

De Beers Pension Fund - Access To Information Manual



We respect 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 2 of 2000 (PAIA).

Callouts like this are a summary of our manual and contain the most important and relevant points for you. They are here to help you understand it, but please read the full manual.

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Introduction

We are De Beers Pension Fund (the 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 our 'Access To Information Manual'. Its purpose is to help you access our information and any other information that we have, subject to a right to access being established. A copy of this manual will be available for inspection at the Human Rights Commission and at the De Beers Pension Fund Offices PAIA requires us to make it available to you so that you:

- know what types of information we have; and
- can request access to it.

This manual exists to tell you what information we have and help you get access to it if you have an established right to the information.

Our details¹

Our details are as follows:

- **Company name:** 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
- **Information officer email:** Bheki.mkhize@dbpf.co.za
- **Website:** www.debeerspensionfund.co.za

These are all our details, but please rather contact us by email whenever possible.

Further guidance²

If you would like further guidance on how you can get access to information, you can contact the South African Human Rights Commission (SAHRC) to find out 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 3803
- **Fax number:** 011 403 0625
- **Postal address:** Private Bag 2700, Houghton, 2041
- **Physical address:** 33 Hoofd Street, Forum III - Braampark, Braamfontein, Johannesburg, 2041
- **Website:** www.sahrc.org.za

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

Records we hold³

We hold the following subjects and categories of records:

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

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

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

- Accounting and Finance records;
- Administration records;
- Human Resources records;
- Information Technology records;
- Legal records;
- Communications;
- Safety & Health records; and
- Secretarial records;

We hold various subjects and categories of records in electronic or physical form that are available automatically or in other ways.

Accounting and Finance records

Accounting and Finance records are all our records related to our accounting and finances.

Agreements	Not automatically available
Annual Financial Statements	Available in terms of the Pension Fund Act
Audit Correspondence and Reports	Not automatically available
Insurance Cover	Not automatically available
Banking Correspondence	Not automatically available
Budget Files	Not automatically available
Investments	Not automatically available
Supplier Information	Not automatically available

Accounting and Finance records include financial statements and investments.

Administration records

Administration records are all our records related to administering the pension fund.

Admission and other Forms	Not automatically available
Benefits	Not automatically available
Communications with Members	Not automatically available
Death Benefit Distributions	Not automatically available
Deceased Estates	Not automatically available
Declarations	Not automatically available
Dependants/Beneficiaries	Not automatically available
Ill-health/Disability applications	Not automatically available
Pension Increases	Not automatically available
Membership details	Not automatically available
Member elections in terms of the rules	Not automatically available
Minutes of meetings	Not automatically available
Personal Files	Not automatically available
Projects	Not automatically available
Contributions	Not automatically available

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

Human Resources records

Human Resources records are all our records related to our employees and other personnel.

Complements and strengths	Not automatically available
Conditions of Employment	Not automatically available
Disciplinary Procedures/Cases	Not automatically available
Employee development	Not automatically available
Study Assistance	Not automatically available
Job Applications and Appointments Reports	Not automatically available
Personal Records	Not automatically available
Policies & Procedures	Not automatically available

Human Resources records include records about our employees and contractors.

Information Technology records

Information Technology records are all our records related to information technology systems.

Agreements/Contracts - various	Not automatically available
Correspondence	Not automatically available
Databases	Not automatically available
Disaster recovery	Not automatically available
Procedures and standards	Not automatically available
Internet	Not automatically available
Queries	Not automatically available
Security	Not automatically available
System documentation	Not automatically available
User liaison	Not automatically available
E-Commerce	Not automatically available

Intranet

Not automatically available

Information Technology records include records about our databases.

Legal Records

Legal records are all our records related to legislation.

Acts and amendments

Not automatically available

Agreements/various

Not automatically available

Appointments

Not automatically available

Rules & Rulings

On member website

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

Legal records include records about legislation that applies to us.

Communications

Communications include our internal and external communications.

Briefs and Announcements

On member website

Annual Reports

On member website

Publications – In-House

On member website

Member Guides

On member website

Communications include in-house publications and annual reports.

Safety and Health records

Agreements

Not automatically available

Policy and Procedures

Not automatically available

Reports/Various

Not automatically available

Emergency procedures

Not automatically available

Good Housekeeping

Not automatically available

Safety and Health records include our policies and procedures on health and safety.

Secretarial records

Actuary	Not automatically available
Actuarial Valuations	Available in terms of the Pension Fund Act
Agreements and Contracts	Not automatically available
Appointments	Not automatically available
Certificate of Registration	Not automatically available
Correspondence – Financial Services Board	Not automatically available
Correspondence – general	Not automatically available
Correspondence participating employers	Not automatically available
Gift Registers	Not automatically available
Complaints Registers	Not automatically available
Trustees	Not automatically available
Trustee Elections	Not automatically available
Trustees register	Not automatically available
Trustees meetings (Minutes and Agendas)	Not automatically available
Legislation – various	Not automatically available
Licences	Not automatically available
Minutes of Meetings - Other	Not automatically available
Projects	Not automatically available
Property Ownership documents/Leases	Not automatically available
Signing Authorities	Not automatically available
Statutory Information	Not automatically available
Policies and procedures	Not automatically available

Information we hold to comply with the law⁴

We hold records in terms of the following legislation (where applicable):

- Value Added Tax Act, No 89 of 1991
- Income Tax Act, No 58 of 1962
- Stamp Duties Act, No 77 of 1968
- 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
- Pension Fund Act 1952
- The Financial Institution Act 2001
- The Inspection of Financial Institution Act 1984
- The Divorce Amendment Act 1989
- Occupational Health & Safety Act No. 85 of 1993

⁴ Required by section 51(1)(d) of PAIA.

- Protection of Personal Information Act No. 4 of 2013.

How to request access⁵

We have authorised and designated our information officer to deal with all matters relating to PAIA in order to comply with our 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 our information officer together with a request fee (details here: <http://www.sahrc.org.za/home/21/files/FEES.pdf>) at our general contact email address, physical address, or by fax in terms of our details 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 request 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 our decision other than in writing; and
- proof of the capacity in which you are making the request if you making it on behalf of someone else.

You may request information by completing a request for access form and submitting it to our information officer together with a request fee.

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

We 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.

We will notify you in writing whether your request has been approved or denied within 30 calendar days after we have received a completed request for access form. If we cannot find any requested record or it does not exist, then we will notify you by way of affidavit that it is not possible to give access to that particular record.

We may have to refuse you access to a record to protect others.

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

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

How we will give you access

If we approve your request for access to our records, then we 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 us 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: <http://www.sahrc.org.za/home/21/files/FEES.pdf>. You must pay us the fees before we will hand over any documentation.

How we process and protect personal information⁸

We process the personal information of various categories of people for various purposes as set out in this clause.

Categories of people

We process the personal information of the following categories of people:

- employees;
- trustees of the pension fund;
- members of the pension fund;
- spouses and children of members of the pension fund;
- beneficiaries of the pension fund; and
- dependants of members of the pension fund.
- Service providers to the pension fund
- Participating employers

Purposes

We process the personal information to:

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

Third-party disclosures

We may provide the following people with personal information that we process in the ordinary course of business to fulfil our obligations to our customers or clients:

- Contractors, vendors, or suppliers;
- Agents;
- De Beers Benefit Society;
- Operators, other responsible parties, or co-responsible parties; and
- Third party vendors (such as software developers, legal counsel, actuaries etc) to help us maintain our services.

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

⁸ Required by the Protection of Personal Information Act 4 of 2013 (POPI).

Cross-border transfers

We send personal information outside of South Africa to where members/pensioners are resident outside the country and they have requested it.

Security

We secure our data by maintaining reasonable measures to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration and destruction. We also take reasonable steps to keep personal information accurate, current, complete, and reliable for its intended use.

We do our best to keep all data in our possession secure and up-to-date.