

## Access to information manual

Date of approval: 7 December 2021

Date of review: November 2021

Version: one



- **Corporate Selection Umbrella Retirement Fund  
(Fund Registration Number: 12/8/27024)**
- **Corporate Selection Umbrella Retirement Fund No. 2  
(Fund Registration Number: 12/8/36438)**
- **Corporate Selection Umbrella Pension Fund  
(Fund Registration Number: 12/8/36006)**



## Index

	<b>Heading</b>	<b>Page</b>
1	The aim of the Promotion of Access to Information Act (PAIA)	3
2	The purpose of this manual	3
3	Some useful words to know	4
4	Introducing the Fund	5
5	Contact details of the Fund (and the registered office)	5
6	A PAIA Guide	5
7	Other relevant documents	6
8	Information that is automatically available without a formal PAIA request	7
9	What records are held by the Fund which must be formally requested before the information is supplied to a member or a third party?	8
10	In terms of what legislation does the Fund hold records that may be accessed by certain persons?	8
11	What procedure should you follow to obtain information or records from the Fund?	10
12	How long will we take to make a decision about your request?	11
13	Remedies	11
14	Fees	11
15	Protection of personal information	12
16	The Fund's processing activities	12
17	The Fund processes personal information for the following purposes	13
18	How do you request information about your personal information processed by the Fund?	13
19	You have the following rights to information under POPIA	14
20	Description of categories of data subjects and the personal information we hold for them (information table)	14
21	The categories of recipient to whom personal information may be supplied by the Fund	16
22	Planned flow of personal information out of South Africa	17
23	General description of security measures by the Fund	17
24	The Fund relies on authorisations, justifications or grounds to process personal information lawfully	18
25	Information Regulator's contact details	18
26	Availability of this Manual	19
27	Signature	19

When we refer to the “Fund”, “we” or “us” in this Manual that means the Funds referred to on page one. “You” or “your” means you, the requestor of information from the Fund.

## **1.The aim of the Promotion of Access to Information Act 2 of 2000 (PAIA)**

The aim of PAIA is to give effect to the constitutional right of access to information held by any private or public body that is required for the exercise or protection of your rights.

PAIA provides you with the right of access to information held by public and private bodies when you request such information in accordance with the provisions of PAIA, for the exercise or protection of any of your or another person’s rights.

If you make such a request, a public or private body must release the information unless PAIA or any other relevant law states that the records containing such information may not be released.

## **2.The purpose of this manual**

The Fund wants to ensure that persons are aware of how they can make requests for information from the Fund and why the Fund processes personal information.

In addition, the manual contains information about what records the Fund holds and processes, about whom, who the records are available to and whether they are available without you having to submit a formal PAIA request. The Manual also includes information about the data subject rights derived from the Protection of Personal Information Act 4 of 2013 ("POPIA").

The manual also states whether the Fund may process personal information outside South Africa as well as communication about the security measures securing and ensuring the integrity of information.

You can read the manual to see who can assist you with your requests and where to get a standard Guide about how to make requests.

We will review this Manual from time-to-time.



### 3. Some useful words to know

**Board** means the group of persons appointed or elected as board members in terms of the Rules of the Fund and the Pension Funds Act 24 of 1956.

**Fund** is the retirement funds named on the first page and introduced above.

**FSCA** means the Financial Sector Conduct Authority which is a public body that regulates and supervises retirement funds such as the Fund.

**Information Officer** means the head of the Fund. That person may delegate this role to someone else. The information Officer is the person who will handle your PAIA and POPIA requests. See their details above.

**Information Regulator** means the public body that enforces compliance with POPIA and PAIA.

**PAIA** means the Promotion of Access to Information Act 2 of 2000, which legislation creates a right to access certain information.

**Personal information** means any information about a living human being or an existing company, close corporation, or other juristic person, provided that the human being or juristic person is capable of being identified. It includes both public and private information. It includes special personal information. It excludes purely statistical information and de-identified information.

**POPIA** means the Protection of Personal Information Act 4 of 2013, which legislation protects certain people's personal information.

**Record** means any recorded information of all forms (including written, electronic, labelled, illustrative, or visual records) that the Fund possesses or controls, whether or not the Fund created them or when they came into existence.

**Rules of the Fund** means the rules and amendments to the rules of the Fund, as registered by the FSCA from time-to-time.

**Special personal information** means specific types of special personal information which are set out in POPIA with general and special processing grounds. Special personal information is personal information about religious or philosophical beliefs, race or ethnicity, trade union membership or political persuasion, health or sex life, biometric information and criminal behaviour.

## 4.Introducing the Fund

The Fund is a private body under PAIA. For many of its activities the Fund is a responsible party under the Protection of Personal Information Act (POPIA). The Fund is an umbrella fund with many unrelated participating employers. The Fund is a registered pension fund under the Pension Funds Act and is supervised and regulated by the Financial Sector Conduct Authority.

The Fund is governed by a Board and has a Principal Executive Officer. The Board members and the Principal Executive Officer change from time to time.

## 5.Contact details of the Fund

The Fund's Information Officer (who is also the Principal Executive Officer of the Fund) can be contacted by using these details:

**The Fund's Information Officer:** Mr Roger Spence  
 Telephone number (working hours): (011) 4085685  
 Cell phone number (working hours): 083 251 8570  
 Email address: roger.spence@liberty.co.za

Registered Address:

Physical Address and registered address: Liberty Centre, 1 Ameshoff Street, Braamfontein, Johannesburg, 2001

Postal address: P.O. Box 2094, Johannesburg, 2000

The Fund's website address: <https://www.liberty.co.za/umbrella-fund-solutions>

## 6.A PAIA guide

Because the process of submitting a PAIA request can be quite daunting, the Information Regulator and the Fund has prepared a guide to assist you to understand how to exercise your rights to information under PAIA. The Information Regulator's guide is available in all the South African official languages and in braille at <https://www.justice.gov.za/inforeq> and also on the Funds website.

The guide is helpful and can assist you in making your request for information and understanding PAIA. The guide will also help you understand what assistance you can get from us, the Information Regulator, the format of the request, fees that are payable and your legal remedies (including complaints to the Information Regulator and applications to court).

### How to get the guide:

You can inspect the Information Regulator's guide at our registered offices (see above) in the languages of English, isiZulu and Afrikaans or at the offices of the Information Regulator (see below),

during normal working hours. The guides are also available on the Information Regulator's website (see below).

You can also request copies in any official language from the Funds Information Officer or the Information Regulator using Form 1, which can be accessed on the Information Regulator website or the Funds website <https://www.liberty.co.za/umbrella-fund-solutions>.

## **7. Other relevant documents**

The Fund has a Privacy Notice, which is available for free in electronic format by email from the Fund's Information Officer. The Privacy Notice is also on the Fund's website.

## 8. Information that is automatically available without a formal PAIA request

We can provide you with the following information without you having to make a formal request that complies with PAIA:

Description of category of records automatically available	Manner of access to records
<b>For inspection in terms of section 52(1)(a)(i):</b>	
Available to all members, beneficiaries, the employer(s) of the Fund and the Information Regulator <ul style="list-style-type: none"> <li>• Rules of the Fund and amendments</li> <li>• Fund registration and approval documents</li> <li>• Investment policy statement</li> <li>• Fund code of conduct</li> <li>• Fund conflict of interest policy</li> <li>• Communication policy</li> <li>• Member booklet</li> <li>• Fund general member communications</li> <li>• Privacy notice</li> <li>• Fund risk policies</li> </ul>	Inspection by arrangement or available electronically by email – by contacting the Fund’s administrator on its contact centre: (011) 558 2999 or email the administrator on <a href="mailto:lc.contact@liberty.co.za">lc.contact@liberty.co.za</a> Please also visit our website to see what is available to everyone
<b>Available to everyone on the website</b> <ul style="list-style-type: none"> <li>• Abridged investment policy statement</li> <li>• Rules of the Fund</li> <li>• Risk policies of the Fund</li> <li>• General member communication</li> <li>• Fund’s annual report and annual board report</li> <li>• Investment policies</li> <li>• Default investment strategies</li> <li>• Privacy notice</li> <li>• PAIA manual</li> </ul>	<a href="https://www.liberty.co.za/umbrella-fund-solutions">https://www.liberty.co.za/umbrella-fund-solutions</a>
<b>Available free of charge in terms of section 52(1)(a)(iii):</b>	
<i>Available to each member of the Fund:</i> <ul style="list-style-type: none"> <li>• All the above documents</li> <li>• The member’s last benefit statement</li> <li>• The members own records</li> <li>• Claim progress for the member</li> <li>• Contribution history and fund return history related to the member</li> <li>• The Fund’s last revenue account and balance sheet</li> <li>• Investment performance relevant to the member</li> <li>• Other policies of the Fund from time-to-time</li> <li>• Members share of fund/benefits at a specified date</li> </ul>	Available in electronic format by email. Members to please request this from the Fund’s administrator on its contact centre: (011) 558 2999 or email the administrator on <a href="mailto:lc.contact@liberty.co.za">lc.contact@liberty.co.za</a>

## 9. What records are held by the Fund which must be formally requested before the information is supplied to a member or a third party?

- Minutes of Board meetings
- Board resolutions
- Board agenda packs
- Documentation of Board decisions
- Tender documentation
- Fund indemnity policies
- Correspondence with insurers
- Unclaimed benefits information
- Records of the operations of the Fund
- Members' and beneficiaries' personal information
- Personal information of spouses, ex-spouses, partners and family members of members
- Personal information of children of members
- Health information about members and beneficiaries
- Information about misconduct and alleged criminal behaviour of members
- New entrant forms
- Fund benefit statements for persons other than yourself
- Fund investment mandates
- Fund service provider agreements
- Information about service providers
- Agreements with employer(s)
- Correspondence with employer(s)
- Employer representative's personal information
- Fund policies and procedures

- Correspondence with regulatory authorities, e.g. the Financial Sector Conduct Authority (FSCA)
- Correspondence with the South African Revenue Services
- Reports to the South African Reserve Bank
- Returns to regulatory authorities
- Fund valuations or actuarial documents
- Board and other fund official's personal information
- Board election forms, reports and documents
- Death benefit investigations
- Deduction and withholding from benefits information
- Fund's financial documentation
- Nomination of beneficiary forms and beneficiary information
- Section 14 transfer and recognition of transfer documentation
- Claims forms and information including bank accounts and tax information
- Personal information of members
- Contributions and contribution schedules
- Divorce and maintenance orders
- Complaints and complaints management
- Guarantees of housing loans to members
- Communication to specific members
- Legal opinions and litigation documents
- FICA documents
- Investment performance and returns
- Fees and expenses
- Privacy impact assessment, privacy notice,

## 10. In terms of what legislation does the Fund hold records that may be accessed by certain persons?

The Fund is subject to many different laws and some of them require the fund to produce documentation or make it available. Some of the main laws are set out below.

- Constitution of the Republic of South Africa 108 of 1996
- Pension Funds Act 24 of 1956
- Promotion of Administrative Justice Act 3 of 2000
- Financial Advisory and Intermediary Services Act 37 of 2002
- Income Tax Act 58 of 1962
- Broad-Based Black Economic Empowerment Act 53 of 2003 and the Financial Sector Charter



- Financial Institutions (Protection of Funds) Act 28 of 2001
- Financial Intelligence Centre Act 38 of 2001
- Prevention of Organised Crime Act 121 of 1998
- Insurance Act 18 of 2017
- Long-term Insurance Act 52 of 1988
- The Divorce Act 70 of 1979 and Maintenance Act 99 of 1998
- PAIA and POPIA

The Fund is also subject to subordinate legislation, such as Conduct Standards issued by the FSCA (as well as Joint Standards and Prudential Standards).

The above legislation may require additional procedural or substantive requirements for accessing information.



## 11. What procedure should you follow to obtain information or records from the Fund that require a formal request?

### Format of the request

You *must* do both of the following:

Please use the prescribed form - Form 2. You can find Form 2 on the Information Regulator's website: <https://www.justice.gov.za/inforeg/>

The request must be made to the Information Officer using the contact details included above in this Manual

If you are unable to read or write you may make a verbal request the Fund's Information Officer.

When you complete your PAIA request you *must*:

Provide sufficient detail on the request form to enable us to identify your record and the requestor (you, if you are the requestor)

Indicate which form of access is required e.g. electronic, paper

Indicate if there is a particular manner (way) to be used to inform the requestor (e.g. email or post) and state the particulars needed to be informed this way (e.g. email address)

Identify the right that the requestor is seeking to exercise or protect

Give an explanation of why the requested record is required for the exercise or protection of that right

If the request is being made on behalf of someone else - give proof of the capacity of the requestor (we will need to be satisfied of this)

**Note:** *if you do not use the prescribed form or do not complete it properly, your request may be rejected, refused (if sufficient information is not provided) or delayed.*

All PAIA requests that we receive are evaluated and carefully considered in accordance with PAIA. Sometimes we may have to refuse your request and sometimes we are required to refuse your request. For example, the Fund must protect the personal information of third parties.

## **12.How long will we take to make a decision about your request?**

We will, within 30 (thirty) days of receipt of your request, decide whether to grant or refuse the request and give you notice, with reasons (if required), to that effect.

The 30 (thirty) day period which we have to decide whether to grant or refuse the request, may be extended for a further period of not more than (30) thirty days if the request is for a large number of information, or the request requires a search for information held at another office of the Fund and the information cannot reasonably be obtained within the original 30 (thirty) day period. We will contact you if an extension is needed.

## **13.Remedies available to you when the Fund refuses a request**

### **Internal Fund remedies**

The Fund does not have internal appeal procedures. The decision made by the Information Officer is final. You will have to exercise external legal remedies at your disposal if the request for information is refused, and you are not satisfied with the answer. Please see the information regulator's guide to your rights under PAIA as referred to above for further information.

### **External remedies**

If you are not satisfied by a decision made by the Fund, for example for refusing access, for imposing access fees or for extending the time period in which the response is due, you may apply to court for relief within 180 days of receiving the decision. The decision of the Fund will be reviewed by a court and a decision will be made by the courts as to whether to provide access to the requested information. Please see the information regulator's guide to your rights under PAIA as referred to above for further information.

## **14.Fees**

Generally, fees need to be paid both for making a request and to cover the cost of providing access to information in terms of a request. There are, however, some exceptions. If the requester is granted access to the records they requested and they are not exempted from paying any fees, the Fund can charge prescribed fees. The Fund may also decide not to charge fees. Please see the guide referred to above for further information about fees.

## 15. Protection of personal information

## 16. The Fund's processing activities

The Fund processes personal information in order to perform the following activities:

<b>High-level Fund activities that include the processing of personal information</b>
Board members and other Fund officers – appointment, election, ongoing fit and proper requirements, evaluation and removal, including any liaison with Regulators required. As well as board meetings, agenda packs, minutes, resolutions, statutory and prescribed documents and other board and Fund documentation.
Administration, payment and management of claims and benefits including retirement, withdrawal and death benefits as well as tracing of members and beneficiaries. This includes payment of lump sum death benefits – payable by the Fund under section 37C of the Pension Funds Act, including investigation as well as allocation and payment decisions. This includes applications for tax directives. Included within this activity is retirement benefit counselling.
Administration of contributions, including receipt and allocation to investments, monitoring, reporting, allocation to Fund expenses and risk benefits – of both member and employer contributions. Including deduction of unapproved employer owned policy premiums from contributions.
Investment strategy, investment administration and investment management.
Management of Fund-owned insured risk benefit policies and fund fidelity guarantee policies/ insurances.
Provisions and administration of benefit statements and benefit projection statements (once required) provided to members as well as other prescribed communication.
Decisions, management, administration and payment in relation to withholding or deducting from benefits – in terms of section 37D of the Pension Funds Act with respect to compensation for damage caused to the employer by the member, divorce, maintenance, etc. Including the provision and management of housing loans.
Management of nomination of beneficiaries by members.
Actuarial activities, including prescribed and other reporting to the Fund and regulators.
Financial statements and prescribed and other reporting to the Fund and regulators.
Management and framework for requests for information and complaints.
Establishing, registration, termination, liquidation of participants and transfers in and out of the Fund, surplus apportionments, management, administration, prescribed communication, applications and approval.
Management of the rules, policies and procedures of the Fund.
Appointment, contracting and termination of service providers, appointees, insurers, agents and ongoing monitoring, evaluation and reporting of and about service providers.
Storage of Fund information

## 17. The Fund processes personal information for the following purposes

- (a) Mainly to administer and provide benefits in terms of its rules for its members and former members as well as the dependants of such persons upon the death of a member. These benefits are provided on withdrawal or retirement from the Fund, upon the death of a member or in certain circumstances due to the ill-health of the member. This purpose includes retirement benefit counselling and tracing for reasons of benefit payments and data enhancement.
- (b) To receive contributions from the employer(s) who participate in the Fund and/or the members of the Fund and to process information about those contributions related to the members.
- (c) To allocate those contributions to investments or, if the rules permit, allow members to make certain choices as regards investment options.
- (d) To manage and oversee the insured benefits of the Fund and the attendant policies.
- (e) In order to investigate and then exercise its discretion concerning the allocation of lump sum death benefits or to provide pensions (depending on the rules).
- (f) To process divorce and maintenance orders.
- (g) To provide housing guarantees for housing loans.
- (h) To exercise a discretion as regards withholding or deduction from benefits.
- (i) To comply with information requests by the Fund's regulators and to provide information and reporting as required by law and regulators.
- (j) To manage or oversee transfers into and out of the Fund of members.
- (k) To manage registration, liquidation and rule amendments of or for the Fund.
- (l) To manage Fund officials, potential Fund officials, service providers, operators and the officials and employees of service providers and operators so as to facilitate or manage their appointment, removal, assessment, monitoring, fitness for office, service capability, delivery, performance and other relevant factors.
- (m) To direct, control and oversee the operations, administration and investments of the Fund and to comply with duties set out in the Pension Funds Act (and its successors), including section 7D of this Act and other relevant law.
- (n) To ensure the Fund's Board and committees meet regularly, prepares agenda, minutes, resolutions and other Fund documentation and administration.
- (o) To provide relevant and appropriate communication to the members of the Fund and other stakeholders.
- (p) To manage requests for information and dispute resolution, including complaints related to the Fund.
- (q) To maintain, amend, consolidate or otherwise manage the Rules and other documentation of the Fund.

## 18. How do you request information about your personal information processed by the Fund?

Requests for information under POPIA about your personal information that we process must be made in accordance with the provisions of PAIA, as set out above in this manual, or as set out below. All prescribed forms are available on the Information Regulator's website: <https://www.justice.gov.za/inforeg/>

## 19. You have the following rights to information under POPIA

To request confirmation of whether we hold personal information about you and a description or record of it

To request information about which third parties have access to your personal information

To request us to correct or delete your personal information if it is inaccurate, irrelevant, excessive, out-of-date, incomplete, misleading or unlawfully obtained (Form 2, Regulations to POPIA)

To request us to delete or destroy your information if we are no longer authorised to keep it

To object to us processing your personal information (Form 1, Regulations to POPIA)

## 20. Description of categories of data subjects and the personal information we hold for them: Information Table

We hold the following personal information for the following categories of data subjects. Some of this personal information is special personal information and some of it is children's personal information.

Category of data subject and category number	Category or personal information we hold for them
1. Members of the Fund	Membership records: with details and dates of joining and leaving the Fund, identity or other numbers, dates of birth, age, nationality, retirement age, employment capacity, occupation or level at employer, employee numbers, employer details, any member information prescribed to be held by the Financial Sector Conduct Authority (FSCA), members' contact details, including cell phone numbers and addresses, contributions, contributions statements from employer including remuneration, pensionable salary, taxable salary, cost to company information, tax numbers, leave record, reason for leaving employment, Fund investment choices, transfers received from other Funds for the member, minimum individual reserves or accounts, employment status and reasons for leaving employment; health and disability information, reports and records related to a disability member, divorce and maintenance information and orders (including information contained therein about ex-spouses, partners, ex-partners, living arrangements, spouses, family and children), unclaimed benefits, housing guarantees by Fund. Trade union, bargaining council or employer

