 53(2)(a) and (b) and (c)].
- The requester must identify the right that is sought to be exercised or to be protected and provide an explanation of why the requested record is required for the exercise or protection of that right [s 53(2)(d)].
- If a request is made on behalf of a another person, the requester must then submit proof of the capacity in which the requester is making the request to the satisfaction of the head of the private body [s 53(2)(f)].

FEES

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The head of the private body must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request [s 22(1)].
- The fee that the requester must pay to a private body is R50. The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee [s 22(3)(b)].
- After the head of the private body has made a decision on the request, the requester must be notified in the required form.
- If the request is granted then a further access fee must be paid for the search, reproduction, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure [s 22(6)].

PART G

AVAILABILITY OF THE MANUAL

The manual is available for inspection at the Fund's Office at the address referred to in Part A, the South African Human Rights Commission and the De Beers Group Services (Pty) Ltd intranet site referred to in Part E.

PART H

FEES IN RESPECT OF PRIVATE BODIES

1. The fee for a copy of the manual as contemplated in regulation 9(2)(c) is R1,10 for every photocopy of an A4-size page or part thereof.

2. The fees for reproduction referred to in regulation 11(1) are as follows:

	R
(a) For every photocopy of an A4-size page or part thereof	1,10
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	0,75

- | | | |
|-----|--|-------|
| (c) | For a copy in a computer-readable form on - | |
| | (i) stiffy disc | 7,50 |
| | (ii) compact disc | 70,00 |
| (d) | (i) For a transcription of visual images,
for an A4-size page or part thereof | 40,00 |
| | (ii) For a copy of visual images | 60,00 |
| (e) | (i) For a transcription of an audio record,
for an A4-size page or part thereof | 20,00 |
| | (ii) For a copy of an audio record | 30,00 |
3. The request fee payable by a requester, other than a personal requester, referred to in regulation 11(2) is R50,00.
4. The access fees payable by a requester referred to in regulation 11(3) are as follows:
- | | R |
|---|--|
| (1)(a) For every photocopy of an A4-size page or part thereof | 1,10 |
| (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form | 0,75 |
| (c) For a copy in a computer-readable form on - | |
| | (i) stiffy disc 7,50 |
| | (ii) compact disc 70,00 |
| (d) (i) For a transcription of visual images,
for an A4-size page or part thereof | 40,00 |
| | (ii) For a copy of visual images 60,00 |
| (e) (i) For a transcription of an audio record,
for an A4-size page or part thereof | 20,00 |
| | (ii) For a copy of an audio record 30,00 |
| (f) To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation. | |
- (2) For purposes of section 54(2) of the Act, the following applies:
- | | |
|-----|--|
| (a) | Six hours as the hours to be exceeded before a deposit is payable; and |
| (b) | one third of the access fee is payable as a deposit by the requester. |
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

PART I

PRESCRIBED FORMS

REQUEST FOR ACCESS TO RECORD OF PRIVATE BODY
(Section 53(1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000))

[Regulation 10]

A. Particulars of private body

The Head:

B. Particulars of person requesting access to the record

- | |
|---|
| <p>(a) <i>The particulars of the person who requests access to the record must be given below.</i></p> <p>(b) <i>The address and/or fax number in the Republic to which the information is to be sent must be given.</i></p> <p>(c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></p> |
|---|

Full names and surname:

Identity number:

Postal address:

Fax number: _____ Telephone number:

E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

<p><i>This section must be completed ONLY if a request for information is made on behalf of another person.</i></p>

Full names and surname:

Identity number:

D. Particulars of record

- | |
|---|
| <p>(a) <i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.</i></p> <p>(b) <i>If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.</i></p> |
|---|

1. Description of record or relevant part of the record:
2. Reference number, if available:
3. Any further particulars of record

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
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Mark the appropriate box with an **X**.

NOTES:

- (a) Compliance with your request in the specified form may depend on the form in which the record is available.
- (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
- (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

<input type="checkbox"/> copy of record*	<input type="checkbox"/> inspection of record
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2. If record consists of visual images

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

<input type="checkbox"/> view the images	<input type="checkbox"/> copy of the images*	<input type="checkbox"/> transcription of the images*
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3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/> listen to the soundtrack (audio cassette)	<input type="checkbox"/> transcription of soundtrack* (written or printed document)
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/> printed copy of record*	<input type="checkbox"/> printed copy of information derived from the record*	<input type="checkbox"/> copy in computer readable form* (stiffy or compact disc)
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*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?

Postage is payable.

YES	NO
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G. Particulars of right to be exercised or protected

*If the provided space is inadequate, please continue on a separate folio and attach it to this form.
The requester must sign all the additional folios.*

1. Indicate which right is to be exercised or protected:
2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 20

SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE