



DEFINED BENEFIT



DEFINED CONTRIBUTION

DE BEERS PENSION FUND

Access to Information Manual

De Beers Pension Fund – Access to Information Manual

The Fund respects your right of access to information. This document will help you exercise that right as required by Section 51 of the Promotion to Access of Information Act No 2 of 2000 (PAIA or the Act).

Callouts like this is a summary of the Fund’s manual and contain the most important and relevant information to enable your understanding. Please read the full manual.

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De Beers Pension Fund – Access to Information Manual

Introduction

This manual exists to inform you what information the Fund holds and access to it if you have an established right to the information.

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

This is the Fund's Access to Information Manual. Its purpose is to help you access the Fund's information and any other information that the Fund possesses, subject to a right to access being established. A copy of this manual will be available for inspection at the South African Human Rights Commission (SAHRC) and at the De Beers Pension Fund Offices. The Promotion of Access to Information Act (PAIA) requires the Fund to make it available to you so that you:

- know what types of information the Fund holds; and
- can request access to it.

Fund details¹

Kindly contact the Fund by email whenever possible.

The Fund's details are as follows:

- **Name of Fund:** De Beers Pension Fund
- **Registration number:** 12/8/559
- **Postal address:** P O Box 1922, Kimberley, 8300
- **Physical address:** 84 Du Toitspan Road, Kimberley, 8301
- **Phone number:** 053 807 3222
- **Fax number:** 053 807 3500
- **Name of information officer:** Hemah Moodaley
- **Information officer email:** hemah.moodaley@dbpf.co.za
- **Website:** www.debeerspensionfund.co.za

Further guidance²

For further guidance on how to access information, please contact the SAHRC by visiting their website at www.sahrc.org.za.

If you would like further guidance on how to access the information, you can contact the SAHRC to obtain more information about PAIA. They have compiled a guide in each official language of South Africa on how to exercise any right contemplated in the Act. Their contact details are as follows:

- **Phone number:** 011 877 3600
- **E-mail address:** tsebulela@sahrc.org.za
- **Postal address:** Private Bag 2700, Houghton, 2041
- **Physical address:** 33 Hoofd Street, Forum III - Braampark, Braamfontein, Johannesburg, 2041
- **Website:** www.sahrc.org.za

¹ Required by section 51(1)(a) of PAIA.

² Required by section 51(1)(b) of PAIA.

Records the Fund holds³

The Fund holds various subjects and categories of records.

The Fund holds the following subjects and categories of records:

- Accounting and Finance records;
- Administration records;
- Human Resources records;
- Information Technology records;
- Legal records;
- Communication records;
- Safety and Health records; and
- Secretarial records.

Accounting and Finance records

Accounting and Finance records include financial statements and investments.

Accounting and Finance records are records related to the Fund's accounting and finances:

- | | |
|------------------------------------|---|
| • Agreements / Contracts - various | Not automatically available |
| • Annual Financial Statements | Available in terms of the Pension Funds Act |
| • Audit Correspondence and Reports | Not automatically available |
| • Banking Correspondence | Not automatically available |
| • Budget Files | Not automatically available |
| • Insurance Cover | Not automatically available |
| • Investments | Not automatically available |
| • Supplier Information | Not automatically available |

Administration records are records related to administering the Fund:

Administration records include benefits and membership details, correspondence, forms, etc.

- | | |
|--|-----------------------------|
| • Admission and Other Forms | Not automatically available |
| • Benefits | Not automatically available |
| • Communications with Members | Not automatically available |
| • Contributions | Not automatically available |
| • Death Benefit Distributions | Not automatically available |
| • Deceased Estates | Not automatically available |
| • Declarations | Not automatically available |
| • Dependants / Beneficiaries Details | Not automatically available |
| • Ill-health / Disability Applications | Not automatically available |
| • Membership Details | Not automatically available |
| • Pension Increases | Not automatically available |
| • Personal Files | Not automatically available |

³ Required by section 51(1)(c) of PAIA.

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- Projects Not automatically available

Human Resources records

Human Resources records include records of the Fund's employees and contract employees.

Human Resources records are the Fund's records related to employees and other contract employees:

- Complements and Strengths Not automatically available
- Conditions of Employment Not automatically available
- Disciplinary Procedures and Cases Not automatically available
- Employee Development Not automatically available
- Job Applications and Appointments Not automatically available
- Policies and Procedures Not automatically available
- Personal Records Not automatically available
- Reports Not automatically available
- Study Assistance Not automatically available

Information Technology records

Information Technology records include records of the Fund's databases.

Information Technology records are records of the Fund's information technology systems:

- Agreements / Contracts - various Not automatically available
- Correspondence Not automatically available
- Databases Not automatically available
- Disaster Recovery Not automatically available
- E-Commerce Not automatically available
- Intranet Not automatically available
- Internet Not automatically available
- Procedures and Standards Not automatically available
- Queries Not automatically available
- Security Not automatically available
- System Documentation Not automatically available
- User Liaison Not automatically available

Legal Records

Legal records are records of applicable legislation to the Fund.

Legal records are the Fund's records related to legislation:

- Acts and amendments Not automatically available
- Agreements / Contracts - various Not automatically available
- Appointments Not automatically available

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- Legal Correspondence Not automatically available
- Legislative Bills Not automatically available
- Licences, Permissions and Exemptions Not automatically available
- Opinions Not automatically available
- Pension Fund Adjudicator Cases Not automatically available
- Rules and Rulings On member website

Communication Records

Communications include in-house publications and annual reports.

Communications include the Fund's internal and external communications:

- Annual Reports On member website
- Briefs and Announcements On member website
- Member Guides On member website
- Newsflashes On member website
- Newsletters On member website

Safety and Health records

Safety and Health records include the Fund's policies and procedures on health and safety.

Safety and health records are records related to the Fund's employees, other personnel safety and health:

- Agreements / Contracts - various Not automatically available
- Emergency Procedures Not automatically available
- Good Housekeeping Not automatically available
- Policy and Procedures Not automatically available
- Reports - Various Not automatically available

Secretarial records

Secretarial records are records related to the Fund's governance, legislative and regulatory requirements:

- Actuarial Correspondence and Reports Not automatically available
- Actuarial Valuations Available in terms of the Pension Funds Act
- Agreements / Contracts - various Not automatically available
- Appointments Not automatically available
- Certificate of Registration Not automatically available
- Complaints Registers Not automatically available
- Correspondence – Financial Sector Conduct Authority (FSCA) Not automatically available

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• Correspondence - Participating Employers	Not automatically available
• Correspondence – general	Not automatically available
• Gift Registers	Not automatically available
• King IV application report	Automatically available
• Legislation – various	Not automatically available
• Minutes of Meetings - Other	Not automatically available
• Policies and Procedures	Not automatically available
• Projects	Not automatically available
• Property Ownership / Leases documents	Not automatically available
• Signing Authorities	Not automatically available
• Statutory Information	Not automatically available
• Trustees Correspondence	Not automatically available
• Trustee Elections	Not automatically available
• Trustees Register	Not automatically available
• Trustees Meetings - Minutes and Agendas)	Not automatically available

Information the Fund holds to comply with the law⁴

The Fund holds records in terms of the following legislation (where applicable):

- Value Added Tax Act, No 89 of 1991;
- Income Tax Act, No 58 of 1962;
- Basic Conditions of Employment Act, No 75 of 1997;
- Employment Equity Act, No 55 of 1998;
- Skills Development Levies Act, No 9 of 1999;
- Unemployment Insurance Act, No 30 of 1966;
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
- Pension Funds Act, No 24 1956;
- The Financial Institutions (Protection of Funds) Act, No. 28 of 2001;
- Financial Sector Regulation Act, No. 9 of 2017;
- Divorce Act, No. 70 of 1979;
- Occupational Health & Safety Act No. 85 of 1993;
- Maintenance Act, No. 99 of 1998;
- Long-term Insurance Act, No. 52 of 1998;
- Insurance Act, No. 18 of 2017;
- Financial Advisory and Intermediary Services Act, No, 37 of 2002; and
- Protection of Personal Information Act No. 4 of 2013.

⁴ Required by section 51(1)(d) of PAIA. The above list is not exhaustive.

How to request access⁵

You may request information by completing a request for access form and submitting it to the Fund's Information Officer together with the prescribed fee.

The Fund has authorised and designated an Information Officer to deal with all matters relating to PAIA in order to comply with the Fund's obligations in terms of the Act.

To request access to a record, please complete Form C which is available from www.sahrc.org.za at this link: <http://www.sahrc.org.za/home/21/files/Form%20C.doc>. Please submit the completed form to the Fund's Information Officer, together with the prescribed fee, (details of the prescribed fee is available at this link: <https://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>) to the Fund's Information Officer's email address, physical address, or by fax. The contact details are provided above. Please note that a requester who seeks access to a record containing personal information about that requester is not required to pay the prescribed fee.

Please ensure that the completed form:

- has enough information for the Information Officer to identify you, the requested records, and which form of access you require;
- specifies your email address, postal address, or fax number;
- describes the right that you seek to exercise or protect;
- explains why you need the requested record to exercise or protect that right;
- any other way you would like to be informed of the Fund's decision other than in writing; and
- proof of the capacity in which you are making the request if you are making it on behalf of someone else.

Other prescribed information⁶

The Minister of Justice and Constitutional Development has not made any regulations prescribing any other information that needs to appear in this manual.

Grounds for refusal

The Fund may have to refuse you access to a record to protect others.

The Fund may have to refuse you access to certain records in terms of PAIA to protect:

- someone else's privacy;
- another company's commercial information;
- someone else's confidential information;
- the safety of individuals and property;
- records privileged from production in legal proceedings; or
- research information.

Apart from the above, you need to prove a right to access Fund information where applicable.

The Fund will notify you in writing whether your request has been approved or denied within 30 calendar days after the Fund has received a completed request for access form. If The Fund cannot find any

⁵ Required by section 51(1)(e) of PAIA.

⁶ Required by section 51(1)(f) of PAIA.

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requested record or it does not exist, then the Fund will notify you by way of an affidavit that it is not possible to give access to that particular record.

How the Fund will give you access

If the Fund approves your request for access to Fund records, then the Fund will decide how to provide access to you – unless you have asked for access in a specific form.

How much it will cost you⁷

You must pay the Fund a request fee as required by law when submitting a request for access to information.

The prescribed fees are as set out in the Fee Schedule which is available from www.sahrc.org.za at this link: <https://www.sahrc.org.za/home/21/files/PAIA%20Notice%20on%20fees.pdf>

You must pay the Fund the fees before the Fund will hand over any documentation.

How the Fund processes and protects personal information⁸

The Fund does its best to keep all data in its possession secure and up-to-date.

The Fund processes the personal information of various categories of people for various purposes as set out in this clause.

Categories of people

The Fund processes the personal information of the following categories of people:

- employees;
- trustees of the Fund;
- members of the Fund;
- spouses and children (dependants) of members of the Fund;
- beneficiaries of the Fund;
- service providers to the Fund; and
- participating employers,

Purposes

The Fund processes the personal information to:

- enable the on-going management of the Fund; and
- provide pension benefits to members on retirement through age or ill-health, or to their dependants upon the death of such members.

Third-party disclosures

The Fund may provide the following people or institutions with personal information that the Fund processes in the ordinary course of business to fulfil the Fund's obligations to members and beneficiaries:

- Contractors or suppliers;

⁷ Fees payable prescribed by section 52(3) of PAIA.

⁸ Required by the Protection of Personal Information Act No 4 of 2013 (POPIA).

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- De Beers Benefit Society; and
- Third party service providers (such as software developers, legal counsel, actuaries, etc.) who help maintain the Fund's services.

Cross-border transfers

The Fund sends personal information outside of South Africa to members and pensioners that are resident outside the country.

The Fund uses Microsoft O365 for its e-mail services and Microsoft OneDrive for backing-up information stored at certain locations on computers.

Security

The Fund secures data by maintaining reasonable measures to protect personal information from loss, misuse, and unauthorised access, disclosure, alteration and destruction. The Fund also takes reasonable steps to keep personal information accurate, current, complete, and reliable for its intended use.