	<p>association information if relevant. Elections regarding payment of benefits, investment of benefits when the member leaves the Fund, Member's financial advisor details.</p> <p>Tax payable, tax directives and applications, PAYE, knowledge of members' tax affairs e.g. if they are not in order.</p> <p>Bank account details.</p> <p>Misconduct at employer, allegations and reports, including forensic reports from employer. Litigation, compensation and other legal claims (including CCMA) information related to their employer.</p> <p>Reporting of alleged criminal activity of member by employer to South African Police Service (SAPS). Action by SAPS or National Prosecuting Authority (NPA) against member. Criminal activity, theft, fraud, misconduct, dishonest behaviour of member.</p> <p>Disciplinary proceedings against members. Information about financial prejudice to members, including family and details about other income sources and financial information.</p>
2. Beneficiaries and potential beneficiaries of the Fund, children of member, ex-spouse, spouse of member, other family members and life partners of member (for example dependants as defined in the Pension Funds Act or nominees as contemplated in section 37C of that Act and actually nominated by members. Including persons nominated on nomination of beneficiary forms.)	<p>Identity number, age, percentage nomination, relationship to member, sex-life information.</p> <p>Address and other contact information, banking records, employment status, occupation, financial (assets and income statements), children, family members, living arrangements, account numbers and details, criminal behaviour, divorce and maintenance information, partner, spouse and ex-partner and spouse information, caregiver, health, medical records, life expectancy information, education, training, paternity. Other information required to determine dependency.</p>
3. Ex-spouses or spouses of members (and their legal representatives)	<p>Their legal and other representatives, contact details, identity or other numbers, age, marital status, membership of a fund, pension interest amount, bank account information, tax information and information disclosed in divorce and maintenance orders.</p>
4. Former members of the Fund	<p>Unclaimed benefit information</p> <p>Membership records (as specified above)</p>
5. Board members and other Fund officials	<p>Full names, identity or other number, date of birth, nationality, occupation, contact details, and date of appointment, conflicts and declarations of interest, board memberships, in some cases other employment or provisions of services information and remuneration information, training, education, qualifications, experience, fit and proper requirements information, criminal record, professional body membership and disciplinary information, name of employer, directorships, prescribed person information, FICA information, reasons for removal from office. Bank account details.</p>
6. Service provider companies and persons	<p>Company name, company registration number, Financial Intelligence Centre Act 38 of 2001 (FICA) information, any due</p>

within those companies. Insurers of the Fund. Contractors and agents of the Fund as well as their directors and management	diligence or tender information, including previous criminal behaviour or other forms of misconduct, fit and proper information. Contractual arrangements, errors and omissions, information about claims or litigation, conflicts and declarations of interest, qualifications, licenses, professional body membership, prescribed information. Bank account details. Directors and management identity or other number, contact details, fit and proper requirements information, legal, compliance and regulatory information.
7. Employers of the Fund including their directors, management and consultants' directors and shareholders	Company name, company registration number, FICA information, pay-points. Litigation, compensation and other legal claims (including CCMA) information. Information about persons responsible for contributions. Bargaining council information.
8. Financial advisors to participating employers, financial advisors to members or financial advisors in relation to Liberty	Name, company names, company numbers, FSP numbers and information, fit and proper information (where relevant), contact details, mandates, agreements and other information required under FAIS or other laws.

## 21. The categories of recipient to whom personal information may be supplied by the Fund

The Fund may provide certain of the personal information of data subjects to the following persons for the above-mentioned purposes of the Fund, for example to the extent that they may provide services contracted by the Fund, to perform statutory duties, as required by legislation, to comply with or facilitate court orders, to determine complaints and to regulate and supervise the Fund.

The category number below refers to the information table above.

- the Fund's administrator – category 1,2,3,4,6,7, 8 and certain information from 5;
- the Fund's Consultant category 1,2,3,4,6,7,8 and certain information from 5;
- the Fund's auditors – all categories;
- the Fund's insurers – potentially all categories, depending on claims and for purchasing the insurances;
- the Fund's legal providers – potentially all categories, depending on claims and for appointment;
- the Fund's tracing agents - categories 1 to 4, but limited information required to appoint tracing agents and trace persons specified in the categories so as to pay benefits or other monies owing;
- the Fund's actuary and valuator – all categories to the extent they are required for appointment or actuarial exercises;
- the participating employers in the Fund – categories 1, 4,5,6, 8 to the extent required for contributions, claims, tracing and payment and as a stakeholder in the Fund.
- the consultant of the employer



- the FSCA, Prudential Authority, South African Reserve Bank, the Information Regulator and relevant Regulators – all categories to the extent required;
- the South African Revenue Services, the Financial Intelligence Centre – all categories to the extent required;
- Ombud (for example the Pension Funds Adjudicator) as well as the Financial Services Tribunal – all categories to the extent required;
- basic lump sum death benefit related personal information of beneficiaries to other beneficiaries- category 1, 2 and 5 to the extent required and lawful;
- spouses, ex-spouses of members and their representatives - category 1 and 5 to the extent required and lawful;
- court appointees- category 1 and 5 to the extent required and lawful;
- the Board and other Fund officers - all categories;
- other persons lawfully entitled to receive Fund information.

## 22.Planned flow of personal information out of South Africa

The Fund may lawfully transfer or process personal information outside of the borders of South Africa, but it will ensure that the relevant security measures required by POPIA are in place before it does so. Currently, it is possible that the Fund will transfer any personal information referred to in the information table above out of South Africa mainly to a country in the European Union, mainly due to cloud storage and storage of Teams recordings.

## 23.General description of security measures of the Fund

The Fund and its operators employ appropriate, reasonable technical and organisational measures to prevent loss of, damage to or unauthorised destruction of personal information and unlawful access to or processing of personal information.

Our operators hold much of the personal information processed for the Fund's. We will take steps to ensure that they implement and monitor technical and organisational security measures to protect the personal information they hold, against unauthorised access, as well as accidental or wilful manipulation, loss or destruction.

*The following policies, protocols and documents will be finalised (and updated from time-to-time) to govern the way that the Fund processes personal information:*

- Data Protection Policy (including a breach process)
- Privacy Impact Assessment
- Access to Information manual
- POPIA compliance framework
- POPIA clauses in operator agreements
- Request register
- Breach register
- Fund insurances
- Updated forms

- Internal training and awareness

*Security measures include:*

- firewalls;
- virus protection software and update protocols;
- logical and physical/environment security and access control;
- secure setup of hardware and software making up the information technology infrastructure;  
and
- passwords and encryption.

*In addition, in relation to personal information held on the administration system:*

Security services: proactively protect and defend the organisation from threats, prevent the occurrence and recurrence of incidents commensurate with risk appetite.

Cyber security: monitor ongoing operations and actively hunt for and detect adversaries, respond to and report instances of suspicious events and unauthorized actions as expeditiously as possible. provide ongoing actionable threat intelligence and perform resilience exercises.

Management assurance: accountable for ensuring appropriate controls are in place and validated for the governance of information assets, including successful adoption of risk mitigating capabilities. This function is charged with ensuring procedures and activities comply with regulatory requirements and internal policies, standards, and processes. Organisational structure measures exist, for example access controls as well as levels of delegation and authorisations.

## **24.The Fund relies on authorisations, justifications or grounds to process personal information lawfully**

POPIA requires the Fund to process personal information in compliance with the eight conditions set out in that Act and other requirements. The Fund relies on justifications and authorisations permitted in terms of POPIA to process personal information lawfully, including children’s personal information and special (sensitive) personal information, for example health information. Please ask our Information Officer for further information about this if required.

## **25.Information Regulator’s contact details**

You can contact the Information Regulator using the following contact details:

Information Officer and Chief Executive Officer: Mr. Mosalanyane Mosala

Contact Person: Ms. Pfano Nenweli

Email: PNenweli@justice.gov.za

Deputy Information Officer: Ms. Varsha Sewlal  
Email: VarSewlal@justice.gov.za

Complaints (complete POPIA/PAIA form 5)

PAIAComplaints@inforegulator.org.za - should your PAIA request be denied or there is no response from the Fund for access to records you can use this email address to lodge a complaint with the Information Regulator.

POPIAComplaints@inforegulator.org.za – should you feel that your personal information has been violated, you can use this e-mail address to lodge a complaint with the Information Regulator.

Physical address and postal address:  
JD House, 27 Stiemens Street P.O. Box 31533  
Braamfontein Braamfontein  
Johannesburg Johannesburg  
2001 2017

Telephone: 010 023 5200

Website: <https://www.justice.gov.za/infoereg/>

## 26.Availability of this manual

A copy of this manual is available for inspection free of charge at the Fund's registered office (see address in this manual above) within normal working hours and, on the Fund's website. Fees may be charged for hard copies.

Signed on this 7th day of December 2021



Information Officer of the Fund